

SHIRE OF KOJONUP



Council Minutes

21st July 2015

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 21st July 2015****TABLE OF CONTENTS**

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20 ATTACHMENTS (SEPARATE)

86

MINUTES

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

The Shire President declared the meeting opened at 3:00pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meetings 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.

2 **ATTENDANCE & APOLOGIES**

| | |
|--------------------|------------------------|
| Cr Ronnie Fleay | Shire President |
| Cr Robert Sexton | Deputy Shire President |
| Cr Ian Pedler | |
| Cr Jane Trethowan | |
| Cr John Benn | |
| Cr Frank Pritchard | |
| Cr Ned Radford | |
| Cr Jill Mathwin | |

| | |
|--------------------------|--|
| Mr Rick Mitchell-Collins | Chief Executive Officer |
| Mr Anthony Middleton | Manager of Corporate Services |
| Mr Mort Wignall | Manager of Regulatory & Community Services |
| Mr Craig McVee | Manager of Works & Services |
| Mr Phil Shephard | Town Planner |
| Miss Dominique Hodge | Personal Assistant to the CEO |
| Mrs Heather Marland | Senior Finance Officer |
| Mrs Hannah Robinson | Community Services Officer |
| Mrs Michelle Dennis | Development Services Coordinator |

| | |
|------------------------|---|
| Members of the Gallery | 4 |
|------------------------|---|

APOLOGIES

Nil

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

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS, DEPUTATIONS & PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTESORDINARY MEETING 16th June 2015**COUNCIL DECISION**

100/15 Moved Cr Fleay, seconded Cr Benn that the Minutes of the Ordinary Meeting of Council held on 16th June 2015 be confirmed as a true record subject to the following changes:

- Under Item 4.1 – “that was designed to garner feedback” should be added to “The Shire President responded it was only a preliminary application” to read “The Shire President responded it was only a preliminary application that was designed to garner feedback.”
- Under Item 4.1 – After “Mrs Hills stated that the more information we provide DER, the better outcome we will have.” The following should be added “The Shire President agreed and that is why the preliminary application process was taken.”
- Under Item 4.1 – “The Shire President responded saying the need for licensing of the Saleyards was unknown at the time of planning the settlement ponds.” Should be changed to “The Shire President responded saying the need for licensing of the Saleyards was unknown at the time of the planning for the settlement ponds.”
- Under Item 4.2 – “The reason the item is coming to the table is for information as part of the budget process so that the Council know where they are at” should be extended to read “The reason the item is coming to the table is for information as part of the budget process so that the Council know where they are at so the Council can ensure the costs are included in the budget process and to settle rumours.”
- Under Item 4.4 – “Mr Bilney continued by stating prices achieved at the Kojonup Saleyard last financial year were \$4 to \$5 higher than the Katanning Saleyard the previous morning and Narrogin early that same week.” A comma should be added after Narrogin to read “Mr Bilney continued by stating prices achieved at the Kojonup Saleyard last financial year were \$4 to \$5 higher than the Katanning Saleyard the previous morning and Narrogin, early that same week.”
- Under Item 4.6 – “Officers have a job to do and they are putting their best recommendation forward.” Should be changed to read “Officers have a job to do and they are quite rightly putting their best recommendation forward and that it is Council that will take this advice, consider all aspects of the matter and then make their decision.”
- Under Item 4.7 – “The Shire President explained to Mr Piesse that Officers are to bring the question to Council, before spending unbudgeted funds” should be extended to read “The Shire President explained to Mr Piesse that Officers are to bring the question to Council, before spending unbudgeted funds which includes the cost of soil testing.”
- After Item 4.8 concludes the following note should be added “The Shire President thanked the gallery for their attendance and input.”

CARRIED 8/0

8 **ANNOUNCEMENTS** by the Presiding Member without discussion

Shire President informed the meeting that advice has been received from Department of Commerce – Consumer Protection that the Kojonup Landcare Inc. funds have been received by the Shire. The sum of \$103,000 will be spent in the Kojonup area. The Shire President then proceeded to thank the Chief Executive Officer for his efforts in securing the funds back in Kojonup.

9 **DECLARATIONS OF INTEREST**

Cr Pritchard declared an interest in Item 12.6 as he has a proximity interest as he is a resident of Benn Parade.

Cr Radford declared an interest in Item 12.6 as he is the President of the Kojonup Tourist Railway.

Cr Benn declared an interest in Item 13.2 as he is the immediate past President of the Kojonup Tourist Association.

Note:

Cr Pedler declared an interest as the meeting reached Item 12.1 as he is the Auditor of the Kojonup Occasional Care Centre.

10 CORPORATE SERVICES REPORTS**10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

AUTHOR: Anthony Middleton – Manager of Corporate Services
DATE: Monday, 13 July 2015
FILE NO: FM.FNR.2
ATTACHMENT: 10.1 Monthly Statement of Financial Activity

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 30 June 2015.

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 2014 to 30 June 2015 represents twelve (12) months, or 100% of the year. The following items are worthy of noting:

- Surplus position of \$530,987;
- Operating results:
 - 98% of budgeted operating revenue received; and
 - 101% of budgeted operating expenditure spent;
- Capital expenditure achieved 54% of budgeted projects;
- The value of outstanding rates equates to 4.49% of 2014/2015 rates raised (this figure includes previous years arrears but excludes deferred rates) (refer to page 17 of statement);
- Cash holdings of \$4.1m of which \$3.3m is held in cash backed reserve accounts;
- Page 7 & 8 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

It should also be noted that \$720,998 of the 2015/2016 Financial Assistance Grants (FAGS) were pre-paid on 30 June 2015. Without this pre-payment, the end of year position would have been \$190,011 deficit.

It must also be stated that the attached financial statements have not been audited, nor have all end of year financial transactions been processed, and therefore do not represent the final 2014/2015 financial position. This process will be undertaken over the coming months and will include thorough audit and the annual electors meeting.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

Financial Management Regulation 34 sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

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

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023 Focus Area 1 - Being Well Governed

Corporate Business Plan 2013-2017

Strategy 1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations

Strategy 1.1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

101/15 Moved Cr Trethowan, seconded Cr Mathwin that the monthly financial statements for the period 1 July 2014 to 30 June 2015, as attached, be noted.

CARRIED 8/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Brodie Potter – Finance Officer
DATE: Friday, 10 July 2015
FILE NO: FM.AUT.1
ATTACHMENT: 10.2 Monthly Payment Listing 01/06/2015 – 30/06/2015

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the period 1st June 2015 – 30th June 2015.

BACKGROUND

Not applicable.

COMMENT

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

In accordance with the previous briefing session any comments or queries regarding the list of payments is to be directed to the Manager of Corporate Services via email 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 2.5 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 IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

102/15 Moved Cr Pedler, seconded Cr Benn that in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments made under delegated authority from 1/06/2015 to 30/06/2015 comprising of Municipal Cheques 13454 - 13466, EFT's 14111 - 14343 and Direct Debits 17588.1 – 17759.1 totalling \$1,231,516.99 and as attached to this agenda, be received.

CARRIED 8/0

10.3 BUDGET ADOPTION – 2015/2016 LIST OF FEES AND CHARGES

AUTHOR: Anthony Middleton – Manager of Corporate Services
DATE: Monday, 13 July 2015
FILE NO: FM.FEE.1
ATTACHMENT: 10.3 List of Fees and Charges

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to adopt the list of fees and charges for the 2015/2016 financial year.

BACKGROUND

At its meeting held 16 June 2015, the Council resolved as follows:

‘that the attached draft list of fees and charges be referred to the 2015/2016 budget, subject to the following:

- **Council Policy sets a bond at 4 weeks for staff housing - to be added;**
- **Inequity in rental paid between Newton St & Loton Close Units – to be reviewed;**
- **Memorial Hall back stage charge - Theatrical Society have their own set of key – clarification needed;**
- **Pool entry fees to be clarified by the Manager of Regulatory & Community Services;**
- **Pool Fees - Aqua aerobics needs clarifying instead of “as above”; and**
- **CWA Building – clarification needed for use by community organisations.’**

The Council is required by the *Local Government Act 1995* to adopt a list of fees and charges annually.

COMMENT

The draft list of fees and charges has undergone a review from all staff, Council briefing sessions, the Audit Committee and the Council.

Changes have been made to the draft since the 16 June 2015 Council Meeting as follows:

- As per the Council resolution above;
- Bagg Street Doctors surgery has been moved to staff housing and given a weekly rent for staff and a nightly rental for non-staff;
- Rubbish and recycling bin collection charges have increased in-line with the proposed rates increase of 4.3%; and
- The Kodja Place Precinct (TKPP) fees and charges have been totally re-written by the Manager as part of the change in management structure and operations at the precinct (note all TKPP fees to have a delayed start date effective from 1 September 2015).

In consultation with the Sporting User Groups the charges for use of Shire sporting facilities will be reviewed during 2015/2016.

CONSULTATION

All office staff have been given the opportunity to provide input. A review was also conducted at Council briefing sessions, the Audit Committee and the Council.

STATUTORY REQUIREMENTS

Section 6.15 to 6.19 of the *Local Government Act 1995* legislates the imposition of fees and charges for a local government. Section 6.19 of this Act requires a local government to advertise the imposition of fees and charges that are not included in the annual budget. This item is being completed in conjunction with the adoption of the annual budget and therefore advertising is not required.

POLICY IMPLICATIONS

There is no Council policy applicable to this item.

FINANCIAL IMPLICATIONS

The list of fees and charges, when adopted, sets the level of many revenue items contained within the budget. Significant consideration needs to be given when setting each fee and charge and the effect that it will have on the usage of that facility and therefore the total revenue level obtained.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023 Focus Area 1 - Being Well Governed

Corporate Business Plan 2013-2017

Strategy 1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations

Strategy 1.1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

A thorough and complete list of fees and charges assists with legislative compliance and ensures the generation of adequate revenue.

ASSET MANAGEMENT IMPLICATIONS

An appropriate list of fees and charges can assist to fund the required asset management activities.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

103/15 Moved Cr Mathwin, seconded Cr Pritchard that the list of fees and charges, as attached, be adopted.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.4 BUDGET ADOPTION – 2015/2016 PROPERTY RATES

AUTHOR: Anthony Middleton – Manager of Corporate Services
DATE: Monday, 13 July 2015
FILE NO: FM.BUD.2
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to set the property rates and associated conditions for the 2015/2016 financial year.

BACKGROUND

Nil.

COMMENTLevel of Rates/Calculation

The proposed rate increase in the 2015/2016 draft budget is 4.3%. This is in-line with the Perth March Consumer Price Index of 2.3% *plus* an additional 2% in accordance with the Council's adopted Long Term Financial Plan.

All Unimproved and Gross Rental Values have been revalued by the Valuer Generals Office in accordance with relevant statutory legislation. There was no significant change in total Unimproved Valuations for the Shire, however, significant variations have occurred throughout the Gross Rental Valuations. As such, individual properties are likely to receive a greater variance (both increased and decreased) than the 4.3% total increase in actual rates levied for the year. Unfortunately, this is beyond the Shire's control and anyone in this situation should refer to the Valuer General's Office.

It is proposed that the minimum rate of \$625 from last year be increased to \$640.

Discount

Section 6.12 (1)(a) permits a local government to grant a discount or incentive for the early payment of money which is owed to the Council. The Council has historically offered a discount and it is proposed that a 2.5% discount on property rates paid within 14 days from the date of issue of the rate notice continue in 2015/2016.

Instalments

It is recommended that the Council continue to offer the following three (3) payment options as in previous years.

1. To pay the total rates and charges included on the rate notice in full by the 35th day after the date of issue of the rates notice. (Full payments received within 14 days are eligible for a discount of 2.5% on the amount of their current rate charge); or
2. To pay by two equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the second instalment four calendar months after this date; or
3. To pay by four equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the remainder at two calendar month intervals after this date.

Instalment Fee

It is recommended that an instalment fee of \$9.00 be charged for each instalment reminder issued after the first instalment is paid. This is the same as that charged in at least the two previous financial years.

Interest on Instalments

It is recommended that the maximum allowable interest rate of 5.5% per annum be applied to instalment payments. Again, this is consistent with the previous year's charges and statutory requirements.

Late Payment Penalty Interest

It is recommended that the Council adopt a late payment penalty interest of 11% per annum. It is proposed that the late payment penalty interest will apply to rates that remain unpaid where no election was made to pay the rate by instalments and on overdue instalment payments where an election was made to pay by instalments. Again, this is consistent with the previous year's charge and statutory requirements.

CONSULTATION

Setting the rating levels for 2015/2016 has been discussed at Council briefing sessions and senior management team meetings. All other rating parameters are as per previous years.

STATUTORY REQUIREMENTS

Section 6.25 to 6.82 of the *Local Government Act 1995* and Sections 52 to 78 of the Local Government (Financial Management) Regulations relate to property rating requirements and procedures.

POLICY IMPLICATIONS

There is no Council policy applicable to this item.

FINANCIAL IMPLICATIONS

The property rates proposed have been established on the basis of delivering a balanced budget and the adopted long term financial plan of the Shire.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023 Focus Area 1 - Being Well Governed

Corporate Business Plan 2013-2017

Strategy 1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations

Strategy 1.1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

A control measure to raise rate revenue to offset budget expenditure as listed in the 2015/2016 budget.

ASSET MANAGEMENT IMPLICATIONS

Rating revenue assists to fund the required asset management activities.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

104/15 Moved Cr Pedler, seconded Cr Trethowan that:

- 1. That the following rate levels be adopted for the 2015/2016 year:**
 - a) For all rateable properties where Gross Rental Valuations are applied a rate of 11.2347 cents in the dollar with a Minimum Rate of \$640 to apply.**
 - b) For all rateable properties where Unimproved Valuations are applied, a rate of 0.8921 cents in the dollar with a Minimum Rate of \$640 to apply.**
- 2. That where payments are received after the due date, penalty interest at a rate of eleven (11%) per centum per annum, to be calculated on a daily basis will be imposed on all outstanding Rates and Service Charges.**

Pensioners who are registered in accordance with the Rates Rebates and Deferments Act 1993 are exempt from this provision.

- 3. That for those ratepayers who pay all of their rates and charges and arrears in full within 14 days (Friday 7 August 2015) of the date of rate notice issue (24 July 2015) they be offered a discount of 2.5% on the amount of their current property rate charge for the 2015/2016 year.**
- 4. That the following Rates Installment payment Options be adopted:**

Option 1 Payment in full

Total amount of rates and charges included on the rate notice to be paid in full by 28 August 2015.

Full payments received on or before 7 August 2015 are eligible for a discount of 2.5% on the amount of their current rate charge for the 2015/2016 year.

Option 2 Payments to be made by two (2) installments as detailed on the Rates Notices, with the following dates:

| | |
|---------------------------|-----------------------|
| First Installment | 28 August 2015 |
| Second Installment | 8 January 2016 |

Option 3 Payments to be made by four (4) installments, as detailed on the Rate Notices with the following dates:

| | |
|---------------------------|------------------------|
| First Installment | 28 August 2015 |
| Second Installment | 29 October 2015 |
| Third Installment | 8 January 2016 |
| Fourth Installment | 10 March 2016 |

- 5. That where payments are made by installment, an administration charge of \$9 for each installment after the first installment shall apply. Interest on installments shall be 5.5% p.a. calculated daily from the date the first installment is due to the date each subsequent installment is due.**

CARRIED BY ABSOLUTE MAJORITY 8/0

10.5 BUDGET ADOPTION – 2015/2016 ANNUAL BUDGET

AUTHOR: Anthony Middleton – Manager of Corporate Services
DATE: Monday, 13 July 2015
FILE NO: FM.BUD.2
ATTACHMENT: 10.5 2015/2016 Draft Annual Budget

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to adopt the 2015/2016 annual budget, with or without modification.

BACKGROUND

The *Local Government Act 1995*, requires each Local Government to prepare a budget each financial year. The form, manner and content of the budget are prescribed in the Act and the Financial Management Regulations. Council must adopt its budget by an Absolute Majority no later than 31st August in the budget year unless the Minister for Local Government has granted an extension.

The Council has been working on the components of the 2015/2016 Annual Budget for a number of months now, including the consideration of fees and charges and property rating details. The Council briefing sessions have enabled a detailed analysis of the draft budget by staff and elected members.

The previous items in this agenda have dealt with the major items in the budget and have been adopted individually as required by the *Local Government Act*. These included the List of Fees & Charges and Property Rates.

COMMENT

Only minor changes have occurred to the draft budget as circulated to Councillors on 7 July 2015. They are as follows:

1. Slight amendment to figures in line with the amended Plant Replacement Program 2015-2027, including additional funds in the plant reserve to ensure sustainability over the 12 year period;
2. Opening Balance figure finalised at \$530,987 (draft budget contained \$550,231);
3. Small additional allocation to 'Library Resource Purchases' A/c 6902 - \$1,500;
4. 'Sporting Facility Master Plan' A/c 6557 changed to \$0 following receipt of final invoice (draft budget contained \$10,324); and
5. 'Contribution – Dept Education – Oval' A/c 6553 increased to \$34,075 based on 2014/2015 actuals figures (draft budget contained \$25,164)

The Chief Executive Officer has prepared the following introduction to the budget:

"A substantial impediment to development in Regional WA is the provision of affordable infrastructure regarding sewer, power, communications, water, and roads as unlike metropolitan areas we do not enjoy economies of scale or return on land sales that can absorb head work charges. Council has lodged a National Stronger Regions Fund – Round 2 application seeking \$2.4 million to address this disadvantage and the outcome will be known by January 2016.

The new Day Care Centre is well advanced and tenders for 3 Independent Living Units and CEO house in Loton Close will be progressed in August with commencement in October 2015 as CLGF funds were actually released by the State Government in May 2015.

The 2015/2016 Budget continues to build on respecting past decisions but also plans and promotes for today and tomorrow in accordance with the Community Strategic Plan 2013-2023. This has

necessitated the ongoing review of Council systems, processes, procedures, project planning and governance to ensure an integrated approach and understanding of the “core business” of Council.

The Southern Link Voluntary Regional Organisation of Council’s will continue to focus on eliminating duplication of effort and resources by collectively reviewing Local Laws and sharing personnel.

There have been instances where the expectation of meeting State Government regulations is not consistent with the actual use of the facility and that “blanket” requirements do not necessarily equal good governance e.g. Kojonup Saleyards! These challenges emphasise the importance “Local” means in Government! As recently identified by the new Australian Local Government Association President – Cr. Troy Pickard when speaking at the Municipal Association of Victoria “Future of Local Government” Conference, Local Government nationally is responsible for an asset value totalling \$354 Billion, States \$588 Billion and Federal \$106 Billion!

The Shire of Kojonup has limited resources and is the custodian of a large number of assets consisting of Infrastructure (Roads, Footpaths, Kerbing and Signs), Drainage, Buildings, and Parks & Reserves. Therefore, when making decisions in relation to infrastructure assets, the Shire is committed to the philosophy of renewing assets before acquiring new assets. In addition, where possible, rationalising assets that are no longer used or do not provide the agreed level of service.

Emphasis continues on the legal compliance of Council, Committees and Work Groups etc. undertaking forward planning through effective governance that provides transparency, accountability and innovation as well as striving for productivity gains and operating efficiencies via a committed, dedicated and capable workforce.

The maintenance and renewal works undertaken at Springhaven over the past 15 months is a major accomplishment however I never forget that it is the dedicated Aged Care Services Team under the management of Sue Northover that makes residents feel at home and engaged in activities. Our Team eases the pressure on families during the transition and they ultimately become an extended family member of Springhaven.

Similarly our Works and Services Team under the management of Craig McVee make a huge difference to the quality of our grading, re-sheeting and rolling of roads because Team members possess the knowledge, skills and experience to get the best from their machines and each other as well as the quality of material used.

So what does the 2015/2016 propose?

General

- *4.3% increase on total rates raised 2014/2015 (in accordance with Long Term Financial Plan)*
- *2 new loans proposed*
 - *\$220,000 for land development costs for the 3 VROC ILU’s*
 - *\$200,000 for Ageing in the Bush grant matching funds (builds 3 ILU’s)*
 - *Loans not required if NSRF grant successful (not budgeted)*
 - *Loan levels remain low (approx. \$792k at end of budgeted year).*
- *Large Capital Program proposed - \$6.95m, predominately six (6) new ILU’s, Day Care Centre, CEO residence, water re-use project, road construction and plant replacement.*
- *The Kodja Place Precinct substantial increase – 45% increase to net operating deficit plus \$116,500 capital expenditure*
- *Capability to fund & achieve?*

| | |
|--|----------------|
| ○ <i>Capital Expenditure 2011/2012</i> | <i>\$3.3m</i> |
| ○ <i>Capital Expenditure 2012/2013</i> | <i>\$1.7m</i> |
| ○ <i>Capital Expenditure 2013/2014</i> | <i>\$2.8m</i> |
| ○ <i>Last Year’s Budget</i> | <i>\$7.09m</i> |
| ○ <i>Last Year’s Actuals</i> | <i>\$3.56m</i> |

- *Reserves becoming limited. Future year's projects will rely on greater levels of grant funding and long term planning/savings into reserve account. This continues to be a major focus of Council and the Development Project Team coordinated by the Senior Project Officer.*

Executive Services (CEO - Rick Mitchell – Collins)

- *Independent Living Units:*
 - *\$1,098,750 for the construction of three (3) ILU's and development of land to enable private investment.*
 - *\$846,000 for the construction of three (3) ILU's under the 'Ageing in the Bush' grant program.*
 - *Loan of \$420,000 to cover the Council contribution to the above 2 projects – Not required if 'National Stronger Regions Funding' Application is successful.*
- *\$30,000 Curly Wig Sub-division;*
- *\$25,000 for Chambers & reception lounge furniture, stage removal & projector;*

Regulatory Services (Manager - Mort Wignall)

- *\$636,207 to finalise completion of the new Day Care Centre for the Kojonup Occasional Care Committee;*
- *Staff Housing:*
 - *\$550,000 for the construction of a new residence for the CEO;*
 - *\$30,000 to convert the Bagg Street Doctors Surgery into short stay accommodation for staff & contractors;*
 - *\$27,000 major maintenance items on the Newton Street units and 39 Vanzuilecom Street;*
- *\$37,690 on improving waste water re-use and stormwater harvesting infrastructure - Stage 1;*
- *\$34,000 for external painting, new exit lights and furniture at the Shire Administration Building;*
- *\$126,500 for upgrades to the Memorial Hall, particularly for theatrical performances (\$70,000 for theatrical society upgrades, \$45,000 for electrical upgrades and \$11,500 for painting & LED lights);*
- *\$26,398 for fencing upgrades at the transfer station and oil separation facilities;*
- *\$30,000 to finalise construction issues downstairs at the Sporting Complex;*
- *\$30,000 for Swimming Pool Capital upgrades, subject to grant funds;*
- *\$23,000 Airstrip improvements (automatic lighting and water tank);*
- *\$20,000 allowance for enforcement issues (e.g. building demolitions);*
- *\$10,000 to partially demolish the Pistol Club;*
- *Security system upgrade to all buildings (plan and begin implementation) \$7,000.*

Works and Services (Manager - Craig McVee)

- *\$1.68m road construction projects as follows:*
 - *\$990,000 major regional roads;*
 - *\$250,000 gravel re-sheeting;*
 - *\$335,000 bitumen reseal;*
 - *\$42,000 kerbing upgrades within the Kojonup town site;*
 - *\$20,000 rural road widening;*
 - *\$20,000 town drainage renewal; and*
 - *\$23,465 Wooden Culvert Replacement;*
- *\$516,000 for major plant and passenger vehicle purchases (net average cost of \$490,400 as per 12 year plant replacement program);*
- *\$450,000 for upgrade of Bridge 4926A Boilup Road;*
- *\$55,000 for footpath improvement program;*
- *\$28,000 for Cemetery Infrastructure Upgrades;*
- *\$25,000 for the purchase of a portable site office with toilet for roadwork's sites.*

Corporate Services (Manager – Anthony Middleton)

- \$46,000 to fund IT changes at Kodja Place, software purchases & PC changeovers;
- \$23,000 for records archiving across the organisation to bring up to legislative and usable standard;
- \$22,000 to implement a user pays system on water stand pipes;
- \$19,773 (carry-over) for a new corporate logo and implementation;
- \$15,000 to implement rural street addressing.

Aged Care Services (Manager – Sue Northover)

- \$220,000 for renovation and construction of bathroom facilities at Springhaven;
- \$22,500 for Springhaven major building maintenance items;
- \$34,500 for major building maintenance items at Loton Close and Jean Sullivan units.

The Kodja Place Precinct/Community Development & Tourism (Manager – Zahra Shirazee)

- Net operating deficit **increase** of \$160,920, including the development of an overall concept plan, Mosaics database, brochures, wages and oral histories;
- \$20,000 rammed earth wall remedial works & \$6,500 building maintenance items;
- \$90,000 for Interpretive Centre revamp (\$65,000) and On-line booking/Point of Sale upgrade (\$25,000), part funded through grant funds.

Conclusion

The 2015/2016 Budget process included consideration of and implications to the Long Term Financial Plan, Community Strategic Plan, Corporate Business Plan, Asset Management Plan, Risk Management Plan, Workforce Plan, as well as our ability to meet and respond to changes in government funding streams, regulation, cost shifting and the political landscape.

I express my sincere gratitude to Councillors who have demonstrated a clear strategic mindset when assessing, reviewing, evaluating and establishing the strategic direction of Council on behalf of the community they represent which is reflected in the quality of decisions made regarding the development of various Master or Development Plans.

An Annual Budget does not sit in isolation of the “Big Picture” and this was evidenced during the Aged Care, Medical and Health Facilities Assessment whereby Elected Members and Management undertook extensive scenario planning, financial modelling and resourcing assessments against proposed projects over 15 years when formulating the Long Term Financial Plan.

Expectation must meet reality and Council will continue to engage and consult with the community to rank priorities in order to focus on external funding opportunities. A good idea is not sufficient unless it is backed by a sound business plan; “whole of life” costs and is affordable!

The Sports Precinct User Group and Kodja Place Advisory Committee have commenced journeys in respect to identifying and implementing a staged approach to achieve sustainable projects and gathering the information required by external funding providers so that we stand out from the crowd but also live within our means!

To my staff and managers a very special thanks for your commitment to change and continually rising to the challenge of continuous improvement! There is still much to be done but we have collective input and ownership of our aims and objectives which also comes with responsibility and accountability. The months of planning will now be translated into tangible outcomes!

To the community members whom I, Council and staff have been involved with over the past year and the many volunteers who have contributed time and energy supporting various clubs, groups and organisations thank you for your input and feedback and I look forward to continuing our productive association in the year ahead.

To the businesses who continue to support our community a big thank you! To everyone who has attended Forums, Briefing Sessions, Advisory meetings, Workshops, lodged submissions, made suggestions or requests thank you for taking the time to be interested in the past, present and future direction of the Shire of Kojonup.

I commend this budget to Council for adoption for the 2015/2016 Financial Year.”

CONSULTATION

The Council has been consulted during budget workshops to assess the priorities of proposed capital works, plant replacement, abnormal operating items, community grant process, reserve transfers and rate increase levels.

STATUTORY REQUIREMENTS

Section 6.2 of the *Local Government Act 1995* and regulations 22-33 of the *Local Government (Financial Management Regulations) 1996* legislate the requirements of the annual budget.

Section 6.2(1) of the *Local Government Act 1995* requires that prior to 31 August each year, the Council adopt a budget for its municipal fund for the proceeding financial year.

The annual budget is to incorporate:

- a) particulars of the estimated expenditure proposed to be incurred by the local government;
- b) detailed information relating to the rates and service charges which will apply to land within the district including:
 - i. the amount it is estimated will be yielded by the general rate; and
 - ii. the rate of interest (if any) to be charged by the local government on unpaid rates and service charges.
- c) the fees and charges proposed to be imposed by the local government;
- d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
- e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
- f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and such other matters as are prescribed.

POLICY IMPLICATIONS

There is no Council policy applicable to this item.

FINANCIAL IMPLICATIONS

The adopted budget of the Shire sets the financial direction for the proceeding financial year.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023 Focus Area 1 - Being Well Governed

Corporate Business Plan 2013-2017

Strategy 1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations

Strategy 1.1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for the adoption of the budget, apart from minimizing exposure to risks (particularly financial) through a thoroughly prepared and legislative compliant annual budget process.

The 2015/2016 budget also makes provision, through staff wages, for the continuation of the Shire's formal risk management process into community groups and sporting organisations.

ASSET MANAGEMENT IMPLICATIONS

The 2015/2016 budget makes provision for numerous new asset purchases, asset renewal and upgrades and major maintenance items for the coming financial year.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

105/15 Moved Cr Benn, seconded Cr Trethowan that the 2015/2016 Annual Budget, as attached, be adopted.

CARRIED BY ABSOLUTE MAJORITY 8/0

Shire President thanked staff for the effort that goes into the Budget.

Chief Executive Officer expressed his thanks to the community of Kojonup, as the way forward is promising, we are now consulting with the community, working with the community, we are respecting the past while planning and promoting today and the future.

Chief Executive Officer then thanked Staff and Senior Management.

11 WORKS & SERVICES REPORTS

Nil

12 COMMUNITY & REGULATORY SERVICES REPORTS**12.1 KOJONUP OCCASIONAL CARE CENTRE INC**

AUTHOR: Heather Sheppard – Senior Project Officer
DATE: Wednesday, 8th July 2015
FILE NO: CS.SVP.2
ATTACHMENT: [12.1.1 Business Plan dated June 2015](#)
[12.1.2 Risk Management Policy & Plan dated 2015](#)
[12.1.3 Business Continuity & Disaster Recovery Plan dated June 2015](#)

DECLARATION OF INTEREST

Nil

SUMMARY

To accept and endorse the Kojonup Occasional Care Centre Inc. Business Plan, Risk Management Plan and Business Continuity and Disaster Recovery Plan that has been developed in accordance with Council Decision 55/15 – Point 6.

BACKGROUND

Council at the Ordinary meeting held 21 April 2015 approved the Senior Project Officer providing assistance to the Kojonup Occasional Care Centre Inc. in the provision of various strategic plans which are to be endorsed by Council as follows:

Council Decision 55/15

1. **That the Senior Project Officer be engaged in the provision of and be responsible for the following for the Kojonup Occasional Care Centre Inc. in the first instance commencing as soon as possible:**
 - **Finalise Strategic Plan and progress Goals and Actions**
 - **Prepare Risk Management Plan**
 - **Prepare Business Continuity and Disaster Recovery Plan**
 - **Review business plan and structure of the Centre**
 - **Review financial reporting obligations and update MYOB inputs to ensure data is current and compliant to enable production of monthly financial reports, bank reconciliations, payroll, group certificates, BAS, debtors and creditors, etc. to provide up to date and reliable financial information.**
 - **Provide "fee for service" basis for finance services provided by the Shire that is to be reviewed after 30 June 2015.**
 - **Update and circulate new Parent handbook covering fees and charges and procedures for booking, etc.**
 - **Review and update policies and procedures**
 - **Provide an Employee Manual with HR policies and procedures**
 - **Commence community engagement activities**
 - **Commence marketing activities including change of name and new website**
2. **That the Shire review and consider the provision of ongoing financial administrative support to meet the ongoing obligations of the Centre from 1 July 2015 with costs to be reimbursed by the Centre.**
3. **That an Elected Member and/or Senior member of staff has representation on the Committee.**
4. **That an Elected Member and/or Senior member of staff shall be included in future recruitment and selection processes.**

5. **That the Shire receives a copy of the monthly financial statements each month, annual budget and annual financial reports annually.**
6. **That the Shire endorses the Strategic Plan, Business Plan, Risk Management Plan and Business Continuity and Disaster Recovery Plan.**

COMMENT

The Senior Project Officer has been engaged to provide a Strategic Plan, Business Plan, Risk Management and Business Continuity and Disaster Recovery Plan to comply with grant applications prior to the new building being opened. The meeting for the Business Plan, Risk Management Plan and Business Continuity and Disaster Recovery Plan have been held with a draft plans provided to The Kojonup Occasional Care Centre Inc. committee for discussion and final endorsement at the June meeting. The Plans were endorsed by the committee at its meeting held on 24th June 2015.

CONSULTATION

Kojonup Occasional Care Centre Inc. Committee and Co-Ordinator.

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Senior Project Officer costs included in 2014/2015 budget.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023

Focus Area 1.5 – Staying active and entertained

Corporate Business Plan 2013-2017

1.5: Staying Active and Entertained

1.5.2: Maintaining an active, healthy and social community.

RISK MANAGEMENT IMPLICATIONS

Compliance of Federal Government Financial reporting requirements

Ongoing stability of Centre

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

3:18pm Cr Pedler declared an interest and left the Chamber.

Cr Mathwin requested that the thanks to the Officer be noted in the minutes.

COUNCIL DECISION / OFFICER RECOMMENDATION

106/15 Moved Cr Mathwin, seconded Cr Radford that Council accept and endorse the Kojonup Occasional Care Centre Inc.:

- 1. Business Plan dated June 2015;**
- 2. Risk Management Policy & Plan dated 2015; and**
- 3. Business Continuity & Disaster Recovery Plan dated June 2015.**

CARRIED 7/0

3:21pm Cr Pedler returned to the Chamber.

12.2 PLANNING CONSENT FOR ALTERATIONS TO SPRINGHAVEN FRAIL AGED LODGE, KOJONUP

AUTHOR: Phil Shephard – Town Planner
DATE: Wednesday, 17 June 2015
FILE NO: CP.DAC.2
ATTACHMENT: 12.2 Copy of Plans

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider the application for planning consent to undertake alterations to Springhaven Frail Aged Lodge.

The recommendation is to grant planning consent subject to conditions.

BACKGROUND

The Shire is pursuing the construction of alterations to Springhaven to improve the facility for the residents and staff.

These will include a building addition to incorporate an assisted bathroom as well as renovations to the existing bathrooms. A storeroom will be included and it is proposed that the existing hairdresser area will be relocated.

The existing roof profile will be changed from flat to pitched.

COMMENT

Springhaven is located on Lot 361 Barracks Place owned by the Shire of Kojonup (see image below).



Full urban servicing including sewer, water, telecommunications, power and drainage are available to the site.

Zoning and Land Use/Development

The land is contained within a Special Use zone under Town Planning Scheme No. 3 (TPS3) which restricts the use of the land for aged person's accommodation.

The objectives for the Special Use zone are contained within c.3.2.5 and state:

The use of land in the Special Use Zone shall be consistent with the following objectives:

- (a) *To provide an area where special uses can be operated under the specific control of the Council in order to maintain the safety, health and welfare of surrounding users.*
- (b) *To enable the Council to impose specific conditions to restrict the use and operation of any development that would normally not fit within the ambit of any other zone in this Scheme.*

The land use will not change from aged person accommodation and the development includes minor alterations to the existing building.

The proposed development is not exempt from planning consent, as set out in c.5.1.2 of Town Planning Scheme No. 3 and Council must determine the application.

The Scheme (c.6.3.2) requires the Council have regard to a number of matters which are discussed below in considering whether to approve/refuse the application.

| Matter to be Considered | Response |
|--|---|
| Any matter which it is required by the Scheme to consider | The proposal is considered compliant with the matters contained in the Scheme namely the purpose for the Special Use zone which is restrict the use of the land to aged persons accommodation. |
| The purpose for which the land is reserved, zoned or approved for use under the Scheme | The land is zoned for aged person's accommodation and the alterations are consistent with the purpose for the zoning and use of the land. The alterations will improve the facilities available within Springhaven for both residents and staff. |
| The purpose for which the land in the locality is used | The land is within an area designated for other aged person accommodation (Loton Close), medical facilities (hospital) and passive recreational uses (Kojonup Spring etc.). |
| The orderly and proper planning of the locality | The proposal is considered consistent with the orderly and proper planning of the locality. |
| The preservation of the amenities of the locality | The proposal is not expected to produce any adverse impacts in terms of emissions or adversely affect the existing amenity of this area. |

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

1 Not approve the proposal

The Council can choose to refuse to approve the proposal and advise the proponent giving reasons. If this option was chosen, the alterations would not be able to be constructed.

2 Approve the proposal

The Council can choose to approve the proposal, with or without conditions.

3 Defer the proposal

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

This is a discretionary decision and the applicant has a right to request a review of any decision and/or condition made by the Local Government to the State Administrative Tribunal if aggrieved by the decision and/or any condition.

CONSULTATION

Nil undertaken.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 – Town Planning Scheme No. 3 is an operative local planning scheme under the Act.

POLICY IMPLICATIONS

Nil applicable.

FINANCIAL IMPLICATIONS

The applicant is required to pay the planning application fee as set out in the adopted 2014/2015 Schedule of Fees and Charges.

STRATEGIC/CORPORATE IMPLICATIONS

The item covers a number of areas in the Community Strategic Plan 2013 – 2023 as follows:

| Being Well Governed | |
|---|------------------|
| Shire's Commitment | Timeframe |
| Undertake an asset management planning process to review and rationalise Shire buildings to maximise their use and value to the community. | Short term |

| Being Healthy | |
|--|------------------|
| Shire's Commitment | Timeframe |
| Review existing access criteria and the financial viability of Shire owned/managed aged care units. | Short term |

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning, community, environment and heritage, legal and political and services and functions. The organisational risk and proposed treatment or mitigation is summarised in the following table:

| Risk Description | Risk Likelihood | Risk Consequence | Risk Classification | Risk Treatment |
|--|------------------------|-------------------------|----------------------------|---|
| Council does not grant planning consent for the alterations to Springhaven | Unlikely | Minor | Low | Manage by routine procedures, unlikely to need specific application of resources. Grant planning consent subject to conditions |

ASSET MANAGEMENT IMPLICATIONS

The building is included on the Shire's Asset Management Strategy.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

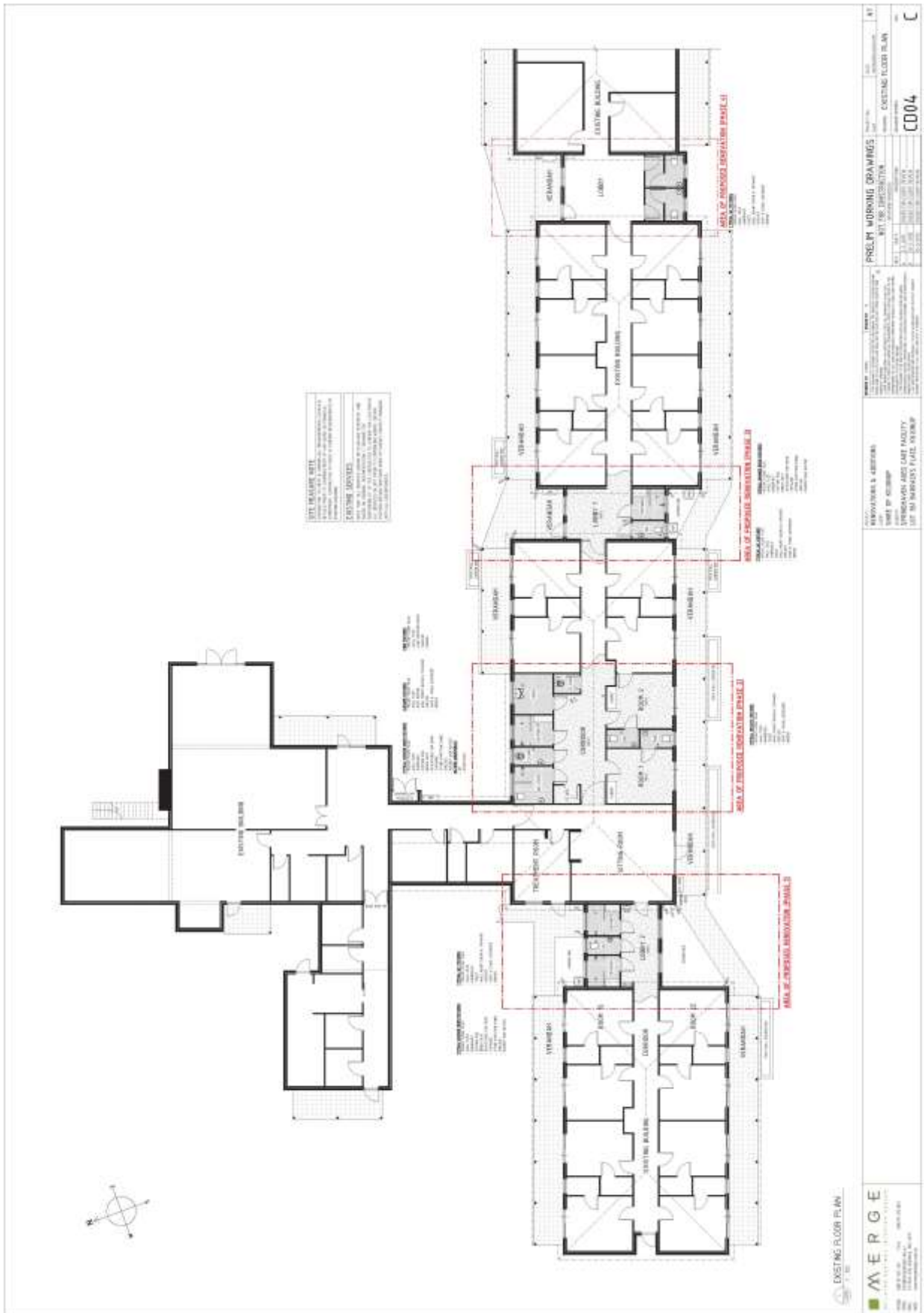
107/15 Moved Cr Pritchard, seconded Cr Mathwin that Council grant planning consent for the proposed alterations to Springhaven Lodge on Lot 361 Barracks Place, Kojonup subject to the following conditions:

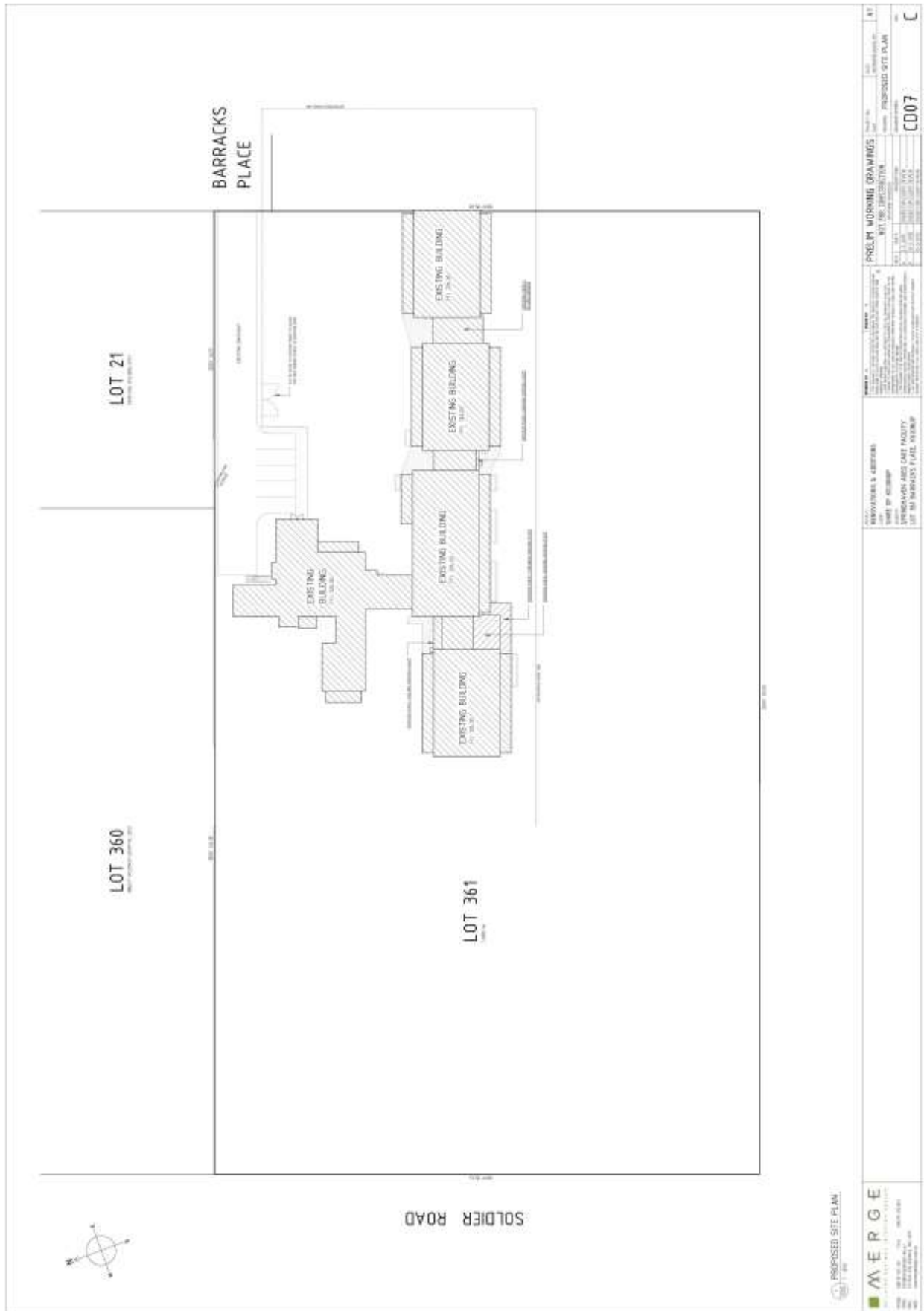
- 1) The development to be in generally in accordance with the stamped approved plans, unless a variation has been approved by the Chief Executive Officer.**
- 2) Where required, the alterations to be connected to the Water Corporation reticulated water supply and deep sewer networks.**
- 3) Stormwater to be collected and disposed of on-site or discharged off-site to the satisfaction of the Shire of Kojonup.**

Advise Notes:

You are required to obtain a Building Permit prior to any construction activity commencing.

CARRIED 8/0





PROPOSED SITE PLAN

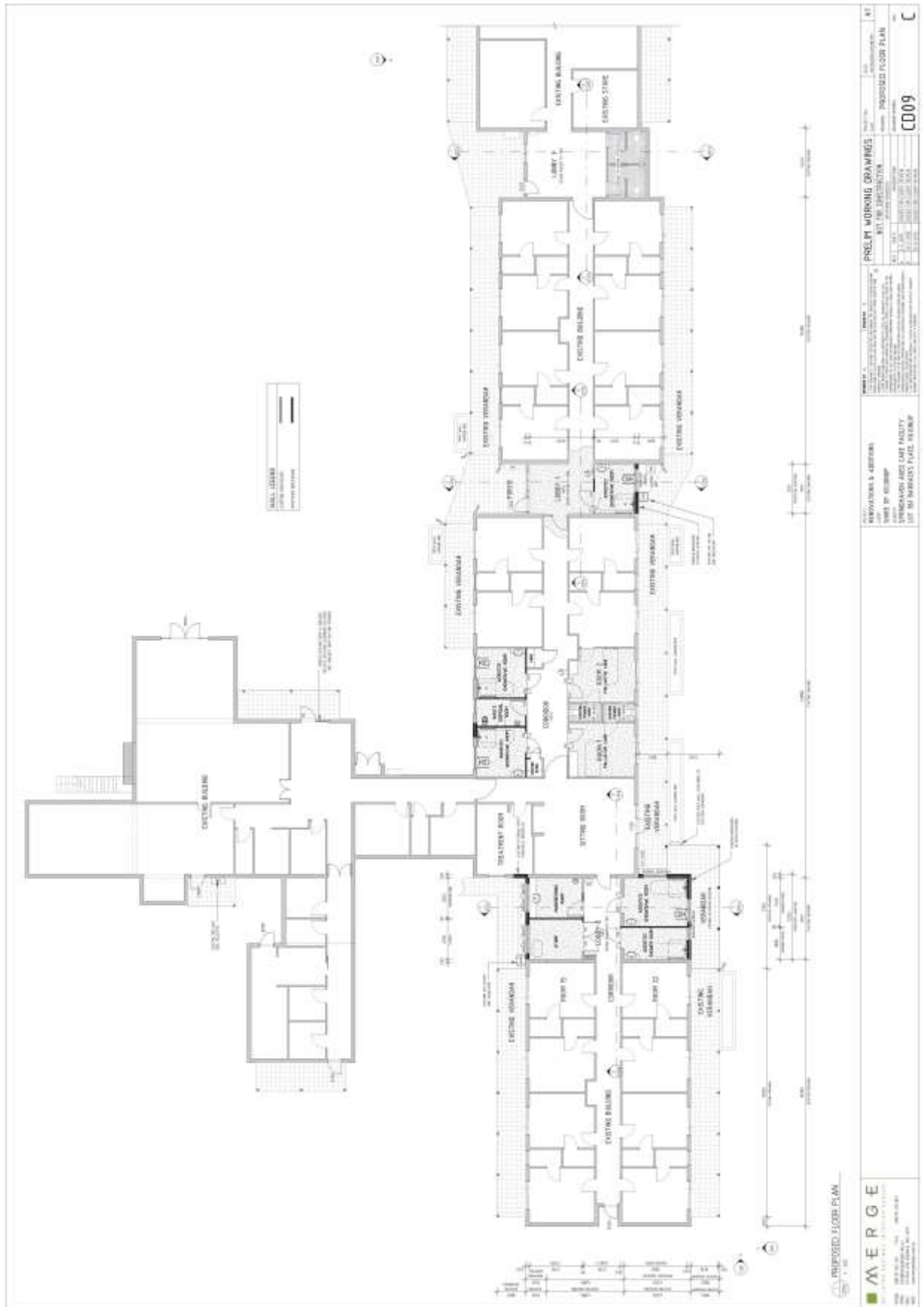
MERGE
 CONSULTING ENGINEERS
 100 BARRACKS PLACE
 KOJONUP WA 6215
 PH: 08 9432 1111
 WWW.MERGEWA.COM.AU

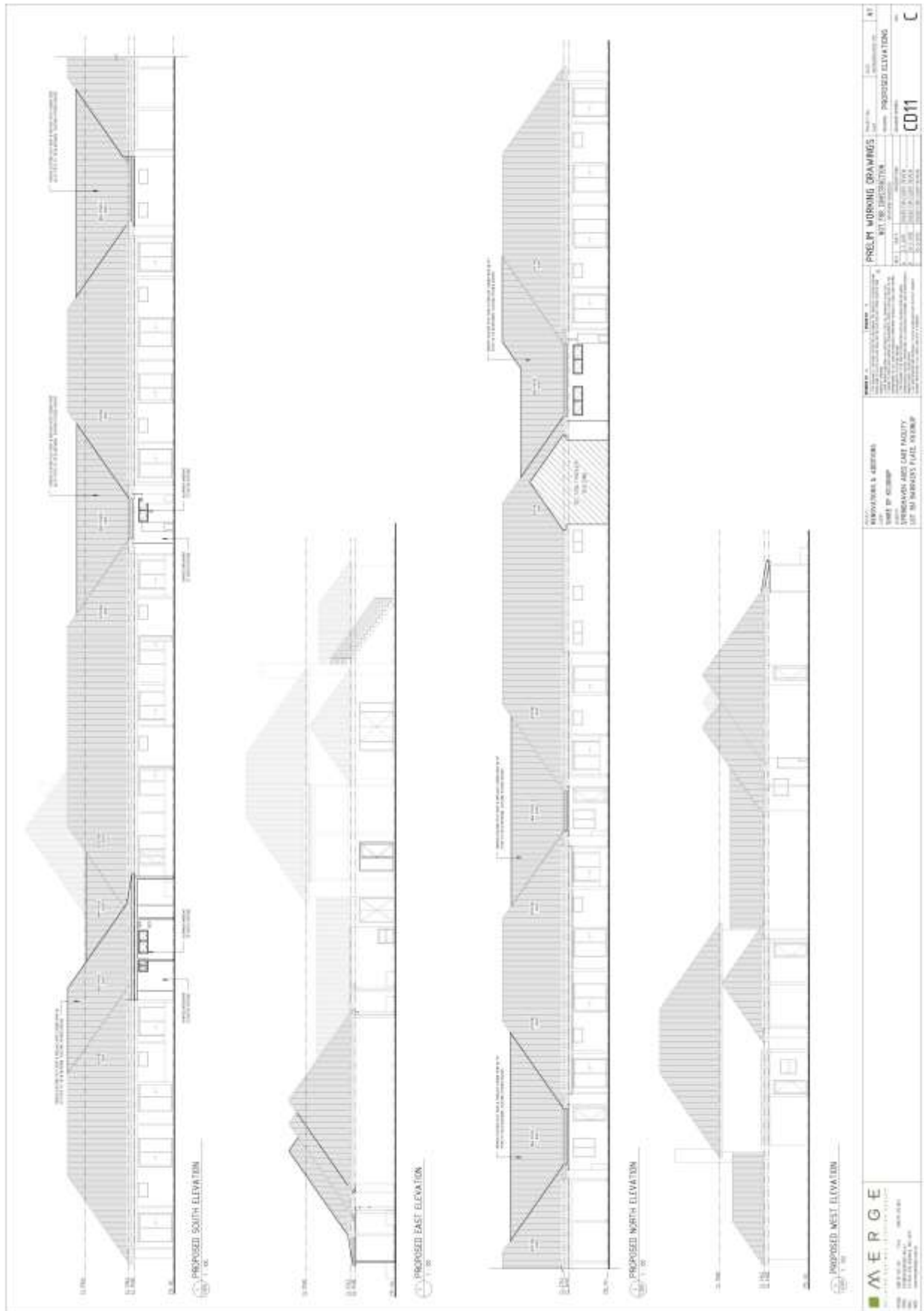
PROPOSER'S ADDRESS:
 NAME OF CORP:
 SPENCER AND CARE FACILITY
 100 BARRACKS PLACE, KOJONUP

PROJECT:
 SPENCER AND CARE FACILITY
 100 BARRACKS PLACE, KOJONUP

PRELIM WORKING DRAWINGS
 TITLE: PRELIM WORKING DRAWINGS
 DATE: 10/07/2015
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

NO: CD07
REV: C





12.3 BUSH FIRE ASSOCIATION – APPOINTMENT OF OFFICER’S 2015/2016 BUSHFIRE SEASON

AUTHOR: Robert Cowie – Administration/Regulatory Officer
 DATE: Friday, 10 July 2015
 FILE NO: ES.REG.1
 ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To endorse the appointment of dual statutory and representative positions for the Shire of Broomehill Tambellup and the Shire of West Arthur for the 2015/2016 bushfire season.

BACKGROUND

Each year the Shire of Kojonup is requested to endorse the requests from neighbouring shires regarding the appointment of persons to undertake statutory and representative roles to perform the obligations under the *Bush Fires Act 1954* as Dual Fire Control Officers.

COMMENT

Following the requests from Nicole Wassman, CEO of West Arthur and Kim Hobbs, Finance/Rates Officer at Shire of Broomehill Tambellup, I recommend the follow persons be appointed as Dual Fire Control Officers within the Shire of Kojonup for the 2015/2016 financial year.

| | | |
|----------------|-----|---|
| Jamie Park | FCO | West Arthur, Duranillin Brigade |
| Andrew Woithe | FCO | Broomehill Tambellup, Broomehill West Brigade |
| Nigel Sheridan | FCO | Broomehill Tambellup, Tambellup West Brigade |

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Section 38 & 40 of the *Bush Fires Act 1954*

POLICY IMPLICATIONS

There are no known Shire of Kojonup policy implications.

FINANCIAL IMPLICATIONS

There are no known Shire of Kojonup financial management implications.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023 – Focus Area 1.4 Living in a Safe Community.

Corporate Business Plan 2013-2017

Strategy 1.4.4.1 Maintain a community driven response to bushfire risk management.

RISK MANAGEMENT IMPLICATIONS

There are no known Shire of Kojonup risk management implications.

ASSET MANAGEMENT IMPLICATIONS

There are no known Shire of Kojonup asset management implications.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

108/15 Moved Cr Benn, seconded Cr Radford that the Council endorse the nominations of the below listed officers to the position of Dual Fire Control Officer for the 2015/2016 financial year:

| | | | | | |
|-----------------------|------------|--|-------------------|-------------------|-------------|
| Jamie Park | FCO | West Arthur, Duranillin Brigade | | | |
| Andrew Woithe | FCO | Broomehill | Tambellup, | Broomehill | West |
| | | Brigade | | | |
| Nigel Sheridan | FCO | Broomehill | Tambellup, | Tambellup | West |
| | | Brigade | | | |

CARRIED 8/0

12.4 COMMUNITY USAGE / MANAGEMENT POLICY-MEMORIAL AND LESSER HALL

AUTHOR: Hannah Robinson – Community Services Officer
DATE: Wednesday, 8 July 2015
FILE NO: CP.USA.1
ATTACHMENT: 12.4.1 Memorial & Lesser Halls Community Usage-Management Policy
12.4.2 FORM-Application-to-Hire-Memorial-Lesser-Hall

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the new Community Usage and Management Policy for the Memorial and Lesser Hall and the hire form for the halls.

BACKGROUND

The purpose of this report is to present to Council a new community usage policy and management plan to provide a framework for the equitable, efficient and effective management of the usage and hire of the Shire of Kojonup Memorial/Lesser Halls.

COMMENT

Currently there is no user policy in place to provide a guideline for groups using the memorial and lesser halls. This management plan will ensure that the halls are used in accordance to the guidelines and guarantee the efficient and effective hire and use of the halls. This user policy will also assist in reviewing and developing user agreements and policies for other various clubs and organisations who want to use public facilities.

It has also come to our attention that funding bodies such as LotteryWest require these documents as part of any grant application process.

CONSULTATION

Heather Sheppard- Senior Project Officer

STATUTORY REQUIREMENTS

There are no statutory requirements.

POLICY IMPLICATIONS

This is a new Policy which outlines the use, occupancy arrangements and management of the hire of the Memorial /Lesser Halls.

FINANCIAL IMPLICATIONS

There are already a list of fees and charges already established for the use and hire of the Memorial and Lesser halls.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023

Focus Area 1.2 – Feeling good about living in Kojonup

Focus Area 1.5 – Staying Active and Entertained

Corporate Strategic Plan 2013-2023

Strategy 1.2.4.1 – Promote the funding available under the Shire of Kojonup’s Community Grant Scheme for community events

Strategy 1.2.4.2 – Ensure a high level of customer service and community support

Strategy 1.5.2.3 – Plan and develop appropriate passive recreation facilities

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

109/15 Moved Cr Trethowan, seconded Cr Pedler that the Shire of Kojonup Community Usage and Management Policy for the Memorial and Lesser Halls and the relating hire form, as attached, be adopted.

CARRIED 8/0

1.12 MEMORIAL AND LESSER HALLS COMMUNITY USAGE/MANAGEMENT POLICY

| | | |
|---------------------------------|---|---------------------------|
| Adopted or Reviewed by Council: | 21/07/2015 | Council Minute Reference: |
| Reviewer: | Manager Regulatory & Community Services | |
| Local Law: | | |
| Procedure: | | |
| Delegation: | | |

OBJECTIVE

To provide a framework for the equitable, efficient and effective management of the usage and hire of the Shire of Kojonup Memorial/Lesser Halls.

The Policy outlines the use, occupancy arrangements and management of the hire of the Memorial /Lesser Halls.

PRINCIPLES

Priority for use of the Memorial/Lesser Halls will be given to residents from the Shire of Kojonup, locally based groups and not for profit organisations.

The Memorial/Lesser Halls are not to be used for the purpose of holding any activities that may be deemed discriminatory or racially intolerant.

The Memorial/Lesser Halls will be used primarily for activities that provide community development outcomes and benefits for residents of the Shire.

The Shire recognises the need to provide community facilities that are equipped for a range of different uses and cater to the needs of a range of different users.

The Shire will ensure fair and equitable access for all user groups to the Memorial/Lesser Halls.

POLICY

- All hirers of the Memorial/Lesser Halls will be required to enter into an agreement with the Shire to comply with the terms and conditions of hire and payment of fees and charges. This Agreement can be downloaded from the website at: www.kojonup.wa.gov.au/wp-content/uploads/FORM/-Application-to-Hire-Memorial-Lesser-Hall.pdf or obtain from the Shire office.
- Use of the Memorial/Lesser Halls for conducting commercial or business activities unless run by and for a not for profit organisation, will require the approval of the Shire or its delegate and must demonstrate community benefit.
- The Memorial/Lesser Halls will support a range of activities, events and functions conducted by community organisations and residents; be used for both public and private events and functions; and primarily support activities and functions conducted by residents of the shire of Kojonup or locally based organisations.

4. The closing time for any functions will be agreed/set by the Shire, having regard to the duration of the event, size, potential for noise/disturbance, sale of alcohol and direction from any other regulatory or enforcement body.
5. Fees and charges will be applied to hire the Memorial/Lesser Halls in accordance with the Shire's fees and charges schedule. Application of a discount for not for profit community organisations is currently discounted by 50% of the full fee.
Fees and charges are reviewed and set each year. These charges are based on the use of the Kojonup Memorial and Lesser Halls or part thereof. Please refer to Fees and Charges on our website at www.kojonup.wa.gov.au/volunteers/fees-charges/ or obtain from the Shire office.
6. Bond payments will be collected from all hirers and will be refunded to the hirer only if all of the conditions of hire have been met.
6. If catering for a large function the hirer will be expected to pay for additional waste management.
7. Priority of use of the Memorial/Lesser Halls may be given for the purpose of delivering Shire managed community programs and services.
8. The CEO or nominee will be delegated with the authority to make decisions dealing with special requests and those users which are not covered in the Policy.
9. Response for requests for hire of the Memorial/Lesser Halls will be in accordance with the shire's customer service charter.
10. Complaints from hirers in relation to the use of the facility or the service received should be directed via email to council@kojonup.wa.gov.au or by mail to the CEO, Shire of Kojonup, PO Box 163, Kojonup, WA, 6395.



Shire of Kojonup

TAX INVOICE
ABN: 61822625995

APPLICATION TO HIRE MEMORIAL/LESSER HALL

Name: _____ Address: _____

Phone (w): _____ Phone (h): _____ Fax: _____

On behalf of: _____
(Name of Organisation - if applicable)

Wish to hold a: _____ No of People: _____
(eg Social/Dance/ Wedding)

Date Required: _____ Between the hours: _____ AM PM and _____ AM PM

Will Food/beverages be sold or consumed? YES NO

Will alcohol be sold or consumed? YES NO Permission Granted? YES NO

Permission Letter sent? YES NO

Please read the conditions (attached) relating to selling and/or the consumption of alcohol in or on public facilities.

Consuming and Selling of Alcohol

- In the case where alcohol is not being sold and an admission fee is not charged:
 - The applicant must apply to Council for permission to consume liquor on Council premises.
- In the case where liquor is sold and an admission fee is paid:
 - The applicant must apply to Council for permission to consume liquor; and
 - Apply for a function permit (available at Kojonup Police Station). There is a fee payable to the Clerk of Courts, which is \$50.00 if the application is within 14 or less days of the function, or \$25.00 if more than 15 days' notice is given.

Do you require Council assistance with setting up? YES NO

| | |
|-----------------------------|----------------------------------|
| Entire Facility \$ _____ | Backstage Area \$ _____ |
| Memorial Hall Only \$ _____ | Memorial Hall & Kitchen \$ _____ |
| Lesser Hall \$ _____ | Lesser Hall & Kitchen \$ _____ |
| Set Up Hall _____ | Set Up Assistance _____ |
| Kitchen Only _____ | Casual Hirers Insurance _____ |
| Bond Applicable \$ _____ | TOTAL \$ _____ |

I hereby agree to comply with the Conditions of Hire (see attached).

NOTE:

1. The amount of the hall hire shall be lodged with the Council at the time of the application for hire of the facility and this amount shall be forfeited to the council if the booking is cancelled within seven (7) days of the date of engagement.
2. If cancelled more than 28 days prior to the date of engagement, 75% of the hire fee may be refunded.
3. In the event that the charges for the hire of any facility shall be increased between the time of the application for hire and the day of hiring, the hirer shall pay the difference within seven (7) days prior to the first day of hiring, unless all payments have been made at least two (2) months prior to the day of hiring.

Signature of Applicant _____

Date of Application _____

| OFFICE USE ONLY | | | |
|--|---------------------|-------------|------------------|
| Receipt Number: _____ | Payment Date: _____ | Bond: _____ | Cheque No: _____ |
| Hall Inspection Satisfactory? <input type="checkbox"/> Yes <input type="checkbox"/> No | Signature: _____ | Date: _____ | |

CONDITIONS OF HIRE OF HALL

1. **APPLICATIONS** for hire of the Hall or any portion of the building or equipment shall be made to the Council on the prescribed form.
2. **CHARGES** for hiring of the Hall, including any furniture, or equipment, shall be at rates set by the Council from time to time.
3. **PAYMENT OF CHARGES** shall be made in full at least seven (7) days before the hall is used; a minimum of 25% of the charges may be required when the booking is made.
4. **PERMANENT BOOKINGS** shall be paid either monthly or quarterly in advance or arrears as determined by the Council.
5. **BONDS** to cover cleaning/damage are applicable for certain categories of hire. These deposits are required to be lodged with the Council at least seven (7) days prior to the booking i.e. (with the hire charge), and are refundable provided there is no cause for complaint.
6. **BOOKINGS.** The Council reserves the right to refuse to let the Hall or any portion thereof.
7. **DOUBLE BOOKINGS.** In the event of two or more applications being received for the hire of any hall at one and the same time and date, the Council may without considering priority of application, determine to which applicant the hiring shall be granted.
8. **PRIORITY** will be given to bookings made by organisations based and operating in the Shire with regard to use of the hall.
9. **ADVANCE BOOKINGS.** No bookings shall be accepted in advance for a period longer than 12 months.
10. **CANCELLATION OF BOOKINGS.** The Council may at any time cancel any agreement for hiring of the hall. Notice of cancellation will be given within seven days of the requested booking and all monies will be refunded.
11. **OPENING AND CLOSURE OF HALL.** It is the responsibility of the person making the booking to obtain the keys for the opening of the Hall property and to return those keys at the time agreed upon and to lock the Hall securely on completion of hire.
The closing time for the function will be agreed / set by the Shire, having regard to the duration of the event, size, potential for noise / disturbance, sale of alcohol and direction from any other regulatory or enforcement body.
12. **AUTHORISED REPRESENTATIVE.** Any officer of the Shire of Kojonup on duty or an Authorised Agent of the Shire of Kojonup shall be permitted free ingress to the Hall building during an engagement and shall be given every assistance for the enforcing of these Conditions.
13. **SUB-LETTING.** The Hall property is not to be sublet by the hirer unless prior approval in writing is obtained from the Council.
14. **COMPLIANCE WITH REGULATIONS.** The hirer of any portion of the Hall shall comply with the provisions of the Health Act, Entertainment Tax Act, Licensing Act, Police Act and the Criminal Code and State Electricity Commission Regulations, and any other Act in force for the time being, applicable to such hiring of the Hall. If in the opinion of the Council all necessary actions have not been taken to comply with the requirements of the above and all relevant Acts, the Council may, prior to or during the term of the engagement, forbid and prevent the use of such building.
15. **SUPERVISION.** The hirer will, if requested to do so by the Shire of Kojonup or its Agent, employ or provide at least two senior male adults (preferably over the age of 25) to supervise and control those persons attending public functions.
16. **NEIGHBOURING PROPERTIES.** It is the responsibility of the hirers to control noise emanating from the Hall buildings so that it does not affect the privacy of neighbouring residents.
ENTERTAINMENT. No offensive impersonations or representations of living persons, or anything deemed likely to produce disturbances, riot or breach of peace, shall be permitted within the Sporting Complex.
17. **CONSUMING OF ALCOHOLIC BEVERAGES.** No spirituous liquors, wine, ale or spirits shall be brought into or consumed upon any portion of the Hall property without the written permission of the Council. Please make yourself aware of the conditions relating to consumption of alcohol in or on public places. All kegs, bottles and private catering equipment must be removed on departure.
18. **HANGING OF DECORATIONS.** The driving of tacks, nails, screws or affixing of adhesive materials, etc. into or on any of the woodwork or walls or any part of the building furniture or fixtures is strictly forbidden. All decorations are to be hung on the fixtures provided and ensure that any permanent hung flags, portraits and memorials are not obscured by temporary decorations.
19. **MOVEMENT OF FURNITURE.** Hirers may not move Plant, furniture or fittings (e.g. Piano, etc) without first obtaining the permission of the Council.
20. **MISBEHAVIOUR.** No person whilst intoxicated shall be permitted to enter or remain upon any portion of the Hall property, nor shall any person be guilty of any misbehaviour, use of profane language or damage, mark or deface any wall or part of the Hall property. Any person who causes such damage or permits such damage to occur shall be liable to pay the costs of such damage.
This and any future permission is given that the premises be used in a lawful manner only and any breach of any law by invited guests could result in the venue being closed earlier than scheduled.
21. **ADDITIONAL EQUIPMENT.** The Hall is equipped with a certain quantity of chairs, tables, and any additional equipment required is to be provided at the hirer's expense.
22. **EMERGENCY EXITS.** An aisle must be provided in the vicinity of exits from the Hall in cases of emergency.
23. **CLEANING.** The hirer is to:
 - replace all furniture in its designated place;
 - remove all decorations and rubbish;
 - sweep out the building; and
 - leave the premises in a clean and tidy condition at the conclusion of the event unless otherwise agreed upon between the Council and the Hirer. Note an additional fee may be imposed.
24. **FAULTS AND/OR DAMAGE.** Any faults or damage to the building or equipment must be reported to the council Office as soon as possible.
25. **LIGHTS AND HEATERS.** All lights (except security lights) and gas heaters must be switched off on departure.
26. **PARKING.** Hirers are requested to inform and encourage their guests to park in the designated Hall car parks at the rear and side of the Hall and not on the Albany Hwy.
27. **INSURANCE.** Hirers are advised that there is no public liability extension under the Shire's insurance cover for your function. It is your responsibility to ensure that you either arrange adequate cover or take the risk of an accident not occurring. Additionally, it is your responsibility to ensure that all equipment left on the premises is secured at all times. The Shire will not accept any responsibility for damage or theft of the hirers or third party's equipment.
28. **EMERGENCY PROCEDURES.** The hirer is responsible for advising, their guests, of the facilities emergency procedures. The facility has designated exits and muster point, which are outlined on the evacuation plans located inside the facility.
29. **WATER CORPORATION LICENCE CONDITIONS.** The hirer must adhere to the Water Corporation Licence Conditions including not using large deep frying appliances and not discharging any oils or fats into the sewer system.

I, _____ certify that I have read the above Conditions of Hire of Hall and agree to abide by these conditions and finishing time for the event agreed on the application form.

Signature of Applicant

Date of Application

'Most Shire venues are covered by a "Background music APRA licence" depending on the use of the venue if music or tv is being broadcast, played or performed you may need to obtain a separate temporary APRA or PPCA licence. Please contact APRA and PPCA directly for further information.'

12.5 PROPOSED RETAINING WALL BETWEEN MACHINERY DISPLAY SHEDS AT ELVERD'S COTTAGE LOT P2 SOLDIER ROAD, KOJONUP

AUTHOR: Phil Shephard – Town Planner
 DATE: Monday, 13 July 2015
 FILE NO: DB.BDA.8 & CP.MTC.36
 ATTACHMENT: 12.5 Site Photographs

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider the planning application to develop a retaining wall between the existing machinery display sheds.

The recommendation is to approve the application subject to conditions.

BACKGROUND

Nil.

COMMENT

The Kojonup Historical Society propose to construct the 27m long (1m high) retaining wall to reduce slip hazards and provide additional display space for machinery associated with the museum use of the Elverd's Cottage land.

The site for the wall is part of the Elverd's Cottage lot which is contained on the statutory State Register of Heritage Places (permanent entry 2 September 1997) under the *Heritage of Western Australia Act 1990*.

The Statement of Significance for the site from the listing advises:

10. STATEMENT OF SIGNIFICANCE

Elverd's Cottage, a Victorian Georgian single-storey stone building, with a rendered painted finish, corrugated iron roof and a small separate toilet, laundry building and milking shed, has cultural heritage significance for the following reasons:

- *it is a reminder of a significant event in Western Australian history the arrival of convicts and the associated influence on subsequent Western Australian society of the Enrolled Pensioner Guard;*
- *it is highly valued by the local community for its age, representing the history and development of the Kojonup area; and,*
- *the place is important to the community as a museum site.*

The new storage sheds and workshops built nearby in corrugated iron with metal framing, described in the Physical Evidence have no heritage significance, and are not included in this assessment.

The State Heritage Office maintains the State Register of Heritage Places and the application was referred to them for advice as required under the Act. The State Heritage Office have provided the following findings and advice:

Findings

- *The proposal involves the erection of a cement panel and post retaining wall between the modern 'Smithy' shed and old machinery shed, that area both considered to be of little culture heritage significance to the place.*
- *The placement of the wall will not impede upon significant sightlines.*
- *Landscape elements, pertaining to mature tree growth, of considerable significance will not be impacted upon the proposal.*

Advice

The proposed development, in accordance with the plans submitted, is supported.

The site is also contained on the National Trust (WA) List of Classified Places (classified 9 October 1998). The National Trust's List of Classified Places does not have a statutory role, although the listing reinforces the importance of the site as part of Western Australia's heritage. The proposal was referred to the Trust for their consideration and comment and they have advised they have no objection to the proposal.

The site (Elverd's Cottage and Garden) is also contained on the Register of National Estate (registered 22 June 1993). The Register was closed in 2007 and no longer is a statutory list and is to be used as an archive and for educational resources only.

The proposed site of the retaining wall is shown in the following images:



Proposed retaining wall site between sheds shown in red (Image Google Earth)



Proposed retaining wall site Lot P2 Soldier Road, Kojonup (Image taken from Soldier Road on Google Earth)

Zoning and Land Use/Development

The land is contained within the Residential Zone with a split density code of R10/20 under Town Planning Scheme No. 3.

The objectives for the Residential Zone are (c.3.2.1) as follows:

- a) *The zone shall be predominantly residential.*
- b) *Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.*
- c) *A non-residential use shall only be permitted if the use does not detract from the amenity of the area.*

The site is contained on the Shire's Municipal Heritage Inventory (Place 15) and c.5.16.4.4 advises no person shall commence or carry out any development affecting any place listed in the inventory without first having applied and obtained planning consent from Council.

In accordance with c.5.4, any development shall conform to the requirements for that use, specified in Table II - Development Table. There are no particular requirements for the existing museum use of the land or development of retaining walls and these shall be determined by Council. These are discussed below:

Setbacks

The proposed wall will be constructed along the common side boundary to retain the earth buildup beneath the 'Smithy' shed and provide a transition down to the level at the old machinery shed to reduce slip hazards and provide additional display space for machinery associated with the museum use of the Elverd's Cottage land.

Given the purpose of the wall, the setbacks are considered suitable in this instance.

Plot Ratio

The plot ratio will not be affected.

Landscaping

There is no additional landscaping proposed with the application. No additional landscaping is considered necessary in this instance.

Car Parking

There is no additional car parking proposed with the application. No additional car parking is considered necessary in this instance.

Clause 6.3.2 of Town Planning Scheme No. 3 requires the Council have regard to a number of matters which are discussed below in considering whether to approve/refuse the application.

| Matter to be Considered | Response |
|---|--|
| Any matter which it is required by the Scheme to consider | <p>The proposal is not exempt from the requirement for planning approval and is compliant with the matters contained in the Scheme namely:</p> <ul style="list-style-type: none"> • Has been referred to relevant heritage authorities for comment and has received their support; • Does not adversely affect any heritage values associated with the site; • Will provide a safer and more usable environment for the museum use of the land; and |

| Matter to be Considered | Response |
|--|---|
| | <ul style="list-style-type: none"> Is consistent with the objectives for the residential zone. |
| The purpose for which the land is reserved, zoned or approved for use under the Scheme | The land is zoned residential and the proposed retaining wall is consistent with the objectives for the residential zone and builds on the existing long-term use of the land. |
| The purpose for which the land in the locality is used | The surrounding land is zoned and used for residential and rural-residential style living activities. The proposed retaining wall will not affect any of these existing uses. |
| The orderly and proper planning of the locality | The proposed retaining wall is considered consistent with the orderly and proper planning of the locality and will assist the Kojonup Historical Society manage the site and provide for future displays. |
| The preservation of the amenities of the locality | The proposal is not expected to produce any adverse impacts in terms of emissions or adversely affect the existing amenity of this residential area. |

The proposal is considered consistent overall with those matters set out in Clause 6.3.2 and the general requirements of Town Planning Scheme No. 3 and staff recommend it be approved subject to conditions to reflect the requirements of the Scheme.

The Council has the option to either approve or refuse the application and due to the heritage associated with the site, may apply conditions aimed at the conservation of the place.

CONSULTATION

In accordance with Town Planning Scheme No. 3 requirements, the proposal was referred directly to the State Heritage Office and National Trust (WA), for their comment and advice. Both agencies advised they had no objection to the proposed retaining wall.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 – Town Planning Scheme No. 3 is an operative local planning scheme under the Act.

The site for the wall is part of the Elverd's Cottage lot which is contained on the statutory State Register of Heritage Places under the *Heritage of Western Australia Act 1990*.

POLICY IMPLICATIONS

This item does not affect any Council Policies.

FINANCIAL IMPLICATIONS

The applicant is required to pay the application fee of \$147 as set out in the adopted 2014/2015 Schedule of Fees and Charges. Given the heritage significance of the site to the Kojonup community, Council is requested to consider waiving the planning application fee, as a contribution to the project by the Kojonup Historical Society.

STRATEGIC/CORPORATE IMPLICATIONS

This item is not covered in the Community Strategic Plan 2013-2023.

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning, community, environment and heritage, legal and political and services and functions. The organisational risk and proposed treatment or mitigation is summarised in the following table:

| Risk Description | Risk Likelihood | Risk Consequence | Risk Classification | Risk Treatment |
|--|------------------------|-------------------------|----------------------------|--|
| Council does not approve the planning application for the retaining wall | Unlikely | Minor | Low | Manage by routine procedures, unlikely to need specific application of resources. Approve the planning application with conditions. |

ASSET MANAGEMENT IMPLICATIONS

The land and buildings at Elverd's Cottage are maintained by the Kojonup Historical Society as the proponents/operators of the facility. The land forms part of land owned by the Shire of Kojonup and it is expected the wall will be added to the Asset Management Plan.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council grant planning consent for the 27m long (1m high) retaining wall along the common side boundary on Lot 16 Soldier Road, Kojonup subject to the following conditions:

- 1) The development to be in generally in accordance with the stamped approved plans, unless a variation, has been approved by the Chief Executive Officer.

Advice Notes:

- i) *The construction of the retaining wall requires you to obtain a Building Permit from the Shire of Kojonup.*

COUNCIL DECISION

110/15 Moved Cr Pritchard, seconded Cr Radford that Council grant planning consent for the 27m long (1m high) retaining wall along the common boundary on Lot P2 / Lot 16 Soldier Road, Kojonup subject to the following conditions:

- 1) The development to be in generally in accordance with the stamped approved plans, unless a variation, has been approved by the Chief Executive Officer.**

Advice Notes:

- i) *The construction of the retaining wall requires you to obtain a Building Permit from the Shire of Kojonup.*

CARRIED 8/0

REASON FOR CHANGE: Council felt the two addresses should be listed, to make the location clearer.



WALL WILL GO FULL LENGTH
OF THIS WALL.



ELVERD COTTAGE, OLD MACHINERY SHED
SHOWING DISTANCE FROM COTTAGE.



OLD MACHINERY SHED. PROPOSED WALL WILL GO FULL LENGTH OF NORTH WALL.



PROPOSED WALL WILL GO FULL LENGTH OF SHED WALL 900mm HIGH TO HOLD BACK GRAVEL TO FILL SPACE UP TO SHED

12.6 SUBMISSIONS ON RELOCATION OF STEAM LOCOMOTIVE AND DISPLAY ON RESERVE 51700 BENN PARADE/GORDON STREET, KOJONUP

AUTHOR: Phil Shephard – Town Planner
 DATE: Friday, 10 July 2015
 FILE NO: RC.MUS.4
 ATTACHMENT: [12.6 Copy of Submissions](#)
[12.6.1 Copy of Tabled Submissions](#)

DECLARATION OF INTEREST

Cr Radford has previously declared an interest as President of the Kojonup Tourist Railway.
 Cr Pritchard has previously declared a proximity interest.

SUMMARY

To consider the planning application to develop a retaining wall between the existing machinery display sheds.

The recommendation is to approve the application subject to conditions.

BACKGROUND

The Council at its 17 July 2012 meeting (Resolution 57/12) resolved as follows:

That Council approve the location of the locomotive by the Kojonup Tourist Railway Inc. Lot No 0 Benn Parade (“the Railway Reserve”) subject to:

- 1 *The proposal being approved by the Heritage Council of Western Australia, specifically the location, form, and structure of the proposed locomotive housing.*
- 2 *Alteration of the Management Order for the reserve to allow the leasing of the area to the Kojonup Tourist Railway Inc. for the purpose of operating and maintaining a tourist railway.*
- 3 *Submission of a Development Application for issue of a Building License, showing the footprint of the locomotive housing structure is located within the approved building envelope.*
- 4 *That Council receive submissions.*

The Council at its 19 May 2015 meeting (Resolution 71/15) resolved as follows:

That Council advise the Kojonup Tourist Railway Inc. that it has received support for the proposal to relocate the steam locomotive and construct a shelter on Reserve 51700 ‘Tourist Railway’ from the State Heritage Office and in accordance with Council’s resolution of July 2012, will now proceed to advertise the proposal in accordance with c.6.2.3 of TPS3 for a minimum period of 21 days.

At the conclusion of the 21-day submission period, a total of 9 submissions were received for consideration.

COMMENT

As background to the proposal:

- The Kojonup Tourist Railway Inc. propose to relocate a P class (P508) steam locomotive to a site adjacent to the existing wool wagon at the eastern end of Reserve 51700 to Albany Highway. The locomotive will be housed in a 27m x 6m enclosure constructed of steel frames and clad with weld mesh fencing for the walls to protect the locomotive and metal sheeting for the pitched roof.
- The Shire has the Management Order for Reserve 51700 (expiring in 2035) for the purpose of operating a tourist railway. The Shire may grant a licence to others over any part of the reserve for the designated purpose subject to compliance with the conditions in the Management Order.
- Reserve 51700 consists of some 7 lots and is approximately 2.95 hectares in area. The site is the site of the Kojonup Railway Station and contains the original station building, large

eucalypt trees and some other infrastructure such as sheds and ramps/cranes from that use (see image below).



Reserve 51700 Kojonup Railway Station Precinct showing proposed locomotive site



Reserve 51700 Kojonup Railway Station Precinct showing proposed locomotive site

- The site is part of the Kojonup Railway Station (fmr) Group (Loading Platform, c.1912; Goods Shed, 1922; Station Building, 1925; Spotted Gums, 1920s; Bus Shed, 1943; Wool Loading Platform) which is contained on the statutory State Register of Heritage Places (permanent entry 16 May 2008) under the *Heritage of Western Australia Act 1990*.

Submissions

The submissions received (copies attached) either support or object to the proposal for various reasons.

The submissions supporting the proposal were largely from members of the Kojonup Tourist Railway and included:

- Additional details being provided on the reasons for the selection of the P class locomotive and its importance and rarity as a steam train used in Western Australia.

- The importance of the railway in Kojonup's development and the great opportunity being provided to display the donated locomotive and another reason for tourists to stop in Kojonup.
- The weld mesh enclosure is a requirement stipulated by the donors to protect it from vandalism and for health and safety reasons.
- The locomotive will not cost the Shire any money to relocate, display or house.
- They expect it will increase tourism benefits to the community and enhance the area around Kodja Place, Apex Park, Brigadier Potts statue and wool wagon.
- The submission from the Secretary of Kojonup Tourist Railway (Submission 8) advises "The positioning of the Loco is still undecided KTR are still looking at options, we are considering neighbours, access to parking and accessibility for tourists to view both the train and wool wagon without having the inconvenience of walking over the existing railway line."

The submissions objecting to or not supporting the proposal included the following comments:

- The locomotive should be placed nearer the railway station and signposted for the public to be aware of.
- This type of locomotive did not operate in Kojonup and one that did would be preferable.
- The weld mesh enclosure will be an eyesore on the highway and detract from the wool wagon and if required should be placed near the train station which takes advantage of the existing car parking area.
- Question the tourism benefit of the project.
- Question the long-term management of the locomotive should the Kojonup Tourist Railway cease operations and potential future Shire responsibility to maintain the display.

One submission rather than providing an opinion on the proposal includes a number of points which whilst including some of the other comments also commented about other potential long-term uses for the railway precinct including transport museum around the existing railway stock and station area.

Many of the comments in the submissions are not related to the town planning aspects of the land particularly those related to the succession planning of the group and future financial obligations. It is clear that the Kojonup Tourist Railway group have worked very hard over a long period of time to secure this steam locomotive, which is on loan for display in Kojonup.

Heritage Implications

It is not expected that the display of the steam locomotive is under question, as the land is the former Kojonup Railway Station and this is recognised by its inclusion on the State Register of Heritage Places under the *Heritage of Western Australia Act 1990* and has been supported by the State Heritage Office.

The Statement of Significance for the site from the listing advises:

10. STATEMENT OF SIGNIFICANCE

*Kojonup Railway Station (fmr) Group, comprising Loading Platform and 5-ton crane (c. 1912), Goods Shed (1922), Station Building (1925), Bus Shed (1943), Wool Loading Platform and a Kurrajong (*Brachychiton populneus*) and Spotted Gums (*Eucalyptus maculate*) (1920s) has cultural heritage significance for the following reasons:*

- *the place is a good representative example of a light railway station group developed between 1907 and the 1940s, distinguished by the variety of its extant buildings and structures, and enhanced by its unusual 1920s plantings;*
- *it illustrates the development of the Kojonup-Katanning section of the Donnybrook-Katanning Railway, reflecting the important association of light rail facilities with agricultural development;*
- *the place is an integral part of the Katanning-Kojonup Railway, one of the first three light railways constructed in the State from 1906-07, and the Donnybrook-Katanning Railway (1912); the Station Building (1925) is the first example of this type of station building to be constructed in Western Australia;*

- *the place is a landmark in the central area of Kojonup for the semi industrial character of many of the elements, the small elegant Inter-War Queen Anne style Station Building and the substantial avenue of tall mature Spotted Gums;*
- *the 1943 bus shed illustrates the transition of rail travel to bus travel, and the gradual decline of rail travel as the preferred method of transportation;*
- *the place is highly valued by the community of Kojonup for its associations with the agricultural development of the region, and as a reminder of the significant role of the railway in the region; and*
- *the presence of a collection of rolling stock at a small, rural railway station group is uncommon, with the historic carriage Banksia (1950) being the only extant example of its class (ADF495), and an 1899 carriage (J4 MRWCo) a rare item.*
- *The c.1960-70s toilet block, the garden shed, the large 2002 shed and the skateboard track located within the area of Kojonup Railway Station (fmr) Group have little significance. The post-World War II bulk handling facilities, sleeper siding, weighbridge and stock yards west of Pensioner Road, and the site of the triangle east of Albany Highway, are noted in the assessment, but are outside the defined area of Kojonup Railway Station (fmr) Group.*

The State Heritage Office maintains the State Register of Heritage Places and the application was referred to them for advice as required under the Act. The State Heritage Office have provided the following findings and advice:

Findings

- *The Kojonup Tourist Railway Inc. wish to build a shed to house a restored steam locomotive within the Kojonup Railway Station Group curtilage.*
- *The shed will be 27m x 6m with a steel frame, pitched roof and weld mesh walls.*
- *The structure is in keeping with the current use of the place as a station and is fully reversible.*
- *Housing the locomotive is in keeping with the values associated with the place as a railway station.*
- *The proposed works will not have a negative impact on the registered place.*

Advice

The proposed development, in accordance with the information submitted, is supported.

Zoning and Land Use/Development

The land is contained within the Public Purposes Local Reserve under Town Planning Scheme No. 3 (TPS3).

Clause 2.2 'Matters to be Considered by the Council' of TPS3 requires:

Where an Application for Planning Consent is made with respect to land within a Local Reserve, the Council shall have regard to:

- (a) The objectives as outlined below; and*
 - (b) The ultimate purpose intended for the reserve;*
- and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before granting its consent.*

The objectives for the Public Purposes Local Reserve (c.2.3.2) are:

- a) To protect areas already set aside for public purposes by Crown Reserves.*
- b) To enable Council to control development in public purposes reserves.*

The site is contained on the Shire's Municipal Heritage Inventory (Place 24) and c.5.16.4.4 advises no person shall commence or carry out any development affecting any place listed in the inventory without first having applied and obtained planning consent from Council.

In accordance with c.5.4, any development shall conform to the requirements for that use as specified in Table II - Development Table. There are no particular requirements for the existing railway station use of the land or development of shelter and these shall be determined by Council.

Clause 6.3.2 of TPS3 requires the Council have regard to a number of matters which are discussed below in considering whether to approve/refuse the application.

| Matter to be Considered | Response |
|--|--|
| Any matter which it is required by the Scheme to consider | The proposal is not exempt from the requirement for planning approval and is compliant with the matters contained in the Scheme namely: <ul style="list-style-type: none"> • Has been referred to the State Heritage Office for comment and has received their support; • Does not adversely affect any heritage values associated with the site; and • Is consistent with the objectives for the public purposes reserve and purpose of the reserve for tourist railway. |
| The purpose for which the land is reserved, zoned or approved for use under the Scheme | The land is reserved for public purposes and the public display of a steam locomotive within this heritage and tourist railway precinct is consistent with the objectives for the reserve and builds on the existing long-term use of the land. |
| The purpose for which the land in the locality is used | The immediate surrounds form part of the railway heritage precinct and this is bordered by residential uses and other public uses such as the recreation complex, Potts Park and commercial uses such as the service station etc. |
| The orderly and proper planning of the locality | The proposal is considered consistent with the orderly and proper planning of the locality. |
| The preservation of the amenities of the locality | The proposal is not expected to produce any adverse impacts in terms of emissions or adversely affect the existing amenity of this area. Some submissions have objected to the siting of the locomotive near Albany Highway and would prefer a site near the railway station building. |

The proposed locomotive shelter is proposed to be located adjacent to the wool wagon adjoining Albany Highway although the comments from the Secretary of the Kojonup Tourist Railway advise that the final position is still undecided and they are considering neighbours, access to parking and accessibility for tourists to view both the train and wool wagon without having the inconvenience of walking over the existing railway line.

Conclusion

As the matters raised in the submissions are considered outside of town planning considerations, it is important that the project is both supported by the community and the site chosen to display the locomotive achieves the objectives of the Kojonup Tourist Railway.

Given the opportunity provided by having the final site undecided at this stage, it is possible to consider other potential sites for the locomotive within the railway station precinct that could address the current objections raised to the proposed siting of the locomotive at the Albany Highway.

Given the State Heritage Office’s advice, any changes decided by Council or the Kojonup Tourist Railway to the proposed site of the locomotive such as near the railway station building, would need to be referred back to them for their comment and advice.

To assist in this, staff recommend that the services of a Heritage and/or Interpretation Consultant be engaged to prepare an overall plan for the railway station heritage precinct that can guide these types of developments within the reserve. This would provide recommendations on the siting and use of future developments within the heritage precinct based on the existing recognised railway heritage values for the site.

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

1 Not approve the proposal

The Council can choose to refuse the application and advise the proponent giving reasons. If this option was chosen, the locomotive would not be relocated and displayed in Kojonup and the shelter would not be able to be constructed.

2 Approve the proposal

The Council can choose to approve the proposal, with or without conditions. Due to the heritage associated with the site, Council may apply conditions aimed at the conservation of the place

3 Defer the proposal

The Council can choose to defer the matter for a period of time and seek additional information from the proponents, if deemed necessary to complete the assessment, before proceeding to make a decision. Staff recommend the proposal be deferred and the services of a Heritage and/or Interpretation Consultant be engaged to prepare an overall plan for the railway station heritage precinct that can guide these types of developments within the reserve.

CONSULTATION

In accordance with TPS3 requirements the proposal was advertised for 21-days in local newspapers and displayed on the Shire’s Notice Board and website and referred directly to the State Heritage Office for their comment and advice.

At the conclusion of the submission period 9 submissions were received for consideration.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 – Town Planning Scheme No. 3 is an operative local planning scheme under the Act.

The site is part of the former Kojonup Railway Station which is contained on the statutory State Register of Heritage Places under the *Heritage of Western Australia Act 1990*.

POLICY IMPLICATIONS

This item does not affect any Council Policies.

FINANCIAL IMPLICATIONS

The applicant is required to pay the application fee of \$147 as set out in the adopted 2014/2015 Schedule of Fees and Charges. Given the heritage significance of the site to the Kojonup community, Council is requested to consider waiving the planning application fee, as a contribution to the project by the Kojonup Tourist Railway Inc.

Funding through Lotterywest is available for completion of interpretative and heritage plans as recommended and likely budget is \$10-12,000 with a timeframe of 3-6 months for completion.

STRATEGIC/CORPORATE IMPLICATIONS

The proposal is consistent with the following outcome in the Community Strategic Plan 2013-2023:

| Building Prosperity | |
|---|------------------|
| Shire’s Commitment | Timeframe |
| Support local tourism initiatives and the Kojonup Tourism Association. | Short term |

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning, community, environment and heritage, legal and political and services and functions. The organisational risk and proposed treatment or mitigation is summarised in the following table:

| Risk Description | Risk Likelihood | Risk Consequence | Risk Classification | Risk Treatment |
|---|------------------------|-------------------------|----------------------------|--|
| Council does not approve the planning application for the display of the steam locomotive | Unlikely | Minor | Low | Manage by routine procedures, unlikely to need specific application of resources. Approve the planning application with conditions. |

ASSET MANAGEMENT IMPLICATIONS

The shelter building and locomotive shall be maintained by the Kojonup Tourist Railway Inc. as the proponents/operators of the facility and as part of the donor's conditions for the loan of the locomotive. The land forms part of railway station land managed by the Shire of Kojonup and it is expected the shelter will be added to the Asset Management Plan.

VOTING REQUIREMENTS

Simple Majority

3:33pm Cr Pritchard and Cr Radford left the Chamber after declaring interests.

*Town Planner, Mr Phil Shephard tabled a number of late submissions, which are now attached to the minutes:
Received 17 July 2015- The Kojonup News –John Lewis & Rhonda Hair, Office Bearers for the Kojonup Tourist Railway – Letter to the Editors.*

Received 17 July 2015 – Ray-chel Camden – Submission in favour.

Received 21 July 2015 – Kojonup Historical Society – Submission in favour.

Received 21 July 2015 - Alan & Wendy Anderson – Submission in favour.

OFFICER RECOMMENDATION

That Council:

- 1) Invite the Kojonup Tourist Railway Inc. to a future briefing of Council to discuss the proposal.
- 2) Advise the Kojonup Tourist Railway Inc. that whilst it supports the relocation of the steam locomotive, prior to making a decision on its location within the railway precinct, it will engage the services of a Heritage and/or Interpretation Consultant to prepare an overall plan for the railway station heritage precinct. The plan will be prepared to guide these types of developments within the reserve and will determine a site for the display of the locomotive.
- 3) Request staff proceed to prepare consultant's brief and seek quotes for the services of an Heritage and/or Interpretation Consultant to prepare an overall plan for the railway station heritage precinct that can guide future uses and developments within the reserve and which includes consultation with the Kojonup Tourist Railway Inc., Kojonup Visitor Centre, Kojonup Historical Society and State Heritage Office and further opportunity for landowner and public comment.
- 4) Request staff seek funding from Lotterywest towards the project.
- 5) Advise the submitters of the decision.

Moved Cr Trethowan, seconded Cr _____ that Council:

- 1) Invite the Kojonup Tourist Railway Inc. to a future briefing of Council to discuss the proposal.

The motion lapsed.

Moved Cr Sexton, seconded Cr Benn that Council:

- 1) Invite the Kojonup Tourist Railway Inc. to a future briefing of Council to discuss the proposal.
- 2) Advise the Kojonup Tourist Railway Inc. that whilst it supports the relocation of the steam locomotive, prior to making a decision on its location within the railway precinct.
- 3) Request staff proceed to prepare consultant's brief, Consultant to prepare an overall plan for the railway station heritage precinct that can guide future uses and developments within the reserve and which includes consultation with the Kojonup Tourist Railway Inc., Kojonup Visitor Centre, Kojonup Historical Society and State Heritage Office and further opportunity for landowner and public comment.
- 4) Request staff seek funding from Lotterywest towards the project.
- 5) Advise the submitters of the decision.

Cr Sexton withdrew his motion.

COUNCIL DECISION

111/15 Moved Cr Trethowan, seconded Cr Benn that Council Invite the Kojonup Tourist Railway Inc. to a future briefing of Council to discuss the proposal.

CARRIED 5/1

4:02pm Mrs Hannah Robinson left the Chamber.

COUNCIL DECISION**112/15 Moved Cr Fleay, seconded Cr Pedler that Council:**

- 1) Advise the Kojonup Tourist Railway Inc. that whilst Council supports the concept of relocating a steam locomotive within the railway precinct formal approval is subject to the following actions being undertaken:**
 - i) An overall plan for the railway heritage precinct is prepared that can guide future uses and developments within the reserve.**
 - ii) Consultation is undertaken with a Heritage and/or Interpretation Consultant, Kojonup Tourist Railway Inc., Kojonup Visitor Centre, Kojonup Historical Society and State Heritage Office including further opportunity for landowner and public comment as part of developing the plan.**

CARRIED 5/1

4:20pm Cr Radford & Cr Pritchard returned to the Chamber.

12.7 PLANNING CONSENT FOR CHANGE OF USE FROM DOCTORS SURGERY TO GROUPED DWELLING EX-BAGG STREET CLINIC, KOJONUP

AUTHOR: Phil Shephard – Town Planner
DATE: Friday, 10 July 2015
FILE NO: DB.BDA.8
ATTACHMENT: Nil.

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider the application for planning consent to change the use of the ex-Bagg Street doctor's clinic to 2 residential grouped dwelling units.

The recommendation is to grant planning consent subject to conditions.

BACKGROUND

Nil.

COMMENT

The change of use is required now the clinic has closed and the building is proposed to be converted to provide for additional staff housing. The conversion will create a 1 bedroom unit with bathroom and kitchenette and a 2 bedroom unit with kitchen, lounge/dining and bathroom. A double width carport is also proposed to the western end of the building at this stage.

The clinic is located on Lot 44 Bagg Street owned by the Shire of Kojonup. The lot also includes the administration building and car park etc.

Full urban servicing including sewer, water, telecommunications, power and drainage are available to the site.

Zoning and Land Use/Development

The land is contained within the Public Purposes Local Reserve under Town Planning Scheme No. 3 (TPS3).

Clause 2.2 'Matters to be Considered by the Council' of TPS3 requires:

Where an Application for Planning Consent is made with respect to land within a Local Reserve, the Council shall have regard to:

(a) The objectives as outlined below; and

(b) The ultimate purpose intended for the reserve;

and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before granting its consent.

The objectives for the Public Purposes Local Reserve (c.2.3.2) are:

c) To protect areas already set aside for public purposes by Crown Reserves.

d) To enable Council to control development in public purposes reserves.

In accordance with c.5.4 and c.5.7 the development of land for residential purposes shall conform to the requirements of the R-Codes. Whilst the land does not have a density code assigned to it, staff have used the predominant R20 density code that exists on the surrounding land to assess the proposal.

The proposed development of the grouped dwelling units is not exempt from planning consent, as set out in c.5.1.2 and Council must determine the application. Clause 5.7.2 requires unless otherwise provided for in the Scheme, all residential development shall comply with the provisions of the R-

Codes. The proposal can comply with the standards in Table 1 of the R-Codes for the R20 density code and all other R-Code deemed-to-comply requirements.

The Scheme (c.6.3.2) requires the Council have regard to a number of matters which are discussed below in considering whether to approve/refuse the application.

| Matter to be Considered | Response |
|--|---|
| Any matter which it is required by the Scheme to consider | The proposal is considered compliant with the matters contained in the Scheme namely: the objectives for the public purposes reserve; and it can meet R-Code requirements. |
| The purpose for which the land is reserved, zoned or approved for use under the Scheme | The land is reserved for public purposes and the change of use to allow for future staff housing is consistent with the objectives for the reserve. It reflects the present circumstances where the doctor's surgery has closed and will not reopen and builds on the existing long-term use of the land by the Shire. Should it be required by Council into the future, the land can be changed back, to enable a clinic or similar to operate. |
| The purpose for which the land in the locality is used | The land is within an area designated for mainly residential purposes along Bagg Street with and other public purposes (Shire administration building, library, Town Hall etc.) and Hillman Park adjoining the site. |
| The orderly and proper planning of the locality | The proposal is considered consistent with the orderly and proper planning of the locality. |
| The preservation of the amenities of the locality | The proposal is not expected to produce any adverse impacts in terms of emissions or adversely affect the existing amenity of this area. |

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

1 Not approve the proposal

The Council can choose to refuse to approve the proposal. If this option was chosen, the alterations would not proceed.

2 Approve the proposal

The Council can choose to approve the proposal, 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, if deemed necessary to complete the assessment, before proceeding to make a decision.

CONSULTATION

Nil undertaken.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 – Town Planning Scheme No. 3 is an operative local planning scheme under the Act.

POLICY IMPLICATIONS

Nil applicable.

FINANCIAL IMPLICATIONS

The applicant is required to pay the planning application fee as set out in the adopted 2014/2015 Schedule of Fees and Charges.

STRATEGIC/CORPORATE IMPLICATIONS

The item covers a number of areas in the Community Strategic Plan 2013 – 2023 as follows:

| Being Well Governed | |
|---|------------------|
| Shire's Commitment | Timeframe |
| Undertake an asset management planning process to review and rationalise Shire buildings to maximise their use and value to the community. | Short term |

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning, community, environment and heritage, legal and political and services and functions. The organisational risk and proposed treatment or mitigation is summarised in the following table:

| Risk Description | Risk Likelihood | Risk Consequence | Risk Classification | Risk Treatment |
|--|------------------------|-------------------------|----------------------------|---|
| Council does not grant planning consent for the change of use to 2 residential units | Unlikely | Minor | Low | Manage by routine procedures, unlikely to need specific application of resources. Grant planning consent subject to conditions |

ASSET MANAGEMENT IMPLICATIONS

The building is included on the Shire's Asset Management Strategy.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

113/15 Moved Cr Mathwin, seconded Cr Benn that Council grant planning consent for the change of use from doctor's surgery to allow for 2 grouped dwelling units on Lot 44 Bagg Street, Kojonup subject to the following conditions:

- 1) The development to be in generally in accordance with the stamped approved plans, unless a variation has been approved by the Chief Executive Officer.**
- 2) The alterations to be connected to the Water Corporation reticulated water supply and deep sewer networks.**
- 3) Car parking for 3 vehicles to be provided adjoining the units (and off the parking area accessway) to the satisfaction of the Shire of Kojonup.**

Advise Notes:

You are required to obtain a Building Permit prior to any construction activity commencing.

CARRIED 8/0

12.8 PROPOSED ART WORKSHOP/STUDIO AND CLASSES AT KOJONUP BED & BREAKFAST
'CLOVER HOUSE' 47 (LOT 41) NEWSTEAD ROAD, KOJONUP

AUTHOR: Phil Shephard – Town Planner
DATE: Monday, 13 July 2015
FILE NO: DB.BDA.8
ATTACHMENT: [12.8 Site Plan](#)

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider the planning application to utilise part of an existing shed as an art workshop/studio and conduct art classes fortnightly for between 4-6 people. The proposal also seeks an increase in allowable floor area from 55m² to 90m² for the activity.

The recommendation is to refer the application to adjoining/nearby landowners and advertise the proposal for public comment for a period of 21-days.

BACKGROUND

Nil.

COMMENT

The proposal is to utilise half of the existing shed (90m²) as an art workshop/studio and conduct art classes fortnightly for between 4-6 people. The participants would park on-site and use toilet/bathroom facilities within the dwelling.

The existing shed is shown in the following image:



Existing shed to be used for art workshop/studio and art classes (image taken from Forsythe Street)

Clover House has operated successfully as a bed and breakfast for many years and was originally approved by Council in May 1999 for 2 bedrooms which has increased to a total of 4 guest bedrooms (sleeping accommodation for 9 guests) with a range of facilities available since then. The present owners bought the business with the 4 guest bedrooms operating and planning consent for the increase will be completed under delegated authority.

Zoning and Land Use/Development

The land is contained within the Residential Zone with a split density code of R10/20 under Town Planning Scheme No. 3 (TPS3).

The objectives for the Residential Zone are (c.3.2.1) as follows:

- d) *The zone shall be predominantly residential.*
- e) *Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.*
- f) *A non-residential use shall only be permitted if the use does not detract from the amenity of the area.*

The proposal complies with the definition of industry – cottage under TPS3 as follows:

means an industry which produces arts and craft goods which cannot be carried out under the provisions relating to a 'home occupation' and that:

- (a) *does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection, due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid waste or waste products;*
- (b) *where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier's family normally resident on the land;*
- (c) *is conducted in an outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 55m²;*
- (d) *does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located; and*
- (e) *does not display a sign exceeding 0.2m² in area.*

The industry – cottage land use is an SA advertised discretionary use in Table I – Zoning Table which means that the Council may, at its discretion, permit the use after notice of the application has been given in accordance with c.6.2.of TPS3.

The proposal requests approval for 90m² (half the shed) which exceeds the 55m² floor area stipulated in part (c) of the above definition. Given the existing shed is 180m² in area, Council is requested to consider the increased floor area and seek comments, whether supportive or not, from neighbours before determining the application. This would allow Council to gauge the level of support from those likely to be affected by the proposed increased floor area for the activity.

In accordance with c.5.4, any development shall conform to the requirements for that use, specified in Table II - Development Table. There are no particular requirements for the use of the land and these shall be determined by Council. These are discussed below:

Setbacks

The proposed activity will be conducted in an existing shed on the property and the setbacks will not be affected.

Plot Ratio

The plot ratio will not be affected.

Landscaping

There is no additional landscaping proposed with the application. No additional landscaping is considered necessary in this instance.

Car Parking

The proponents advise that participants will park on-site and adequate areas are available for this purpose.

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

1 Not approve the proposal

The Council can choose to refuse to support the proposed increase in floor area to 90m² and restrict the activity to 55m². If this option was chosen, and the activity was subsequently approved after advertising, it would have to be restricted to the reduced area.

2 Approve the proposal

The Council can following completion of the advertising process choose to approve the proposal, 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, if deemed necessary to complete the assessment, before proceeding to make a decision.

Council is requested to delegate authority to the CEO to approve the application including the placement of appropriate conditions, should no objections be received, at the conclusion of the 21-day advertising period. Any submission received providing a valid objection to the proposal would be referred to Council for consideration and the delegation would not be used.

CONSULTATION

In accordance with c.6.2 of TPS3 it is recommended that the proposed industry – cottage application and request for an increased floor area of 90m² be referred to nearby/adjoining landowners, advertised in the local newspaper and displayed on the notice board and website for a period of 21-days.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 – Town Planning Scheme No. 3 is an operative local planning scheme under the Act.

POLICY IMPLICATIONS

This item does not affect any Council Policies.

FINANCIAL IMPLICATIONS

The applicant is required to pay the application fee of \$147 as set out in the adopted 2014/2015 Schedule of Fees and Charges.

STRATEGIC/CORPORATE IMPLICATIONS

This item is not covered in the Community Strategic Plan 2013-2023.

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning, community, environment and heritage, legal and political and services and functions. The organisational risk and proposed treatment or mitigation is summarised in the following table:

| Risk Description | Risk Likelihood | Risk Consequence | Risk Classification | Risk Treatment |
|---|------------------------|-------------------------|----------------------------|---|
| Council does not approve the planning application for art workshop/studio and conducting of art classes | Unlikely | Minor | Low | Manage by routine procedures, unlikely to need specific application of resources. Advertise the planning application |

| Risk Description | Risk Likelihood | Risk Consequence | Risk Classification | Risk Treatment |
|-------------------------|------------------------|-------------------------|----------------------------|--------------------------------------|
| | | | | in accordance with TPS3 requirements |

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management Plan implications arising from this item.

VOTING REQUIREMENTS

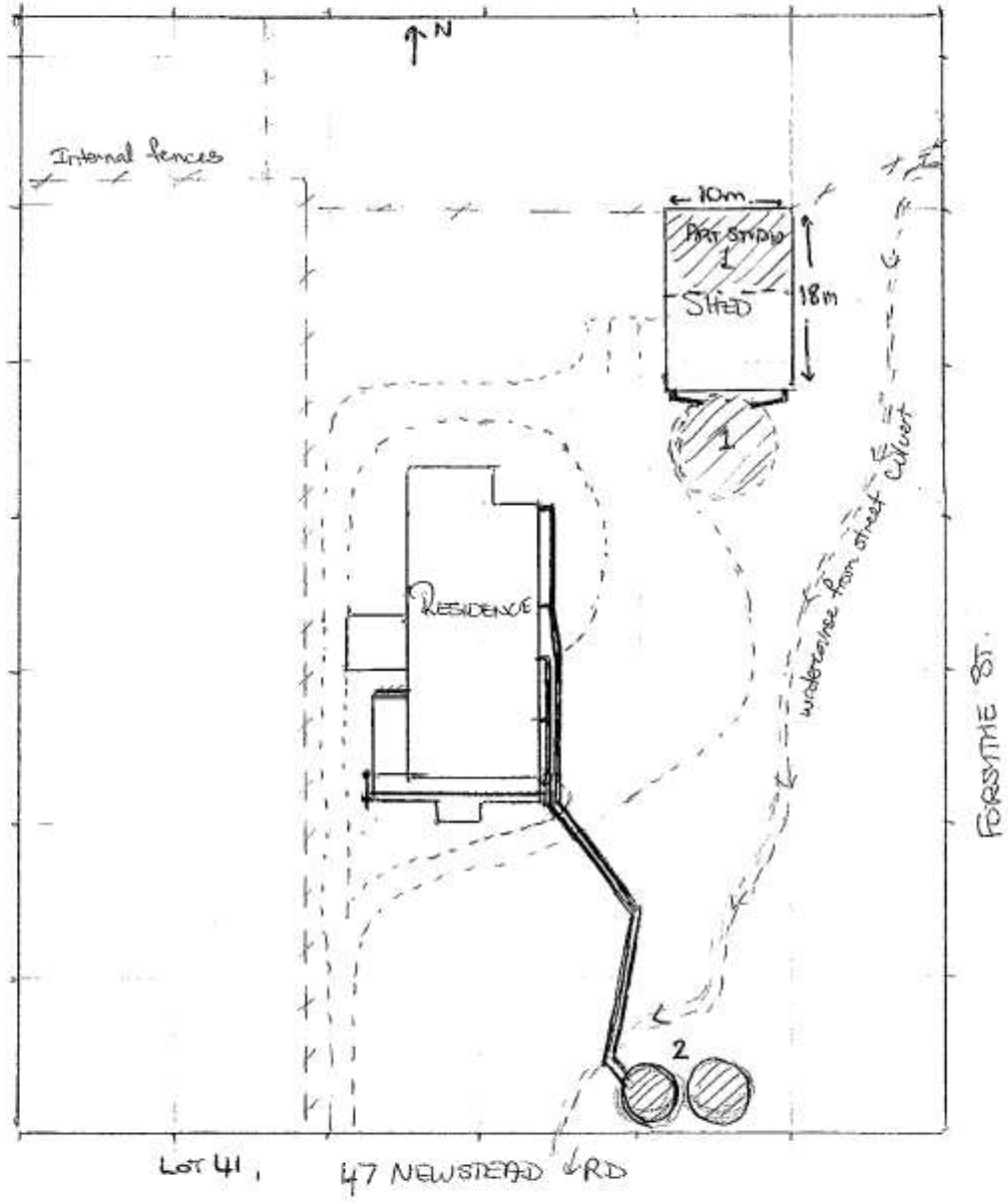
Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

114/15 Moved Cr Trethowan, seconded Cr Benn that Council in accordance with c.6.2 of TPS3 advertise the proposed industry – cottage application and request for an increased floor area of 90m² on No. 47 (Lot 41) Newstead Road, Kojonup for a period of 21-days as follows:

- **Directly refer to nearby/adjoining landowners;**
- **Advertise in the local newspaper; and**
- **Display on the notice board and website.**

CARRIED 8/0



13 EXECUTIVE & GOVERNANCE REPORTS

13.1 SPORTS PRECINCT MASTER PLAN –ABV LEISURE CONSULTANCY SERVICES

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Friday, 10 July 2015
FILE NO: FM.TND.2
ATTACHMENT: [13.1 Kojonup Sports Precinct Master Plan Final Report March 2015](#)
[13.1.1 Submission from the Kojonup Junior Football Club](#)
[13.1.2 Submission from the Kojonup Netball Association](#)

DECLARATION OF INTEREST

Nil

SUMMARY

To present to Council the Sports Precinct Master Plan prepared on behalf of the Shire by ABV Leisure Consultants after extensive public consultation.

BACKGROUND

Council via Decision 68/14 appointed ABV to develop the Kojonup Sports Precinct Master Plan at its meeting held 19 May 2014 following extensive assessment of Expression of Interests received.

COMMENT

The Master Plan considers the current and future needs of the Shire and provides a realistic, measured and achievable approach to the redevelopment of the Kojonup Sports Precinct (KSP).

The aim of the study is to:

- Identify potential developments for active and passive recreation/community pursuits.
- Reduce duplication and fill gaps in facility provision.
- Identify opportunities for collocation and shared use of facilities.
- Ensure new facilities integrate with and complement existing structures.
- Improve vehicular and pedestrian access.
- Improve car parking and storage provisions.
- Identify potential energy saving options.

The key components of the study include:

- Review of existing facilities and their current usage.
- Analysis of demographic and population projection data and sports participation data to estimate potential future demand for facilities.
- Extensive consultation with the Shire, community and key stakeholders to determine future provision needs.
- Comparative review of sport and recreation issues and trends in facility development in similar regional local government authorities (LGAs).
- Development of a concept plan for the entire site and for an upgraded Sports Complex facility with construction cost estimates and life cycle costs.
- Development of a prioritised list of capital works identified in the Master Plan.
- Identification of funding opportunities.

The Master Plan will assist the Shire in providing a well-planned, sustainable recreation precinct that provides a diverse range of recreation opportunities for the community and improves the capacity of the user groups now and in to the future.

Following a meeting with User Groups on 25 June 2015 the CEO sent an email to Department of Sport & Recreation Manager – Great Southern, Chris Thompson advising that there was considerable discussion on the need for clubs to exercise greater cooperation and shared services both operationally

and strategically in order to encourage and engage the community in sport and recreational activities regardless of age or ability.

The clubs also looked at the precinct plan from a community sustainability perspective with the outcome of discussions reaching a general consensus that the proposed new multi-use indoor court, gym, storage (Development 6 within the SPMP) being beyond the needs of Kojonup.

However as a preferred option there was unanimous agreement for the existing four netball courts (50-65% of Development area 22 within the SPMP) being the number one priority and flexi paved ASAP subject to CSRFF Funding application and stage 2 being a structure built over the courts to allow all weather participation for basketball, indoor cricket, football, tennis, soccer, croquet, kinder gym, school activities even community markets/stalls/events, P & A Society displays with future staged extensions for a fitness gym, storage areas.

The existing hockey ground would remain available for use by the 45 Aus. Kick participants and of course hockey and junior soccer. The area proposed for Development 6 would be used to expand car parking, playground and storage for the Complex and Swimming Pool with a new dual lane entrance between the pool plant shed and the old Bowling Green.

The question asked of Council via the CEO was whether or not the Department would look favourably at Kojonup lodging such an application given the deterioration of the existing netball courts and justification of not supporting the consultant's options. Participants were reminded that ultimately the Precinct Plan is Kojonup's Plan and the consultant has prompted suggestions for consideration. Without the initial plan we may never have achieved last night's consensus.

Mr. Thompson's response:

At the end of the day it will be the Shire of Kojonup that decides on the best option for sport and recreation infrastructure provision to cater for "need". I am aware that the Shire has previously not proceeded with a Consultant's recommendation (The Solly Report – Aquatic redevelopment). I agree entirely that it would be inappropriate to suggest Kojonup duplicate facilities presently provided at a scale and scope in Katanning.

DSR would welcome a CSRFF application that is realistic and meets local need. The preferred option being for the existing four netball courts as the number one priority and flexi paved ASAP would be feasible. A staged development taking it to a covered venue is a realistic step when the Shire and community are financially ready.

Council officers together with Clubs (Predominantly Netball Club in first instance) are collating documentation and supporting information needed to firm up flexi pave costs and anticipated costs to cover the venue, financial contributions (cash and in-kind), prepare sketch plans of the area showing staged approach in order to submit an initial CSRFF Small Grant application for Council consideration at its meeting to be held 21 July 2015 as part of adopting the 2015/2016 Budget to enable lodgement with DSR on or before 31 August 2015.

CONSULTATION

Extensive consultation was undertaken with the key stakeholders including current and potential users of the Kojonup Sports Precinct and Department of Sport & Recreation. Groups were consulted via one on one meetings, a survey and follow up phone calls and emails as required. The groups were asked details about their current participation and trends, their operations, issues they are encountering and their facility requirements and desires so that the consultants could gain a solid understanding of the groups' needs. Participation and facility usage information are reported in sections 7 & 8 of the report.

The views of the community were sought through advertising for public submissions, an online survey and drop in sessions where people could come and speak with the consultant individually in an informal setting. The most successful method was the community online survey which received 98 responses (5% of the Shire's population). No public submissions were received, and one member of the general public (that was not a club representative) attended the drop in sessions.

A Breakfast Forum was also conducted to provide clubs and the community general background on the consultant's findings and recommendations prior to finalizing the Plan.

STATUTORY REQUIREMENTS

Disability Access and Inclusion Plan Provisions (DAIP) Outcome #2 – People with disability have the same opportunities as other people to access the buildings and facilities of the Shire of Kojonup.

Community Sporting and Recreation Facilities Fund (CSRFF) - Department of Sport & Recreation funding criteria.

POLICY IMPLICATIONS

User Agreements / MOU's / Trade-offs / Fees & Charges

Community Funding Program / Social Inclusion

FINANCIAL IMPLICATIONS

- Project Planning and Asset Management for all works proposed and undertaken.
- Resource Management and Infrastructure Planning costs now and in the future.
- Accessing grant funding for staged development to occur within reasonable time frames.
- Long Term Financial Plan consequences.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-23 Focus Area 1.5: Staying Active and Entertained

Corporate Business Plan 2013 -2017

- Strategy 1.1.1 - To expand the way Council communicates with the community and ensure appropriate response times.
- Strategy 1.1.2 - Maintain a structured forward planning process in accordance with legislation and community aspirations.
- Strategy 1.2.4 - Providing community support and development.
- Strategy 1.5.2 – Maintaining an active, healthy and social community.

RISK MANAGEMENT IMPLICATIONS

The Shire of Kojonup considers risk management to be an essential management function in its operations. Council recognise that the risk management responsibility for managing specific risks lies with the person who has the responsibility for the function, service or activity that gives rise to that risk. Council is committed to the principles, framework and process of managing risk as outlined in AS/NZS ISO 31000:2009.

The Shire will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. It will be applied to decision making through all levels of the organisation in relation to planning or executing any function, service or activity.

In particular it will be applied to:

- Strategic and operational planning
- Expenditure of large sums of money
- New strategies and procedures
- Management of projects, tenders and proposals
- Introducing significant change
- The management of sensitive issues

ASSET MANAGEMENT IMPLICATIONS

The Shire of Kojonup is committed to ensuring that Asset Management is recognised as a major corporate function.

The Shire is committed to making informed decisions in relation to its infrastructure assets. To achieve this, the Shire will maintain an Asset Management Improvement Strategy that guides the

implementation of asset management across the organisation. The key outcome being the adoption by Council of an Asset Management Plan for the following classes of infrastructure assets;

1. Infrastructure (Including Roads, Footpaths, Kerbing and Signs)
2. Drainage
3. Buildings
4. Parks & Reserves

Asset Management Plans will form part of the Shire's day-to-day business practices and will be used to make informed decisions in relation to service delivery across:

- New asset acquisition
- Renewal of assets
- Upgrade of assets
- Disposal of assets

Asset Management plans will be prepared in accordance with the IPWEA's International Infrastructure Management Manual Guidelines and will include long term financial modelling of the renewal profile and whole of life costs of each asset class to underpin long term financial plans.

The Shire of Kojonup has limited resources and is the custodian of a large number of assets. Therefore, when making decisions in relation to infrastructure assets, the Shire is committed to the philosophy of renewing assets before acquiring new assets. In addition, where possible, rationalising assets that are no longer used or do not provide the agreed level of service.

The Shire of Kojonup is committed to determining the Level of Service required for infrastructure assets in a collaborative manner with asset stakeholders.

VOTING REQUIREMENTS

Simple Majority

Shire President commended the work of the Sports Precinct Advisory User Group and stated Council had had a win with this consultant.

COUNCIL DECISION / OFFICER RECOMMENDATION

115/15 Moved Cr Trethowan, seconded Cr Pedler that Council:

- 1. Receive the Kojonup Sports Precinct Master Plan.**
- 2. Proceed immediately as a Stage 1 project to lodge a CSRFF Small Grant application with the Department of Sport & Recreation for the resurfacing of the 4 existing Netball Courts.**
- 3. Consider and prepare a suggested staged approach for the infrastructure developments as listed within the Kojonup Sports Precinct Master Plan in consultation with the Sports Precinct Advisory User Group and Department of Sport & Recreation to meet the needs of the community and key stakeholders of the Kojonup Sports Precinct.**
- 4. Prepare a National Stronger Regions Fund – Round 3 or Round 4 application to progress the realisation of stages ultimately adopted by Council from point 3 above.**
- 5. Review the outcomes of the Master Plan on an annual basis to take into account any changes in demographic, financial, social and environmental areas impacting on the community and key stakeholders.**

CARRIED 8/0

Dominique Hodge

From: Rick Mitchell-Collins
Sent: Monday, 13 July 2015 8:50 AM
To: Dominique Hodge
Subject: ICR19969 - FW: Sporting precinct

SynergySoft: ICR19969

Hi Dom

Can Junior Footy email be attached to Master Plan Agenda Report please.

Rick Mitchell-Collins
Chief Executive Officer
SHIRE OF KOJONUP

93 Albany Highway Kojonup WA 6395 | PO Box 163 Kojonup WA 6395
Tel: 9831 2400 | Fax: 9831 1566 | www.kojonup.wa.gov.au FOR RECIPIENTS EXTERNAL TO THE SHIRE OF KOJONUP The information contained in this email (including any attachments) is intended for the named recipient only. It may contain privileged and confidential information. If you are not the intended recipient, you must not copy, distribute, take any action or reliance on it, or disclose any details of the email or attachments to any other person, firm or corporation. If you have received this email in error, please notify the sender as soon as possible by return email and then delete.

-----Original Message-----

From: Hannah Watkin
Sent: Monday, 13 July 2015 8:27 AM
To: Rick Mitchell-Collins
Subject: FW: Sporting precinct

Good morning Rick,

Sorry I was away in Pemberton from Friday lunchtime so didn't forward this on.

Please see below.

Thanks

Hannah

-----Original Message-----

From: Tennille & Paul Norrish [<mailto:cooinda@westnet.com.au>]
Sent: Friday, July 10, 2015 3:45 PM
To: Hannah Watkin
Subject: Sporting precinct

To the President, CEO, and Counsellors of the Kojonup Shire,

The Kojonup Junior Football Club is in full support of Stage 1, being the resurfacing of the netball courts, bringing them up to a better standard.

We also believe that stage 1 should include the building on the main frame structure covering court one, as per the discussions had at our last meeting on the 24th June 2015. With the grand plan to eventually have a fully enclosed multi-purpose court for various sporting activities and events.

We feel there must be a lot of time and effort taken now, to make the right decisions for the benefit of future projects.

In agreeance with this, we still want to see some funding put towards maintaining and completing projects within the complex facility. (Eg, removal of the barricading downstairs and the relocation of the main entrance to the sporting oval to make the area safe for the public).

The multi purpose venue, when completed, will be a great asset to the whole community.

I am looking forward to seeing this project go ahead, and I wish to be apart of the ongoing process.

Kind regards,

Paul Norrish
President
Kojonup Junior Football Club

Sent from my iPad



10th July 2015

To Shire of Kojonup,

To Whom it may concern,

I am writing on behalf of the Kojonup Netball Association to inform you that we are in support of the proposal of having all four courts re-surfaced with flexi-pave ASAP. We are willing to contribute \$20,000.00 of our funds to stage 1 as long as the following is included in the masterplan going forward:

- Short-midterm plans for cover over the courts
- Upgraded club house facilities
- Upgraded storage facilities
- The groundworks be done in a way that in years to come would also be suited to other surfaces such as sprung boards.

We understand that any upgrade to Kojonup's sporting precinct is a major decision and we certainly don't want to be held responsible for things being half completed and want to ensure it is done properly from the beginning of this journey. We are grateful that we may finally get the netball courts re-surfaced with the hope that one day in the near future it will become a mutli use area for a variety of other potential sports.

This project will directly benefit our junior members and senior members along with Kojonup's future Netballers. The \$20,000.00 being contributed to the Stage 1 proposal is the result of over 30 years of fundraising, and our club would not be in a viable position to contribute anything further for many, many years to come. As such, we would like to continue being at the forefront of this project to ensure the best outcome for our members and the Kojonup community.

Thanks in Advance,

Kojonup Netball Association,

President,

Lauren Thomson

13.2 KOJONUP TOURIST ASSOCIATION – EXPRESSION OF INTEREST TO USE CWA BUILDING

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Friday, 10 July 2015
FILE NO: CP.USA.1
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To seek Council's agreement "In Principle" for the Kojonup Tourist Association Inc. via a "User Agreement" with the Shire to occupy the CWA Building as its new premises until 30 June 2016.

BACKGROUND

Council at its meeting held 16 June 2015 passed Decision 98/15:

That Council agree to the April-June 2015 (4th quarter) payment in full as per the existing Memorandum of Understanding subject to the Kojonup Tourist Association (KTA):

- 1. Terminating the employment of the Manager's position effective 30 June 2015.**
- 2. Substantiating all employee records and meeting entitlements due as at 30 June 2015.**
- 3. Providing a full list of Stock on hand and written down values as at 30 June 2015 for Council determination on stock/furniture/fittings etc. it wishes to retain as from 1 July 2015 and to allow a formal purchase offer to be made.**
- 4. Council as from 1 July 2015 will assume responsibility and control via the Manager – TKPP with regard to all business operations within the Visitor Centre, Storyplace/Gallery and The Kodja Place Precinct.**
- 5. Ensure Council has access to or the transfer of ownership/information/records/keys/documentation/security codes/IT programs, Intellectual property etc. pertaining to the Visitor Centre, Kodja Place Precinct, Tourism, Marketing, Promotional activities, bookings, reservations and events management.**
- 6. The future need for various bank/cheque accounts presently operated by KTA to be determined following the KTA Annual General Meeting which is to be held prior to 30 June 2015.**
- 7. Upon the new role/purpose of KTA being determined and office bearers elected by financial KTA members at the Annual General Meeting, Council will prepare a new MOU as the need for volunteers at The Kodja Place for the Visitor Centre is still required.**
- 8. Executing a Deed of Termination for the 2013 - 2016 Memorandum of Understanding effective 30 June 2015.**

The KTA held a meeting on 30 June 2015 and elected new office bearers and committee. The Committee is keen to find a "home" to place records etc. and as a meeting place to determine its new role/purpose. A site visit was undertaken with the Committee and CEO on Wednesday, 8 July 2015 resulting in this request to Council.

COMMENT

Council has been consistent in its approach throughout the Kodja Place transition that an organization such as KTA exist but be expanded to include "Business" as we are all ambassadors for Kojonup and any events or promotions held provide the opportunity for collective benefit! The CWA Building is structurally sound and ideally located for use by the KTA for displays, meeting place for tourism and business operators, holding of various events and provides a separation from being perceived as Kodja Place centric.

New KTA President – Mr. Ian Malane and his committee are very receptive to change and to meet the requirements of the above Council Decision. "In Principle" support to use the CWA Building

demonstrates Councils ongoing commitment to work collaboratively with Kojonup Tourism and Business operators.

CONSULTATION

Council Briefing Sessions
16 June 2015 Council Meeting
Meeting with KTA 22 May 2015
Kodja Place Advisory Committee meetings

STATUTORY REQUIREMENTS

Associations Incorporation Act 1987
Local Government Act 1995

POLICY IMPLICATIONS

Policy 1.2 – Community Funding Program (Capital & Operating) which aims to provide a framework for the provision of funding which meets Council’s Strategic objectives in facilitating community development initiatives.

Policy 3.16 – Community Consultation Charter which aims to reflect Council’s commitment to open and effective consultation with the community in the process of making important decisions about the wellbeing of the community.

FINANCIAL IMPLICATIONS

The “User Agreement” will list a weekly rental figure which can be reduced subject to KTA agreeing to undertake specific tasks/functions e.g. Payment of power account, being responsible for cleaning, toiletries, fixtures and fittings, replacement of light globes, rubbish removal, general maintenance inside and out, etc. as mutually agreed.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023 Focus Area 1.5 – Staying Active & Entertained

Corporate Business Plan 2013–2017 Strategy 1.5.1- Promote Kojonup as a place to live and visit.

RISK MANAGEMENT IMPLICATIONS

Progressing Governance and Compliance requirements to ensure commercial and tourism activities/events/displays/functions/marketing and promotion meet regulatory, policy and reporting requirements.

ASSET MANAGEMENT IMPLICATIONS

Whole of Life considerations, Integrated planning, Structural Integrity, “Fit for Purpose” considerations, Business continuity and Long Term Financial Planning implications.

VOTING REQUIREMENTS

Simple Majority

4:25pm Cr Benn declared an interest and left the Chamber.

COUNCIL DECISION / OFFICER RECOMMENDATION**116/15 Moved Cr Sexton, seconded Cr Radford that Council:**

- 1. Provide “In Principle” support for the CEO to prepare a “User Agreement” with the Kojonup Tourist Association Inc. (KTA) for the temporary occupancy of the CWA Building up to 30 June 2016;**
- 2. Request the CEO in conjunction with KTA to provide Council a progress report on the transition to the CWA Building on or before 30 April 2016; and**
- 3. On receipt of the progress report Council consider extending the “User Agreement” a further 12 months from 1 July 2016, noting that this action allows an adequate timeframe for the new KTA committee to address and meet the requirements of Council Decision 98/15.**

CARRIED 7/0

4:25pm Cr Benn returned to the Chamber.

13.3 KOJONUP HISTORICAL SOCIETY – EXPRESSION OF INTEREST TO USE FRONT AREA OF MEMORIAL HALL

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Monday, 13 July 2015
FILE NO: CS.SRP.1
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To seek Council's agreement "In Principle" for the Kojonup Historical Society Inc. (KHS) via a "User Agreement" with the Shire to occupy the front foyer and side areas of the Memorial Hall for displays, meetings and general office functions for a trial period until 30 June 2016 with the option of a further period.

There is also potential for the Society to work collaboratively with the Tourist Association and RSL to conduct displays at the CWA Building and/or RSL Building.

BACKGROUND

KHS President - Arthur Collins and Secretary – Susanne Bilney attended the 16 June 2015 Council Briefing Session to discuss the contents of two letters (ICR19446/ICR19447) regarding the display of memorabilia and the "Springs" area.

The rooms off to the side of the front foyer the Society believes would allow the display cabinet gifted to the Society by WA Museum to be permanently displayed with WWI and WWII memorabilia. This would complement the Main Foyer display and allow the Memorial Hall front doors to be open for inspection by the general public.

COMMENT

Council during discussions on the Main Street Master Plan and Civic Precinct concepts identified the underutilization of the Front Foyer and side rooms.

Use of the area by the Historical Society is encouraged as it complements the Shires recognition of veterans who made the supreme sacrifice and "opens up" the Hall to the general public at the northern end of the Main Street.

CONSULTATION

Council Briefing Session – 16 June 2015
Correspondence ICR 19446/ICR19447
KHS meetings attended by Cr Pritchard and CEO

STATUTORY REQUIREMENTS

Associations Incorporation Act 1987
Local Government Act 1995

POLICY IMPLICATIONS

Policy 1.2 – Community Funding Program (Capital & Operating) which aims to provide a framework for the provision of funding which meets Council's Strategic objectives in facilitating community development initiatives.

Policy 3.16 – Community Consultation Charter which aims to reflect Council's commitment to open and effective consultation with the community in the process of making important decisions about the wellbeing of the community.

FINANCIAL IMPLICATIONS

The “User Agreement” will list a weekly rental figure which can be “Traded Off” subject to KHS agreeing to undertake specific tasks/functions as mutually agreed.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013-2023 Focus Area 1.5 – Staying Active & Entertained

Corporate Business Plan 2013–2017 Strategy 1.5.1- Promote Kojonup as a place to live and visit.

RISK MANAGEMENT IMPLICATIONS

Ensure the Memorial Hall meets public access requirements and reflected in “User Agreement” together with responsibilities of each party regarding displays, cleaning, insurances, public access etc.

ASSET MANAGEMENT IMPLICATIONS

Use for display purposes by the KHS allows an area which is underutilized and in most respects closed to the general public to be revitalized and used for a beneficial community purpose.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Provide “In Principle” support for the CEO to prepare a “User Agreement” with the Kojonup Historical Society Inc. for the temporary occupancy of the front foyer and side areas of the Memorial Hall up to 30 June 2016.
2. Request the CEO in conjunction with Kojonup Historical Society to provide Council a progress report on or before 30 April 2016, and
3. On receipt of the progress report Council consider extending the “User Agreement” a further 12 - 36 months from 1 July 2016.

COUNCIL DECISION

117/15 Moved Cr Sexton, seconded Cr Pritchard that Council:

- 1. Provide “In Principle” support for the CEO to prepare a “User Agreement” with the Kojonup Historical Society Inc. for the temporary occupancy of the front foyer and side areas of the Memorial Hall up to 30 June 2016;**
- 2. Request the CEO in conjunction with Kojonup Historical Society to provide Council a progress report on or before 30 April 2016;**
- 3. On receipt of the progress report Council consider extending the “User Agreement” a further 12 - 36 months from 1 July 2016; and**
- 4. Include RSL in the consultation of the use.**

CARRIED 8/0

REASON FOR CHANGE: Council felt the RSL should be included in the consultation.

13.4 NATIONAL STRONGER REGIONS FUND – ROUND 2 APPLICATION

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
 DATE: Monday, 13 July 2015
 FILE NO: GR.FDL.1
 ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To table the National Stronger Regions Fund (NSRF) – Round 2 Application for Council and Community information.

BACKGROUND

NSRF is a Commonwealth initiative to provide \$1 billion dollars over the next five years with the aim of promoting economic development in Australia's regions.

The Government's investment will enhance the economic growth, activity and output of our regions and sustain these gains into the future. **The Fund will have a particular focus on assisting disadvantaged regions to achieve growth.**

The Fund will invest in crucial infrastructure projects that will be conceived by local communities – and this approach will help Australia's regions invest in their own future.

As well as providing direct investment in major projects that deliver economic and social benefits, the Fund will have flow on benefits of improving the capacity of organisations to deliver projects. To best deliver critical infrastructure, the Fund will encourage the formation of strong partnerships that engage project proponents with the private sector, and local, state and territory governments.

Projects seeking funding will be considered in consultation with the Government's National Infrastructure Committee, which has a strong interest in, and commitment to, harnessing the potential of Australia's regions.

COMMENT

The Shire lodged an application in Round 1 and has lodged an application in Round 2 following general feedback from the NSRF Committee.

This project is an essential element to increasing retention of residents in Kojonup through:

1. Improving capacity to accommodate senior citizens and potentially their families,
2. Potential housing for Shire staff and other businesses to ensure the ability to attract and retain skilled staff to increase productivity, and
3. Making available vacant lots for existing and new residents of Kojonup.

Specifically, the Shire of Kojonup-NSRF project will:

- Allow for older residents to remain in rural towns and continue to contribute to their local communities,
- Integrate Sustainable Development initiatives,
- Provision of staff housing for the Shire to assist in securing professional staff from outside the area,
- Encourage young families to the area and existing young families to stay,
- Provision of vacant building lots for existing and new residents to ensure that the decline in population is arrested and an opportunity for the population to grow,
- Provide a basis for enduring impact for the Shire
- Increases the dollar spend in the town
- Increases the ability for existing businesses to increase/expand with the availability of skilled workers living in the town
- Increased productivity for the Shire and businesses with increase in skill base
- Growth of the Shire will increase the opportunity for Kojonup to become a destination rather than the current status of being a drive through town
- Increase the volunteering capacity within the town

- Potential to increase tourism dollars to the town.

CONSULTATION

Council Briefing Sessions and work shops
Kojonup News

STATUTORY REQUIREMENTS

Adherence to the Commonwealth Guidelines attached to the National Stronger Regions Funding programme.

POLICY IMPLICATIONS

Policy 1.3 – Provide Independent living for aged people in Kojonup

Policy 2.1.8 – Major Grant Applications - to assist Council in the sustainable delivery of infrastructure and ensure adequate matching financial resources are available.

Policy 2.2.8 – Housing Officers

FINANCIAL IMPLICATIONS

In relation to the subdivision infrastructure costs, there is an amount of \$105,058 included for contingency costs for whole project. The Shire has received partnership funding of \$1,205,348 and together with its own contribution of \$1,323,402 (cash component of \$183,402) has been budgeted in the 2014-2015 budget.

The land component of \$1,140,000 will be allocated to the project to enable the building of 6 independent living units, 2 staff houses and the release of at least 10 blocks with associated supporting infrastructure. The sale of these blocks will enable the Shire to cover any cost over-runs, if any.

STRATEGIC/CORPORATE IMPLICATIONS

Compliments Community Strategic Plan 2013 -2023

Corporate Business Plan 2013 – 2017 Strategies:

1.4.1.3 – Expand the footpath network to support pedestrian safety

1.4.2.2 – Improve Town Drainage Infrastructure

1.5.1.3 – Promote Kojonup as a place to live

1.5.2.4 – Improve disability access to infrastructure and services

1.6.2.2 – Identify land suitable for aged care unit development that will attract private investment and independent living aged care units

1.8.1 – Build local economic capacity to generate wealth and provide a variety of local employment opportunities

RISK MANAGEMENT IMPLICATIONS

Ability to meet Programme criteria including acquittal timeframes

Ensure itemised costs are accurate at the time of lodgement

Development Project Team seeks qualified advice (where required) to substantiate application content

Existing projects will not be delayed awaiting result of Round 2 successful applicants on 31 December 2015.

ASSET MANAGEMENT IMPLICATIONS

Long Term Financial Planning of infrastructure for future replacement/renewal

Building, Planning, Engineering Plans/approvals etc., obtained prior to commencement of project in support of the application.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION**118/15 Moved Cr Benn, seconded Cr Pedler that Council:**

- 1. Receive the Chief Executive Officer's report acknowledging that the Shire of Kojonup has lodged a formal application to the National Stronger Regions Fund – Round Two seeking an amount of \$2,490,660 exclusive of GST to undertake staff housing, Independent living unit development and associated Road, Drainage, Power, Kerbing, Footpath, Sewer, Water and Stormwater infrastructure works at Loton Close and Soldier Road.**
- 2. Express its appreciation to the Development Project Team for compiling and lodging an extensive and well researched application.**

CARRIED 8/0

Shire President congratulated team who put the application together, she appreciated the huge effort.

14 COMMITTEES OF COUNCIL

14.1 KODJA PLACE ADVISORY COMMITTEE

COUNCIL DECISION / OFFICER RECOMMENDATION

119/15 Moved Cr Sexton, seconded Cr Radford that the attached unconfirmed minutes of the Kodja Place Advisory Committee held Thursday 11th June 2015 be received by Council.

CARRIED 8/0

15 **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

16 **NEW BUSINESS**

(of an urgent nature, introduced by a decision of the meeting).

Nil

17 CONFIDENTIAL REPORTS**17.1 LEGAL ACTION A2287**

AUTHOR: Heather Marland – Senior Finance Officer
DATE: Friday, 10 July 2015
FILE NO: A2287
ATTACHMENT: 17.1 Confidential Report & Attachments

SUMMARY

To seek further guidance from Council on the legal matter between the Shire of Kojonup and the owner of A2287 – Lot 1 Lower Blackwood Rd. This matter was presented to Council by Heather Marland at the briefing session held on 16th June 2015. The defendant had made an offer at the Pre Trial Conference held on 10 June 2015 to pay a sum of \$4,871.63 and to drop his counter claim. This amount includes all outstanding rates \$3,279.83, Interest \$591.80 and \$1,000 of legal fees of which the defendant offered to pay in good faith. Council were being asked by the defendant to waive all other legal fees which at the time were \$5,084.05. Councils legal fees in pursuit of this matter prior to the defendants counter claim was \$597.55.

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.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

- 120/15 Moved Cr Sexton, seconded Cr Pedler that the meeting be closed to the public in accordance with s5.23 of the *Local Government Act 1995* to discuss:**
- (b) the personal affairs of any person; 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.**

CARRIED 8/0

4:29pm Manager of Regulatory & Community Services, Manager of Works & Services, Town Planner, Development Services Coordinator and all members of the gallery left.

4:30pm Cr Trethowan left the Chamber.

4:31pm Cr Trethowan returned to the Chamber.

COUNCIL DECISION / OFFICER RECOMMENDATION

- 121/15 Moved Cr Sexton, seconded Cr Radford that Council:**
- Request staff to discontinue the court action (Claim #11032/2014) for the recovery of rates and charges from A2287;**
 - All charges, including legal costs incurred in accordance with S6.56 of the *Local Government Act 1995*, remain; and**
 - The recovery of money owed by A2287 be reviewed by staff after the due date of the 2015/2016 rates.**

CARRIED 8/0

COUNCIL DECISION / OFFICER RECOMMENDATION

- 122/15 Moved Cr Trethowan, seconded Cr Benn that the meeting be reopened to the public.**

CARRIED 8/0

18 **NEXT MEETING**

Tuesday, 18th August 2015 commencing at 3:00pm.

19 **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4:42pm.

20 **ATTACHMENTS (SEPARATE)**

- Item 10.1 Monthly Statement of Financial Activity
- Item 10.2 Monthly Payment Listing 01/06/2015 – 30/06/2015
- Item 10.3 List of Fees and Charges
- Item 10.5 2015/2016 Draft Annual Budget
- Item 12.1.1 Business Plan dated June 2015
- Item 12.1.2 Risk Management Policy & Plan dated 2015
- Item 12.1.3 Business Continuity & Disaster Recovery Plan dated June 2015
- Item 12.6 Copy of Submissions
- Item 12.6.1 Copy of Tabled Submissions
- Item 13.1 Kojonup Sports Precinct Master Plan Final Report March 2015
- Item 14.1 Unconfirmed Kodja Place Advisory Committee Minutes – Thursday 11th June 2015
- Item 17.1 Confidential Report & Attachments

Presiding Member

Date