

SHIRE OF KOJONUP



Council Minutes

18th June 2013

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 18th June 2013****TABLE OF CONTENTS**

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MINUTES

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

The Shire President declared the meeting opened at 3:03pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and read aloud 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 & LEAVE OF ABSENCE**

Cr Jane Trethowan	Shire President
Cr John Benn	Deputy Shire President
Cr Frank Pritchard	
Cr Ian Pedler	
Cr Greg Marsh	
Cr Michael Baulch	
Cr Jill Mathwin	
Mr Anthony Middleton	Acting Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mr Mort Wignall	Manager of Regulatory & Community Services
Mrs Heather Marland	Senior Finance Officer
Miss Sophie Knight	Policy, Planning and Governance Officer
Members of the Public	2

APOLOGIES

Cr Rosemary Hewson Granted Leave of Absence at Meeting 21 May 2013

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

There were questions taken on notice at the 21 May 2013 Council Meeting. The response to these questions has been sent in writing and was as follows:

Dear Pam,

QUESTION TAKEN ON NOTICE – 21 MAY 2013 COUNCIL MEETING

Thank you for your questions asked at the Council Meeting held on 21 May 2013 regarding the community petition on the proposed medical centre at 34 Katanning Road, Kojonup presented to the Council on 16 April 2013.

A summary of your question taken from the minutes of that meeting is as follows:

‘What has happened to that petition apart from the “tabling” reported in the minutes of that meeting?

Have all Councillors been given a copy? If not, why not?

Has the petition been discussed at one of your briefing sessions? If not, why not?

The Deputy Shire President advised the questions would be taken on notice to be responded to by the Acting Chief Executive Officer.’

The petition was tabled at the Council meeting and read aloud for all Councillors to hear. The petition related to the decision being made at that meeting and therefore all Councillors involved in the decision were completely aware of the petition and its contents, just moments before the item was considered. The Councillors have not been given a copy, apart from that contained within the Council Meeting minutes, nor has the petition been formally discussed at a Council briefing session. The decision that this petition related to was made on the day and was taken into consideration at the time.

I feel that it is important at this time to emphasise the content of the petition, which is listed below in its entirety.

‘We the undersigned, strongly urge Council to halt any further development, in its entirety on 34 Katanning Rd, until more discussion work and research is done. And, more importantly, that ALL rate payers and residents are adequately informed of the options, for the short and long term outcome... to achieve best results.’

The petition requested the Council to undertake more ‘discussion, work & research’ and to inform all of the community. Exactly how the 467 signatories to the petition could be aware of the level of ‘discussions, work and research’ that the Council had previously undertaken is not clear to me, nor how the assumption could be made that it was inadequate. This issue had been discussed by the Councillors in depth for nearly six (6) months and it had dominated the Council’s time, resources and research over this period.

With regards to the community consultation undertaken in the preceding months, this item had appeared in almost every Council agenda, had been discussed in local newspaper and radio media, was the subject of a public meeting attended by over 200 residents and had been extensively discussed by the Council’s Medical / Health Centre Advisory Committee, which is made up primarily of community members. The consultation undertaken has been extremely extensive and I am sure that you would appreciate the difficulties in trying to reach each and every ratepayer or resident.

I trust that this extra information answers your queries that were taken on notice at the Council Meeting and thank you again for taking part in our decision making process.

If you have any queries, please do not hesitate to contact me on 9831 2400 or email ceo@kojonup.wa.gov.au.

Yours sincerely,

Anthony Middleton
Acting Chief Executive Officer

4 PUBLIC QUESTION TIME

Nil

5 **APPLICATIONS FOR LEAVE OF ABSENCE**

COUNCIL DECISION

83/13 MOVED Cr Benn seconded Cr Mathwin that Cr Pritchard & Cr Marsh be granted Leave of Absence for the Council meeting to be held on 23rd July 2013.

CARRIED 7/0

6 **CONFIRMATION OF MINUTES**

ORDINARY MEETING 21st May 2013

COUNCIL DECISION

84/13 Moved Cr Benn, seconded Cr Pritchard that the Minutes of the Ordinary Meeting of Council held on 21st May 2013 be confirmed as a true record.

CARRIED 7/0

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

Missed the last Council Meeting as attended the Future of Local Government National Summit in Melbourne on behalf of the Southern Link VROC (Voluntary Regional Organisation of Councils) on 22nd & 23rd May 2013, stated that the summit was great value.

8 **PETITIONS, DEPUTATIONS & PRESENTATIONS**

Nil

9 **DECLARATIONS OF INTEREST**

At Item 12.1 Cr Benn declared an interest as he is an adjoining land owner.

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

AUTHOR: Kim Dolzadelli – Manager of Corporate Services
DATE: Tuesday, 11 June 2013
FILE NO: FM.FNR.2
ATTACHMENT: 10.1 Monthly Statement of Financial Activity 1st July 2012 to 31st May 2013
10.1 Appendix A – Springhaven Aged Care Facility Monthly Statement of Financial Activity 1st July 2012 to 31st May 2013

DECLARATION OF INTEREST

Nil

SUMMARY

To accept the Monthly Statement's of Financial Activity for the periods of 1st July 2012 to 31st May 2013.

BACKGROUND

Preparation and presentation to Council of monthly reports are a statutory requirement, with these to be presented to the next ordinary meeting following the close of a month, or it may be presented to the ordinary meeting in the following month after that.

The reporting requirements, as per Financial Management Regulation 34, for the Statement of Financial Activity came into force from 1st July 2005.

COMMENTS

The attached Statements of Financial Activity for the period of 1st July 2012 to 31st May 2013 show a solid position with 94.78% of rates collected and a total amount of cash holdings of \$3,692,981.87 of which \$2,006,318 is held in fully cash backed Reserves as at to 31st May 2013. Of these cash holdings \$1,510,963 of Municipal funds and \$1,536,948 of Reserve funds have been invested in short term deposits, due to mature during the month of June 2013.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Financial Management Regulation 34 sets out the basic information which must now be included in the monthly reports to Council. Financial Management Regulation 33A sets out the requirements with respect to the Review of Budget.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

Occasionally Council may be asked to authorise certain budget amendments/variations by way of separate Senior Officer Reports, but those proposed variations will be taken into account in the monthly Statements of Financial Activity when a full budget review is put before Council. Amendments are not being sought in this Item; however Amendments are being sought in items 10.3 & 10.4 to this Agenda.

STRATEGIC IMPLICATIONS

This will only occur where it involves variations to the multiple year proposals previously put forward. Impacts to the "Closing Balance" position will also occur or where a Budget Review highlights the requirement for amendments to occur.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

85/13 Moved Cr Marsh, seconded Cr Pritchard that the Monthly Statement's of Financial Activity for the periods of 1st July 2012 to 31st May 2013, as attached, be accepted.

CARRIED

7/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Kim Dolzadelli – Manager of Corporate Services
DATE: Tuesday, 11 June 2013
FILE NO: FM.AUT.1
ATTACHMENT: 10.2 Monthly Payment Listing

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments that were made from 1st May 2013 to 31st May 2013.

BACKGROUND

Not applicable.

COMMENT

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

CONSULTATION

No consultation was required.

STATUTORY ENVIRONMENT

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 authorities and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made are for items where Council has provided a budget authority.

STRATEGIC IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

86/13 Moved Cr Pedler, seconded Cr Marsh that in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 1/5/2013 to 31/5/2013 comprising of Municipal Cheques 12696 to 12735, EFT's 10211 to 10358 and Internal Payment Vouchers 4359 to 4390 totalling \$821,246.89 and as attached to this agenda, be received.

CARRIED

7/0

10.3 FINANCIAL MANAGEMENT – DISPOSAL/WRITE OFF OF PLANT, FURNITURE AND EQUIPMENT ASSETS

AUTHOR: Kim Dolzadelli – Manager of Corporate Services
 DATE: Tuesday, 11 June 2013
 FILE NO: PS.ASR.3 & PS.ASR.4
 ATTACHMENT: 10.3 Disposal/Write Off of Plant, Furniture and Equipment Assets

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being asked to consider the Disposal/Write Off of certain Plant, Furniture and Equipment Assets and Budget Amendment to account for any Profit or Loss on proposed disposals.

BACKGROUND

Amendment to the Local Government (Financial Management) Regulations 1996 with the introduction of Regulation 17A. “Assets, valuation of for financial reports etc.” has prompted a review of the Shire’s Plant, Furniture and Equipment registers.

COMMENTS

The review has been undertaken to ensure an accurate measurement of the Shire’s assets and a meaningful outcome of Fair Value implementation.

The review has highlighted that there are a large number of items recorded that have either been:

- a) Disposed of as they have reached end of useful life,
- b) Disposed of yet remain on the asset register, or
- c) Do not reach the Capitalisation threshold of \$1500 as set by the Shires Significant Accounting Policy.

Whilst these assets remain recorded on the Shire’s Asset register a false impression of both asset value and replacement gap is given.

CONSULTATION

Council’s Auditors have been consulted with respect to the process in which the review of the Asset register was to be conducted.

STATUTORY ENVIRONMENT

Regulation 17A. of the Local Government (Financial Management) Regulations 1996:

17A. Assets, valuation of for financial reports etc.

- (1) In this regulation —
fair value, in relation to an asset, means the fair value of the asset measured in accordance with the AAS.
- (2) Subject to subregulation (3), the value of an asset shown in a local government’s financial reports must be the fair value of the asset.
- (3) A local government must show in each financial report —
 - (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
 - (b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government —

- (i) that are plant and equipment; and
 - (ii) that are —
 - (I) land and buildings; or
 - (II) infrastructure;
- and
- (c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.
- (4) A local government must revalue all assets of the local government of the classes specified in column 1 of the Table to this subregulation on the day specified in column 2 of the Table and at the end of each subsequent period of 3 years.

Table

Class of asset	Day
Plant and equipment	30 June 2016
Land, buildings and infrastructure for which the fair value was shown in the local government's annual financial report for the financial year ending on 30 June 2014	30 June 2017
All other classes of asset	30 June 2018

POLICY IMPLICATIONS

The proposed Disposal/Write Off of assets is presented taking into consideration the Shire of Kojonup's Significant Accounting Policies and in particular the Capitalisation threshold set of \$1,500.

FINANCIAL IMPLICATIONS

Attachment 10.3 shows the effect of the proposed disposal/write off's. The result will be a total Loss on Disposal of \$71,849.44 whilst substantial this is not a cash adjustment. The loss will show on the Statements of Comprehensive Income and will affect the Net Result shown on that Statement. However, when calculating the carried forward figure profit and loss and depreciation are written back so will not affect the cash flow or the carried forward position as at 30 June 2013.

STRATEGIC IMPLICATIONS

The review of Assets is an integral part of overall Asset Management Planning and will also lead to a realistic approach to the introduction of Fair Value of Assets.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

87/13 Moved Cr Benn, seconded Cr Marsh that Council approves:

- a) The Disposal/Write Off of the Plant, Furniture and Equipment Assets shown in Attachment 10.3, with a total cost value of \$999,893.18, Current Depreciation of \$928,043.74 and Current Written Down Value of \$71,849.44, and**
- b) Approves the amendment to Budget to account for the non cash Loss on Disposal of Assets in the amount of \$71,849.44.**

CARRIED BY ABSOLUTE MAJORITY

7/0

10.4 FINANCIAL MANAGEMENT – New Reserve Account “Kodja Place Enhancement Reserve”

AUTHOR: Kim Dolzadelli – Manager Corporate Services
DATE: Friday, 14 June 2013
FILE NO: FM.PRO.1
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being requested to establish a new reserve account for enhancement and/or upkeep of equipment and displays located at the Kodja Place facility.

BACKGROUND

The Kodja Place Interpretative Centre exists as part of the Kodja Place facility which houses:

- The Kojonup Tourist Association Offices, Shop and Visitor Servicing area,
- The Black Cockatoo Café , a privately run business,
- The Kojonup Aboriginal Corporation Office
- The Rose Maze
- The Bush Tucker / Heritage Sculpture Trail

The Interpretative Centre was designed to offer an interactive experience to visitors. The Centre houses IT equipment and a multitude of interactive and static displays, all of which require upkeep, renewal and maintenance.

COMMENTS

This Reserve will enable Council to build funds that will be required in the future for the upkeep, maintenance, renewal and enhancement of IT equipment, communications and a multitude of interactive and static displays.

In item 10.5 Council is being asked to consider Amendments to the 2012/2013 Budget and among these amendments it is proposed that an amount of \$30,000 be transferred into this Reserve. This amount was budgeted for the upgrade of Kodja Place Communications and IT Equipment, this work has not been undertaken and is scheduled to occur in the 2013/2014 financial year.

It is envisaged that these funds will be drawn down from this new reserve as required.

Other benefits to the creation of this reserve include:

- Ability to accept donations that can be held for future use, and
- The building of Reserve funds over time to allow for items of expenditure to be funded over time and thus avoiding large one off calls on Budget resources.

CONSULTATION

None necessary.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.11 Reserve Accounts subsection (1): Subject to subsection (5), where a Local Government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is envisaged that the building of Reserve funds to allow for cyclic items of expenditure to be funded will assist in avoiding large one off calls on Budget resources.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

88/13 Moved Cr Mathwin, seconded Cr Pritchard that Council creates a new Reserve Account titled “KODJA PLACE ENHANCEMENT RESERVE” for the purpose of future upkeep, maintenance, renewal and enhancement of IT equipment, communications and interactive and static displays

CARRIED

7/0

10.5 FINANCIAL MANAGEMENT – BUDGET AMENDMENTS – RESERVE TRANSFERS

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Thursday, 13 June 2013
 FILE NO: FM.FNR.2
 ATTACHMENT: 10.5 Budget Amendments – Reserve Transfers

DECLARATION OF INTEREST

Nil

SUMMARY

To consider the adoption of Budget Amendments with respect to Reserve transfers contained within Attachment 10.5 and as summarized below.

BACKGROUND

Council has previously established Reserve Accounts to set aside money for use for a purpose in a future financial year.

COMMENTS

The proposed amendments are based on capital expenditure projects that due to issues relating to timing are expected to remain unspent in the current financial year. The transfer of these funds into Reserves, which have been previously created for the like purpose, will ensure that these amounts are retained for the appropriate purpose.

It is envisaged that many of these funds will be drawn down from Reserve in the formation of the 2013/2014 Annual Budget as many of these capital expenditure projects will be carried forward.

The proposed budget amendments for reserve transfers can be summarised as follows:

Reserve	Proposed Amendment - Transfer to Reserve	Proposed Amendment - Transfer From Reserve	Budgeted Transfers From Reserve Not to Proceed	Net Change in Budgeted Reserve Transfers
Building Reconstruction Reserve	105,000	-	-	105,000
Bushfire Support Reserve	50,000	-	44,000	94,000
Economic Development Reserve	80,000	-	-	80,000
Kodja Place Enhancement Reserve	30,000	-	-	30,000
Plant Replacement Reserve	84,182	-	5,000	89,182
Public Toilets Reserve	20,000	-	20,000	40,000
Sporting Facility Reserve	149,000	-	-	149,000
Springhaven Building Mtce Reserve	-	18,636	38,000	19,364
Staff Housing Reserve	29,545	-	60,000	89,545
Grand Totals	547,727	18,636	167,000	696,091

CONSULTATION

Consultation has occurred with Senior Staff and discussion with respect to the transfer of funds to reserve has previously been held with Council.

STATUTORY ENVIRONMENT

Financial Management Regulation 33A sets out the requirements with respect to the Review of Budget.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

Occasionally Council may be asked to authorise certain budget amendments/variations. The proposed amendments will be fully funded through unexpended capital expenditure items.

STRATEGIC IMPLICATIONS

The proposed amendments will ensure funds are reserved for use of like purposes.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

89/13 Moved Cr Marsh, seconded Cr Benn that the following Budget Amendments for Reserve Transfers be approved:

Reserve	Proposed Amendment - Transfer to Reserve	Proposed Amendment - Transfer From Reserve	Budgeted Transfers From Reserve Not to Proceed	Net Change in Budgeted Reserve Transfers
Building Reconstruction Reserve	105,000	-	-	105,000
Bushfire Support Reserve	50,000	-	44,000	94,000
Economic Development Reserve	80,000	-	-	80,000
Kodja Place Enhancement Reserve	30,000	-	-	30,000
Plant Replacement Reserve	84,182	-	5,000	89,182
Public Toilets Reserve	20,000	-	20,000	40,000
Sporting Facility Reserve	149,000	-	-	149,000
Springhaven Building Mtce Reserve	-	18,636	38,000	19,364
Staff Housing Reserve	29,545	-	60,000	89,545
Grand Totals	547,727	18,636	167,000	696,091

CARRIED BY ABSOLUTE MAJORITY

7/0

11 WORKS & ENGINEERING REPORTS

11.1 GLENOAKLANDS, MOBRUP & WANDOORA – REQUEST FOR ROAD NAME CHANGE

AUTHOR: Anthony Middleton – Acting Chief Executive Officer
DATE: 13 June 2012
FILE NO: RO.ROA.023, RO.ROA.102 & RO.ROA.204
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To consider submissions received on the proposed change of name of Glenoaklands Road, Mobrur Road and Wandoorra Road to Mobrur Road.

BACKGROUND

At its meeting held on 19 March 2013 the Council resolved that:

- 1. The request from Rob and Jen Warburton to change the name of Glenoaklands Road, Mobrur Road and Wandoorra Road to Mobrur Road be supported;**
- 2. The proposed road name change be advertised in the Kojonup News seeking community comment;**
- 3. The Shire of Cranbrook be notified of this request and be requested to provide their comments in relation to the portion of Wandoorra Road in the Shire of Cranbrook; and**
- 4. Subject to no adverse comments being received in point 2 and 3 above, the Geographic Names Committee be requested to change the name of Glenoaklands Road, Mobrur Road and Wandoorra Road to Mobrur Road in the Shire's of Cranbrook and Kojonup.**

COMMENT

The applicants, Mr & Mrs Warburton, gained the support of local residents prior to submission to the Council. As part of the additional community consultation undertaken by the Shire to enable wider community input on this issue, one adverse comment and two supporting comments were received and therefore this item has been returned to the Council for consideration.

The comment received was as follows:

“Just to register that I don't want the Glenoaklands and Wandoorra Road's names changed. It is part of our history and needs to continue. Also all the maps are printed with these names.”

The basis of this proposed change in name is that the three roads concerned are in real terms one continuing road with three different names. This situation presents confusion for the road user and creates a potential problem for emergency services. It also creates rural road numbering problems as rural road numbers are a measurement from the beginning of the road. As such, it is recommended that the proposed name change continue.

A small portion of the end of Wandoorra Road is within the Shire of Cranbrook and therefore the Shire of Cranbrook was requested to comment on this proposal also. No feedback has been received from the Shire of Cranbrook.

CONSULTATION

Significant community consultation has occurred through The Kojonup News and also with the Shire of Cranbrook.

STATUTORY REQUIREMENTS

The Land Administration Act 1997 applies to this item.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

There are only minor financial implications for this report. Approximately \$1,500 would be incurred for new signage. Maps etc would not be specifically reprinted for this item, rather replaced under normal timeframes and therefore would not incur costs.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

90/13 Moved Cr Benn, seconded Cr Pritchard that:

- 1. The adverse comment regarding the proposed road name change of Glenoaklands Road, Mobrur Road and Wandoora Road to Mobrur Road be noted; and**
- 2. Subject to no adverse comment being received from the Shire of Cranbrook, the Geographic Names Committee be requested to change the name of Glenoaklands Road, Mobrur Road and Wandoora Road to Mobrur Road in the Shire of Kojonup.**

CARRIED

7/0

12 COMMUNITY & REGULATORY SERVICES REPORTS

12.1 EXISTING PIGGERY EXPANSION LOT 10 CRAPELLA ROAD, BOSCABEL

AUTHOR: Phil Shephard – Town Planner
DATE: 27 May 2013
FILE NO: DB.BDA.8
ATTACHMENT: 12.1 - Site Plans

DECLARATION OF INTEREST

Nil.

SUMMARY

The owners of the existing extensive piggery are proposing to expand the present operation with the addition of 11 new 'Ecoshelter' grower shelters.

The recommendation is to approve the application with conditions.

BACKGROUND

The existing piggery was originally approved by Council in 1999 and has a capacity of 10,000 pigs in 34 grower shelters. The piggery was approved for refurbishment by Council in February 2012 (Resolution 7/12).

The piggery (with current stock of approximately 8,500 pigs) has operated without complaint since this time and no adverse environmental impacts have been identified from the current operations.

COMMENTS

The proposal is to expand the existing piggery with 11 new grower shelters (to accommodate maximum additional 4,400 pigs) as shown in the attached plans and outlined in the attached submission.

The proposal (emphasis added) complies with the definition of Intensive Agriculture which is defined within TPS3 as follows:

Intensive Agriculture - means the use of land for the purpose of trade, commercial reward or gain, including such buildings and earthworks, normally associated with the following:

- (a) The production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts.
- (b) The establishment and operation of plant and fruit nurseries.
- (c) The development of land for irrigated fodder production and irrigated pasture (including turf farms).
- (d) **The development of land for the keeping, rearing or fattening of pigs, poultry (for either eggs or meat production), rabbits (for either meat or fur production), and other livestock in feedlots.**
- (e) Dairy milking sheds.
- (f) The development of land for the keeping, rearing, or fattening of other livestock above those rates recommended by Agriculture WA for the applicable pasture type in consultation with surrounding farmers.
- (g) Aquaculture.

The use is an 'AA' discretionary use in the Rural Zone which means that the Council may, at its discretion, permit the use. In determining the proposal, the Council has the options of: deferring the application to seek additional information from the proponents (if required); or refusing the proposal if it is not considered capable or suitable for the site.

In accordance with clause 5.4 of TPS 3, any development shall conform to the requirements for that use specified in Table II - Development Table. As there is no specific requirements specified for

intensive agriculture uses, Clause 5.4.1 requires the Council determine the requirements to comply having regard to the predominant use and objectives of the rural zone.

The proposal and relevant development standards are discussed below:

Setbacks

The existing piggery is setback approximately 850m from Albany Highway at the rear of the property. The proposed new shelters will be approximately 120m from the nearest adjoining property boundary and approximately 220m from Crapella Road. The site is approximately 2km from the closest farm dwellings, not forming part of the proponent's farm and the existing single house on the lot is used by staff.

The EPA Guidelines require the following generic separation distance for extensive piggeries:

Industry	Description of Industry	DoE Licence Impacts or Registration category	Key Government agencies for advice or approvals	Code of Practice/ environmental requirements	Impacts					Buffer distance in metres and qualifying notes
					Gas	Noise	Odour	Dust	Risk	
Piggery – extensive (all premises)	premises on which pigs are fed, watered and housed in outside paddocks or enclosures		Dept of Agriculture & Food, Department of Water, Local Government	Dept of Agriculture & Food – Guidelines May 2000			√	√		1,000 for all extensive piggeries

The expansion complies with these requirements. The piggery has operated without complaint to the Shire of any of the known impacts of noise, odour and dust and is well managed by the operators.

The *Shire's Health Local Laws 2000* requires that piggeries be approved by Council and contains standards including Table 2 Required Buffer Distances for Piggeries which sets the following minimum buffers:

Buffer	Distance	Comment
Townsite boundaries	5,000m	Piggery achieves buffer
Isolated rural dwellings, dairies and industries	1,000m	Piggery achieves buffer
Public roads and recreation areas	100m	Piggery achieves buffer
Neighbouring rural property boundaries	50m	Piggery achieves buffer
Major watercourse and water impoundments	300m	Piggery achieves buffer
Bores, wells or soaks used for drinking, stock or irrigation	300m	Piggery does not achieve buffer
Minor watercourses	100m	Piggery achieves buffer

The Local Laws state:

- 5.6.2 (1) *No premises shall be used as a piggery unless approved by Council;*
 (2) *Subject to subsection (3), no premises shall be approved by Council unless every portion of such piggery complies with the minimum separation distances listed in Table 2; or if it is an intensive piggery, the minimum separation distances listed in Table 3; and*

- (3) *Sites unable to satisfy the separation requirements may be approved at the discretion of Council, if Council is satisfied that approving the piggery will not give rise to a health nuisance.*

The submission identifies that the existing piggery does not achieve the buffer requirements in Table 2 for distance to the bore, which is 250m from the piggery operations and less than the 300m standard required. In considering the implications of the Local Law, the existing piggery was developed prior to the Local Law being adopted by Council and generally complies with the buffer requirements in Table 2 (shown above).

The Site Plan shows the expansion will not reduce the present distance between any shelters and the bore.

The expansion of the piggery complies with all other standards in the Local Law.

Site Management/Landscaping

Piggeries by their nature of operations have the potential to create emissions including dust and odour. These impacts are controlled by various pieces of legislation such as the *Environmental Protection Act* and *Soil and Land Conservation Act* etc. The piggery is a prescribed premise under the *Environmental Protection Regulations* and requires a works approval/licence to operate.

The submission includes details of the site management and changes to operations from the proposed expansion which will be staged. The approved refurbishment in 2012 included site management and landscaping conditions.

Vehicle Movements/Parking

The submission advises the expansion will generate 1 additional truck movement to and from the farm. All parking of trucks and staff vehicles can be adequately accommodated within the site.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

- *Planning and Development Act 2005*
- *Local Government Act 1995*
- *Environmental Protection Act 1986*
- Shire of Kojonup Town Planning Scheme No. 3
- Shire of Kojonup Health Local Law 2000

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The proponents are required to pay the planning application fee set in accordance with the Shire's Schedule of Fees and Charges 2012/2013.

STRATEGIC IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION**91/13 Moved Cr Mathwin, seconded Cr Marsh**

- 1) **That Council grant Planning Consent for the expansion of the existing Intensive Agriculture (Extensive Piggery) on Lot 10 Crapella Road, Boscabel subject to the following conditions:**
 - i) **The development to be in accordance with the attached stamped approved plans and where marked in red dated 8/04/13.**
 - ii) **The expansion to be included in a revised Site Management Plan to be prepared by the proponents to the satisfaction of the Chief Executive Officer that achieves the following outcomes:**
 - a) **The site and operations have sufficient separation from groundwater to prevent pollution occurring.**
 - b) **The site is sufficiently drained to control and contain stormwater on-site and prevent it directly entering any local roadside drains or creeks.**
 - c) **The site has sufficient solid and liquid waste disposal arrangements to prevent odours leaving the property.**
 - d) **The implementation of measures (such as windbreaks and buffer plantings) around the site to prevent dust from leaving the property.**
 - e) **Landscaping along the boundaries of Crapella Road and adjoining Lot 11.**

Advice Notes:

- i) *Your activity will include the storage of deep litter manure and use of effluent ponds from the piggery operations that has the potential to create odour problems from time to time. Please ensure that the litter and ponds are adequately managed to reduce any potential for conflict with adjoining properties.*
- 2) **That Council, in accordance with the Shire of Kojonup Health Local Law 2000, approve the Piggery on Lot 10 Crapella Road, Boscabel including the reduced buffer distance of 251m to the stock-watering bores on the property.**
- 3) **The proponents are advised to obtain a works approval/licence from the Environmental Protection Authority/Department of Environment and Conservation for the prescribed premises.**

3:39pm Cr Benn declared an interest as he is an adjoining land owner and left the Chamber.

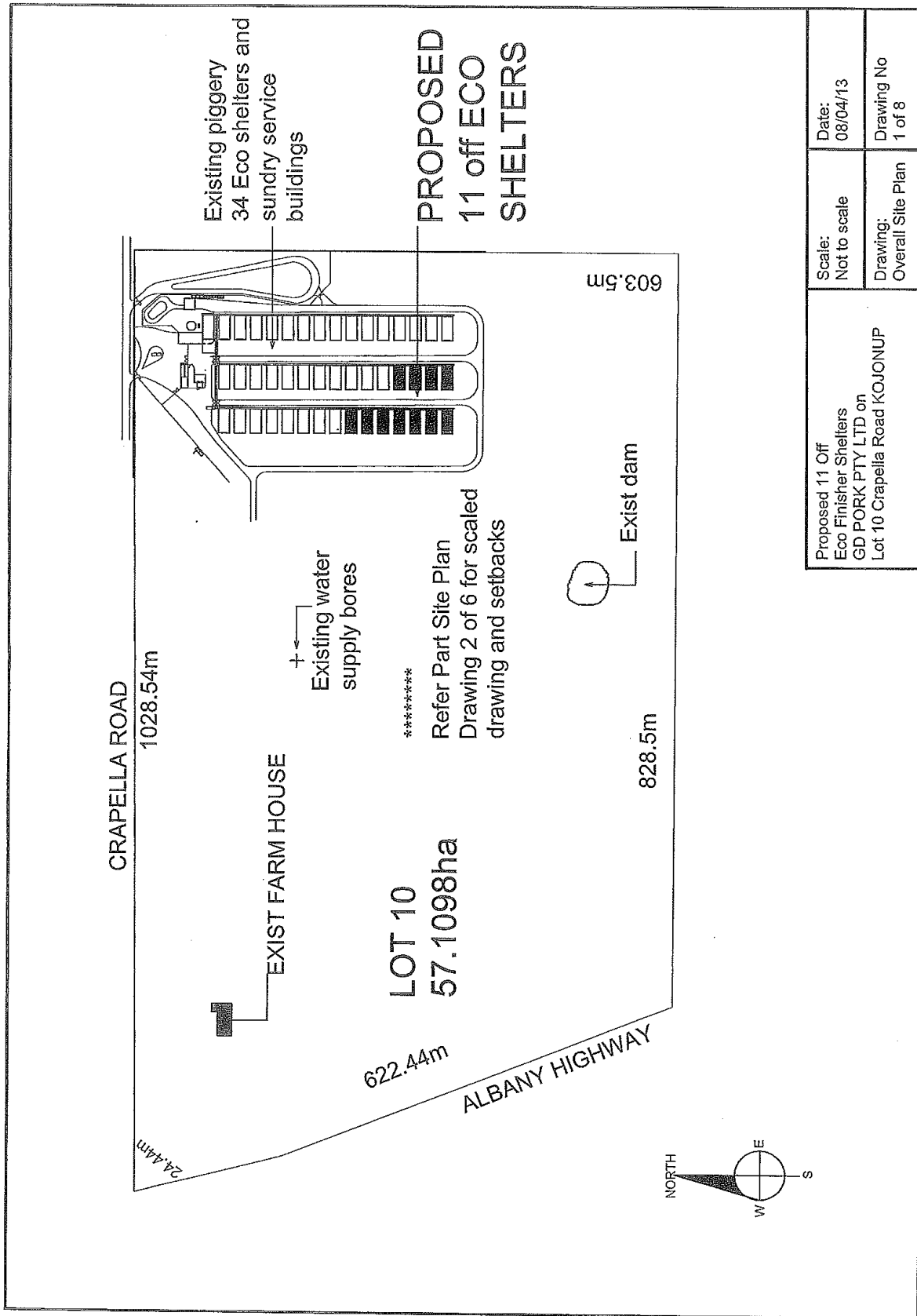
The motion was now put and...

CARRIED

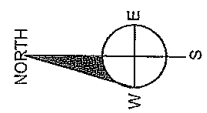
6/0

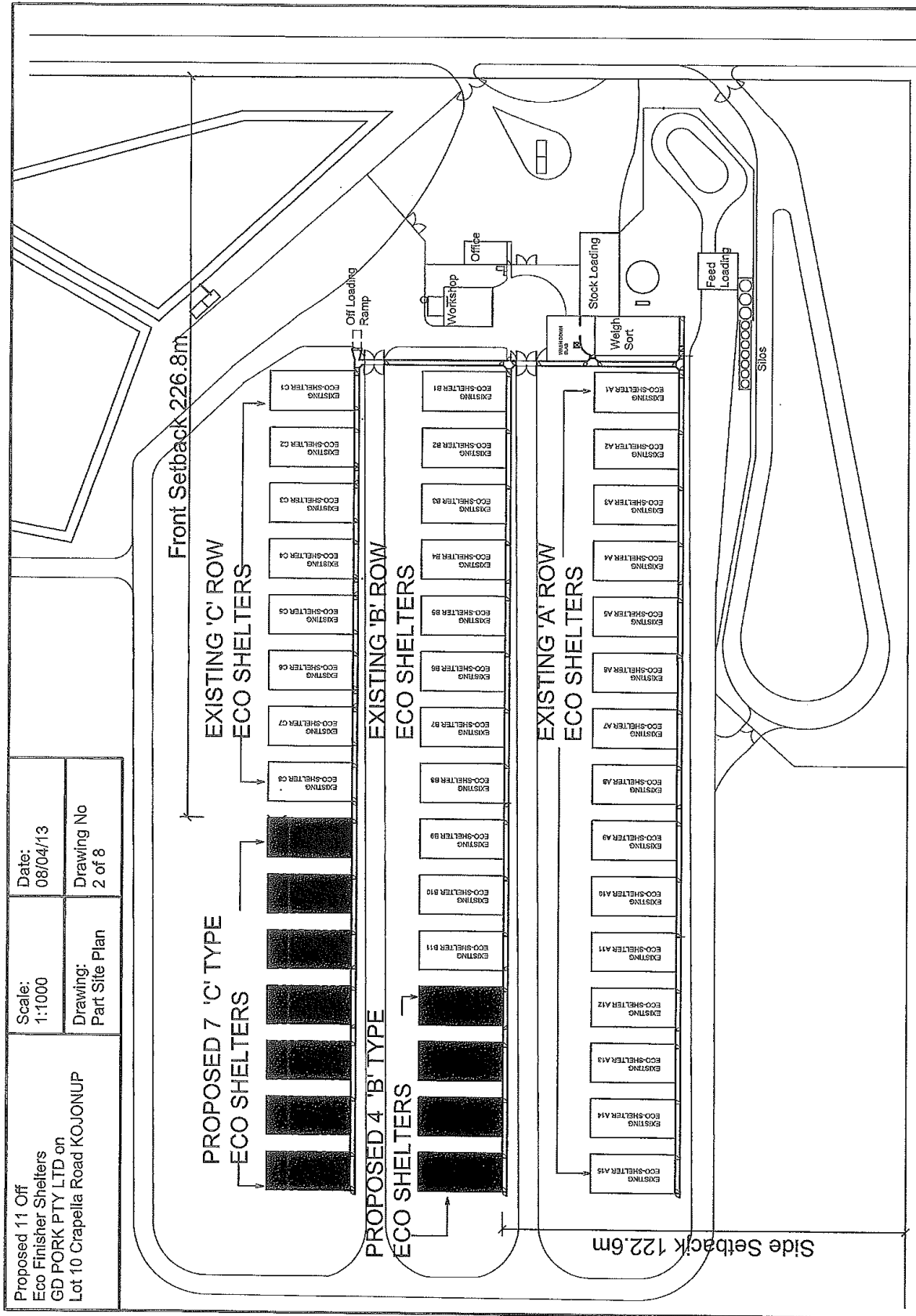
3:45pm Cr Benn returned to the Chamber.

The Presiding Member then advised Cr Benn of the decision.



Proposed 11 Off Eco Finisher Shelters GD PORK PTY LTD on Lot 10 Crapella Road KOJONUP		Scale: Not to scale	Date: 08/04/13
		Drawing: Overall Site Plan	Drawing No 1 of 8





12.2 EMERGENCY SERVICES REVIEW – OPTION TO TRANSFER LOCAL BUSHFIRE BRIGADES IMPACT ASSESSMENT

AUTHOR: Mort Wignall, Manager Regulatory & Community Services
DATE: 6 June 2013
FILE NO: GR.STL.1
ATTACHMENT: 12.2 Correspondence from Department of Fire & Emergency Services (DFES)

DECLARATION OF INTEREST

Nil

SUMMARY

To consider whether if future legislation provided for the option for local governments to transfer the responsibility for bushfire brigade operations and administration to DFES, would Council retain or transfer that responsibility?

BACKGROUND

Following formal advice received from DFES last year regarding the proposed review of the emergency services legislation, there has been a number of meetings held between Council staff, Elected Members of Council and local volunteer bushfire brigades to discuss the impact of any decision by DFES to assume control of local bushfire brigade operations & administration if it was enshrined in the new legislation.

The most notable meeting with the local bushfire brigade members was held in the Memorial Hall in March 2013 where there was a unanimous decision that responsibility for brigade operations and administration should be retained by the local government.

Given the unanimous decision of the brigade on this important matter, it was also decided at the meeting that a submission be prepared outlining the local brigade and Council's position regarding this matter, with a view to the submission being presented at a subsequent meeting held in Albany with Great Southern District bushfire personnel and the Legislative Review Project Team, which was attended by Shire President, Councillor Jane Trethowan and Digby Stretch, Chief Bushfire Control Officer, representing our local bushfire brigades.

COMMENT

It's important to note that in this instance, DFES are referring to a number of submissions received by them and discussions with bushfire brigades, where the sensitive issue of local bushfire brigade operations and administration has obviously arisen. As part of the legislative review process, these concerns appear to have been taken on board. The attached correspondence is reflective of this and is hopefully indicative of a genuine and sincere consultative process being applied by DFES in their review of the emergency services legislation.

CONSULTATION

Meetings have been held with the Bushfire Advisory Committee and Bushfire Association and a delegation comprising the Shire President Councillor Jane Trethowan and Digby Stretch, The Chief Bushfire Control Officer attended a meeting in Albany with the Legislative Review Project Team.

STATUTORY ENVIRONMENT

Bushfires Act 1954

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

See recommendation 58 in attached correspondence. Note that these costs only apply where transfer of responsibility from Council to DFES occurs.

STRATEGIC IMPLICATIONS

Transfer of responsibility for bushfire operations and administration from Council to DFES may mitigate Council's exposure to risk.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

92/13 Moved Cr Marsh, seconded Cr Benn that the Department of Fire & Emergency Services (DFES) be advised that if future legislation provided the option for local governments to transfer the responsibility for bushfire brigade operations & administration to DFES, that Council would retain that responsibility in lieu of transferring that responsibility to DFES.

CARRIED

7/0

28 MAY 2013



Government of Western Australia
Department of Fire & Emergency Services



ICR12603

SHIRE OF KOJONUP				
FILE:	G.R.STL.1			
CEO <i>cc</i>	EC or HC	NFA	MCS	MIRCS <i>cc</i>
RGR <i>cc</i>	SFO	WM	CDPO	PB
NRSM	SHM	PLAN	Admin <i>✓</i>	

Our Ref: 16772-04; 13-2040
Your Ref:

Mr Stephen Gash
Shire of Kojonup
PO Box 163
KOJONUP WA 6395

Dear Mr Gash

EMERGENCY SERVICES REVIEW – OPTION TO TRANSFER LOCAL BUSH FIRE BRIGADES IMPACT ASSESSMENT

As previously noted in our letter dated 19 December 2012, the Department of Fire and Emergency Services (DFES) is currently conducting a review of the Emergency Services Legislation. As part of this process, the Legislation Review Project Team is developing a Concept Paper that will facilitate consideration of key issues raised through ongoing consultations and previous reviews.

During the consultation process a key issue that has been identified is the administration and operation of bush fire brigades. More specifically, a number of submissions and discussions made reference to recommendations 55, 56 and 58 of the 2006 Community Development and Justice Standing Committee (CDJSC) – *Inquiry into Fire and Emergency Services Legislation*. These recommendations are as follows:

Recommendation 55

- *The emergency services legislation is to provide for FESA (now DFES) and local government to enter into an agreement for the purpose of local government transferring the following responsibilities to FESA on a permanent basis:*
 - *Emergency incident control;*
 - *Bushfire Brigade operations and administration;*
 - *The determination and administration of ESL (Emergency Services Levy), in relation to the capital and recurring costs associated with Bushfire Brigades.*

Recommendation 56

- *Such an agreement is only to be entered into if both FESA and the local government agree to terms and conditions.*

Recommendation 58

- *Any additional costs of transfer of Bushfire Brigades from local government to FESA, apart from those normally funded under the Emergency Services Levy, are to be borne by the State.*

In 2008, the Regulatory Gatekeeping Unit (RGU) was established by the State Government to give due consideration to business and the community in designing regulatory proposals and to provide an early warning to the Government of any unintentional consequences of its proposed regulatory instruments. Under the Regulatory Impact Assessment (RIA) Guidelines issued by the RGU, viable options considered should detail the costs and benefits of the option, using quantitative information where possible. The RIA Guidelines also outline that feedback on the impact of the various options should be requested from affected parties.

In order to adequately assess the economic impact to the State, it is important for the Project Team to better understand the quantity and physical location of the brigades that may be transferred under the above recommendations. Consistent with the deliberative process required by the RGU, the Project Team is asking each local government to indicate whether they would be likely to retain or transfer the operations and administration of their bush fire brigades.

As recommended in the CDJSC review, we are seeking your response to the following question:

If future legislation provided the option for local governments to transfer the responsibility for bush fire brigade operations and administration to DFES, would your local government be likely to retain or transfer the responsibility?

The position provided with respect to the above question is indicative only and does not obligate the local government in any way. The Project Team is aware that the control and administration of local brigades is an important consideration for many communities and appropriate consultation should take place within those communities before a formal decision is made. As we are requesting this information in-confidence, and as part of a deliberative process, individual responses to this request will not be disclosed. However, the aggregate of the data collected will be used to calculate the potential impact to the State and will be presented in the Consultation RIA.

Please provide your response by 10 June 2013. For your convenience, you are welcome to respond by letter, email at legislation@dfes.wa.gov.au or by phone on (08) 9395 9763. If you require any further clarification, please feel free to contact Jeff Warren or myself on the number above.

Yours sincerely



**Lauren Townsend
PROJECT MANAGER**

23 May 2013

12.3 KOJONUP COMMUNITY MEN'S SHED (Inc) FUNDING SUBMISISON

AUTHOR: Mort Wignall Manager Regulatory & Community Services
DATE: 12 June 2013
FILE NO: FM.SPN.1
ATTACHMENT: 12.3 Funding Submission from Men's Shed

DECLARATION OF INTEREST

Nil

SUMMARY

To consider a submission received from the Men's Shed who are seeking financial assistance from Council to either purchase or lease an existing business premises for the purpose of conducting Men's Shed activities.

BACKGROUND

Over the past few years members of the Men's Shed have been considering a number of premises that may be acquired by them that would be fit for purpose for conducting Men's Shed activities as well as serving as a meeting place for members. Consideration has been given to building a shed on either Council owned or other land that would be suitable for housing machinery and equipment for wood turning, metal work and welding type activities, with associated kitchen and toilet facilities.

The Shire President and I have met on several occasions with the past President and Members of Men's Shed to discuss various options for establishment of a permanent Men's Shed premises to replace their temporary meeting place at the Old Scout Hall in Pensioner Road.

Men's Shed representatives also attended a Briefing Session of Council last year to discuss the establishment of a permanent premises, and for which financial assistance was sought. However, in the absence of a detailed submission, Council was not in a position to consider their request for financial or any other form of assistance at that time.

Since the recent election of new office bearers and with assistance from the local police Sergeant David Moore, a funding submission has been prepared by the Men's Shed seeking financial assistance from Council to either purchase or lease the Kojonup Wood Designs premises on Albany Highway, which is the group's preferred site from a number of premises considered by them.

COMMENT

As outlined in their funding submission, there are three options available to the Men's Shed to acquire the Kojonup Wood Design's building:

- 1 Purchase the building outright for \$120,000.00
- 2 Lease the building for \$120.00 per week for twelve months after which the rent will increase to \$200.00 per week.
- 3 Lease the building for \$120.00 per week for twelve months and then purchase the property for \$120,000.00.

However, the Men's Shed are not in a position to either purchase or lease the premises and in their funding submission, have presented two proposals for acquiring the premises for the consideration of Council:

- 1 Council negotiate the purchase of the building and land and permit the Men's Shed to operate out of these premises on a 5 plus 5 year Peppercorn Lease. The Men's Shed will provide in kind assistance to landscape around the building, together with painting and general cosmetic work to improve the appearance of the place. They will also seek grants to

purchase machinery and equipment and will contribute towards costs for water and electricity consumption.

- 2 Council fund the Men's Shed \$20,000.00 per annum being rent for approximately \$6,000.00 per annum with the balance being allocated to minor repairs and renovation to the building to make it fit for purpose. The Men's Shed would then seek further funding from other sources to purchase/replace machinery that is the property of the current owner of the place. They would also contribute towards costs for water and electricity consumption. At the end of the twelve months lease period, Council can assess the viability and progress of the Men's Shed and consider purchasing the building and offering a lease to the Men's Shed as outlined in proposal 1 above.

At a recent Briefing Session of Council the funding submission from the Men's Shed was discussed and in addition to the two proposals by them for acquisition of the Kojonup Wood Designs building by Council, an option for co locating the Men's Shed on the Kojonup Tourist Railway (KTR) reserve was discussed.

This option would see the Men's Shed utilise the existing Railway Station premises on a shared basis with the KTR Committee who only use it on an occasional basis for monthly meetings and in conjunction with providing rides on the recently commissioned Zoo train, the "Spirit of Kojonup" which occurs on a regular basis throughout the year.

The Railway Station building is of a suitable size and capable of accommodating at least thirty persons and has a built in fire place, an adjoining kitchen and public toilets are located on Benn Parade approximately fifty metres from the train station.

There are tables and chairs and other furniture suitable for meetings and other activities and I believe would be fit for purpose for use by the Men's Shed members with no associated rental or lease costs. However, it may be appropriate for Men's Shed to offer a hire fee to KTR for use of the premises and pay towards water and electricity costs which would generally be minimal.

I have yet to confirm with the Heritage Council of Western Australia (HCWA) whether there would be any objection by them to constructing a shed on the railway reserve for the Men's Shed. I have contacted this office twice and the HCWA officer was unavailable and has not returned either of my calls. I will continue to pursue this matter and hopefully have this information available for the Council meeting.

On Wednesday 5th June 2013, I attended a KTR meeting where the option of co locating the Men's Shed on the railway reserve where they would have shared use of the railway station building as a meeting place as well as an opportunity to construct a suitably designed shed on the reserve for trade type activities, was discussed.

The KTR committee was most supportive of this arrangement and advised that a similar offer was put to members of the Men's Shed approximately two years ago. There had also been a recent site meeting between the president of the KTA and member of the Men's Shed, showing an area towards the Western end of the railway reserve that was considered suitable for construction of a purpose built shed for Men's Shed activities that would not conflict with KTR operations or activities.

I consider this proposal has merit, given that the Men's Shed could be established on a Council managed reserve of heritage significance, on a shared basis with another well established and valued community group (KTR) where their combined synergies could be realised for the mutual benefit of both groups that would auger well for their ongoing operation and long term sustainability.

Being located on a Council managed reserve would also enhance funding opportunities from grant bodies who are more likely to support applications for financial assistance where either the Council or community group own the building/land in question and where a willingness to share premises is demonstrated.

Prior to Council entering into any arrangement for financial assistance the above option needs to be presented to the Men's Shed for their urgent consideration and comment, following which Council may further consider their funding submission in conjunction with the current 2013/14 draft budget process.

CONSULTATION

Numerous meetings have been held between representatives of the Men's Shed, Council officers and the Shire President.

Members of the Men' Shed have attended a Council Briefing Session to discuss the establishment of a Men's Shed.

The Manager of Regulatory & Community Services has attended a KTR meeting to discuss the possible colocation of the Men's Shed on the railway reserve.

Informal meetings have been held between Sergeant David Moore of the local police and member of the Men's Shed and the Manager of Regulatory & Community Services.

The Manager of Regulatory & Community services briefed Council on the current funding submission at their last Briefing Session.

STATUTORY ENVIRONMENT

The Heritage Act will apply if it was proposed to construct a shed on the KTR reserve.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

For consideration in the 2013/2014 draft budget process.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council request the Men's Shed to consider the option of co locating with the Kojonup Tourist Railway on the railway station reserve and to advise of their decision on this matter within a timeline that will enable further consideration of their funding submission by Council in conjunction with the current 2013/2014 draft budget process.

COUNCIL DECISION

93/13 Moved Cr Mathwin, seconded Cr Benn that Council request the Kojonup Community Men's Shed (Inc.) to consider the option of co locating with the Kojonup Tourist Railway on the railway station reserve in the long term and to advise of their decision on this matter by 3 July 2013 to enable further consideration of their funding submission by Council in conjunction with the current 2013/2014 draft budget process.

CARRIED**7/0**

REASON FOR CHANGE: Council felt some clarification was needed with the name and also the timeframe to be set to ensure a prompt response is received.

13 EXECUTIVE & GOVERNANCE REPORTS**13.1 INTEGRATED PLANNING – COMMUNITY STRATEGIC PLAN AMENDMENT**

AUTHOR: Sophie Knight – Policy, Planning and Governance Officer
DATE: Tuesday 11th June 2013
FILE NO: CM.PLN.2
ATTACHMENT: 13.1 Community Strategic Plan

DECLARATION OF INTEREST

Nil

SUMMARY

Council to consider the changes made to the Community Strategic Plan with a view to adopt.

BACKGROUND

Council adopted the Community Strategic Plan 19th March 2013.

COMMENT

On receiving advice from the consultant who developed the Community Strategic Plan there was a gap in our adopted plan in meeting legislative requirements in relation to measuring our commitments. This has now been rectified, please refer to page 10.

“Measuring Commitments

The Shire of Kojonup will undertake a formal internal assessment of its progress towards achieving the commitments in March 2015. The community will be invited to comment on the Shire’s progress at the subsequent assessment in March 2017. During this assessment, the existing commitments may be altered and new commitments added to align with changing community aspirations.

In many instances, the achievement of the community’s aspirations will require the involvement of others including individuals, businesses, community organisations, Commonwealth, State and other Local Governments. The measureable activity to be undertaken by the Shire of Kojonup is highlighted in each commitment by the orange colour. For example, where the commitment is to implement, the measurable outcome is the process used by the Shire to implement the particular community aspiration.”

CONSULTATION

Jamie Robertson - 361⁰ Stakeholder Management Services

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Draft Community Strategic Plan establishes the community’s vision for the future, including aspirations and service expectation and has regard to current and future resource capacity, demographic trends and strategic performance measurement which Council aims to achieve through the Annual Budget each year.

STRATEGIC IMPLICATIONS

The Strategic Community Plan will provide direction for Council in the long term (10+ years). It will work in conjunction with other Council plans, including the Workforce Plan, Asset Management Plan, and Long Term Financial Plan and will ultimately assist with the annual budget process.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Council modifies the Community Strategic Plan 2013 - 2023 as attached.

COUNCIL DECISION

94/13 Moved Cr Benn, seconded Cr Pedler that Council modifies the Community Strategic Plan 2013 – 2023 by adding “Measuring Commitments” section on Page 10, as attached.

CARRIED BY ABSOLUTE MAJORITY

7/0

REASON FOR CHANGE: Council felt that some more detail of the modification should be included in their decision.

13.2 POLICY MANUAL REVIEW

AUTHOR: Sophie Knight – Policy, Planning and Governance Officer
DATE: Tuesday 11th June 2013
FILE NO: CM.POL.2
ATTACHMENT: 13.2 Shire of Kojonup Policy Manual

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to review and adopt the Shire of Kojonup's Policy Manual as an entire document. Consideration is to be made for the Community and Regulatory Policies as they are currently in draft form and will be adopted in conjunction with the Policy Manual.

BACKGROUND

It is important that Council reviews its policies annually. The Policy Manual has been presented to Council for adoption following a recent review.

STATUTORY ENVIRONMENT

Policies have no legal status but are guidelines for staff to act on various matters without the need for continual referral to the Council. Council may adopt, amend, waive policies under s2.7(2)(b) of the Local Government Act 1995.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION

- 95/13 Moved Cr Mathwin, seconded Cr Pritchard that:**
- 1. The Community & Regulatory Policies as attached be adopted;**
 - 2. The Policy Manual, in its entirety, be adopted; and**
 - 3. All previous Council Policies in place be repealed.**

CARRIED

7/0

13.3 LOCAL GOVERNMENT CONVENTION AND EXHIBITION 2013

AUTHOR: Anthony Middleton – Acting Chief Executive Officer
DATE: 13 June 2013
FILE NO: GO.CLR.5
ATTACHMENT: 13.3 Extract of Convention Program

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to allow Councillors the opportunity to attend the annual Local Government Convention and Exhibition.

BACKGROUND

The annual Local Government Convention for 2013 will be held between Wednesday 7 and Friday 9 August 2013 at the Perth Convention and Exhibition Centre.

COMMENT

An extract of the Convention programme is attached to this item. The full brochure is available from the Acting Chief Executive Officer if required.

This Convention includes the Annual General Meeting of the West Australian Local Government Association and provides the year's most important professional development and networking opportunity to all Councillors.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

There is no specific legislation applicable to this item.

POLICY IMPLICATIONS

Council Policy 3.3 (Councillor Induction & Training) states that:

“All Councillors are encouraged to attend Local Government Week. The Shire President and Deputy Shire President are the Council's nominated delegates to attend the conference and vote on motions on the Council's behalf. The Council shall be required to authorise attendance by any other Councillor wishing to attend.”

FINANCIAL IMPLICATIONS

Attendance at this event is allowed for in the budget each year. Full conference registration costs \$1,375 and some additional components of the convention also have separate charges for attendance. Single day charges are available if full conference attendance is not desired.

As the conference will be held in the 2013/2014 financial year, all attendees authorised by the Council will be budgeted for.

STRATEGIC IMPLICATIONS

There is no reference to this item in the Community Strategic Plan 2013-2023.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the following Councillors, in addition to the Shire President and Deputy Shire President, be authorised to attend the 2013 Local Government Convention and Exhibition on 7 to 9 August 2013 at the Perth Convention and Exhibition Centre:

- Cr _____
- Cr _____
- Cr _____

COUNCIL DECISION

96/13 Moved Cr Pritchard , seconded Cr Pedler that the following Councillors, in addition to the Shire President and Deputy Shire President, be authorised to attend the 2013 Local Government Convention and Exhibition on 7 to 9 August 2013 at the Perth Convention and Exhibition Centre:

- Cr Mathwin

CARRIED**7/0**

THE PROGRAM

WEDNESDAY 7 AUGUST

- 10.00am Delegate Service Desk open for Convention Registration (PCEC Level 2)
- 12.00pm - 1.00pm Luncheon for 2013 WALGA Honours Recipients
- 1.30pm - 5.00pm **WALGA Annual General Meeting**
Parliamentarian addresses invited from
Hon. Colin Barnett MLA, Premier of Western Australia.
Hon. Mark McGowan MLA, Leader of the Opposition.
- 5.00pm – 6.30pm **Convention Opening Welcome Reception in Trade Pavilion**

THURSDAY 8 AUGUST

- 7.00am Delegate Service Desk open for Registration (PCEC Level 2)
- 7.00am - 8.30am ALGWA (WA) AGM and Breakfast. Register online via Delegate Registration.
Other enquiries to Mayor Heather Henderson – City of Subiaco
M 0457 733 469 or hhenderson@subiaco.wa.gov.au
OR
Deputy Lord Mayor Janet Davidson OAM JP – City of Perth
M 0417 974 936 or janetdavidsonjp@hotmail.com
- 7.00am – 8.30am 2013 ICLEI Oceania Recognition and Waterwise Councils Awards Breakfast (enquiries to the ICLEI Events Team (08) 9364 0643 or greg.hales@iclei.org)

SESSION 1 FUTURE FOCUS OPENING SESSION

9.00am BETWEEN A ROCK AND A HARD PLACE



Aron Ralston

In 2003, Aron Ralston's extraordinary human drama grabbed headlines around the world. An experienced climber and avid outdoorsman, Aron was descending a remote Utah canyon alone when an 800-pound boulder broke loose, crushing his right hand and pinning him against the canyon wall. After nearly five days -- without water and with no hope of escape -- Aron made a life-or-death decision. He chose life by severing his arm below the elbow, rappelling a 65-foot cliff out of the canyon, and trekking seven miles to find his would-be rescuers.

Be taken on a riveting journey in which courage, perseverance, and the human spirit will defy the inevitable outcome. An ordinary man pushed to the limits, Aron demonstrates the human capacity for the extraordinary.

Aron Ralston appears by arrangement with Saxton Speakers Bureau

- 10.15am - 11.00am Refreshments

SESSION 2

THE EVOLVING GLOBAL ECONOMY AND OUR PLACE IN IT

11.00am



John Doggett

In the days of Empire, it was England. Then WWII thrust our focus on to America as we all got on the consumer driven consumption band-wagon of the 1950s. In the 1960s and '70s, the emergence of post-war Japan as an industrial super power had us learning Japanese in our secondary schools and business-card etiquette in our universities.

Throughout the reformist, economic rationalist, era of 1980s and 90s, we decided to acknowledge our geographic reality as part of South East Asia and deregulated our economy and evolved our workforce to embrace the information age. We set ourselves up to take on the 21st Century...and we survived the Global Financial Crisis in better shape than most of our contemporaries. Well, where do we go from here?

Professor John Doggett, University of Texas

Professor Doggett appears by arrangement with Saxton Speakers Bureau

SESSION 3

THE EVOLVING GLOBAL ECONOMY: FRAMING YOUR FUTURE

12:00pm

How can Local Government leverage the future of State economic growth for opportunities for WA and Local Councils? This session will explore small community economic growth, the flow-on effects of the resources sector to the State and the role of government and the private sector in the development of WA regional towns.

Leigh Coleman, Chief Executive Officer, Many Rivers Microfinance

Warren Pearce, Manager – North West, The Chamber of Minerals and Energy of WA

Michael Campbell, Senior Consultant, AECgroup

1:00pm

Lunch

SESSION 4

CONCURRENT SESSIONS I

2.00pm

All delegates are asked to indicate session preference when registering to assist with venue planning.

Governance

Focus on Metropolitan Reform

In June 2011 the WA State Government appointed the Metropolitan Local Government Review Panel to undertake the task of considering the current structures and governance arrangements for Local Government in metropolitan Perth and recommending improvements to maximise benefits to the community. The Panel completed the review in July 2012 and submitted their report to the State Government. The final report made 30 recommendations. At the time of preparing this program the State Government had placed the report for public comment and requested feedback by 5 April 2013.

This session will discuss the current state of play of Metropolitan Reform and the challenges ahead.

Governance

Focus on Relationship Management

We've all come across them: they are the people who drain you of energy instead of enriching you, the people who pull you down instead of raising you up, the people who require more than they can provide; the negative, whining, needy, manipulative people who can turn a happy day into a living hell. No matter how good our people skills are in general, most of us have problems with dealing effectively with these kind of people. Even those with really sharp people skills often get caught up in the polluting relationships (personal or professional) toxic people create.

The good news is that there are effective ways to deal with toxic people and this session will provide a number of strategies to assist in these situations.

Regional

Focus on Regional Airports

Development

Airports are of crucial social and economic importance for Australia, particularly for regional and remote communities. Operating, maintaining, safeguarding and developing aerodromes in a cost-effective and efficient manner, with limited resources, often poses a major challenge to Local Governments. This session will address questions such as ownership, funding and management options for regional airports, the role of airports in economic development, how to manage the conflicts between airports and the surrounding community, and more importantly, what role does Local Government play?

Community and
Planning**Focus on Active Ageing**

The State Government has released its Active Ageing Strategy and Local Governments are seeking options to support their ageing communities. Many Local Governments are looking at what infrastructure will be required over the next 20 years to support their ageing populations. This session will explore best practice and future trends.

3.15pm Refreshments

4.00pm Banners in the Terrace Awards

SESSION 5 THE NEW CULTURE



Tyler Hamilton

Tyler Hamilton was once one of the world's top-ranked cyclists—a fierce competitor renowned among his peers for his uncanny endurance and epic tolerance for pain. He started his career with the U.S. Postal Service team in the 1990s and quickly rose to become Lance Armstrong's most trusted lieutenant, and a member of his inner circle. For the first three of Armstrong's record seven Tour de France victories, Hamilton was by Armstrong's side, clearing his way. But just weeks after Hamilton reached his own personal pinnacle—winning the gold medal at the 2004 Olympics—his career came to a sudden end: he was found guilty of doping and exiled from the sport.

Tyler Hamilton will explore how culture drives behaviour – not just in sports, but in business and in life – and how values can be easily compromised as a consequence.

Tyler Hamilton appears by arrangement with Saxton Speakers Bureau

5.30pm - 7.00pm **Mayors and Presidents' Reception at Council House**

Hosted by the Right Honourable the Lord Mayor Ms Lisa Scaffidi (by prior invitation); or the Sundowner in the Trade Pavilions.

FRIDAY 9 AUGUST

7.00am Delegate Service Desk open

7.30am - 8.45am **Breakfast with Special Guest Ross Glendinning**



Ross Glendinning

Ross Glendinning is an Australian rules legend, amassing 325 goals in a 230 game career as a centre half-forward and centre half-back with the North Melbourne Football Club and West Coast Eagles from 1978 to 1988. A two-time winner of North Melbourne's Best and Fairest award, he won the Brownlow Medal in 1983 and was named centre half-back in the North Melbourne Football Club's Team of the Century. The inaugural captain of the West Coast Eagles, he won the club's goal kicking in 1987 and 1988; The Ross Glendinning Medal - awarded to the player judged best on ground in the Western Australian derby between West Coast and Fremantle each year - is named in his honour. Ross was inducted into the Australian Football Hall of Fame in 2000 and the WA Football Hall of Fame in 2004.

Ross Glendinning appears by arrangement with Saxton Speakers Bureau

SESSION 6 THE POWER OF VISION

9.00am



Mike Munro

Mike Munro has led a life of remarkable persistence; through humble yet shocking beginnings: life in a monastery and physical and mental abuse at the hands of an alcoholic mother. Munro's passion for life, his shaping of his own destiny and his will to go on despite odds seemingly insurmountable, are characteristics we might all aspire to.

Mike Munro appears by arrangement with Saxton Speakers Bureau

10.15am Refreshments

SESSION 7 OUR FUTURE, OUR CHOICE

10.45am

Things are changing at a pace never before experienced. Society is such that affluence is the norm, and social worth seems to be measured in "Apps" and "iGadgets". Our language is evolving through a mix of slang and text shorthand and planet earth is drowning in melted ice caps and choking on carbon. Population is swarming in cities, yet everywhere people are lonely and isolated. As the melting pot boils, tolerance and compassion take a back seat to violence and bigotry. Is this the future of Australia?

Hear from three young leaders who are doing something in the present to ensure a better future.

Anna Johnson, Chair, Young UN Women Australia (WA)

Tim Kenworthy, Chief Executive Officer, Useful Inc.

Akram Azimi, 2013 Young Australian of the Year

Akram Azimi appears courtesy of the Australia Day Council of WA

12.30pm Lunch

SESSION 8	CONCURRENT SESSIONS II
1.30pm	All delegates are asked to indicate session preference when registering to assist with venue planning.
Governance	<p>Focus on Relationship Management (Repeat from Thursday)</p> <p>We've all come across them: they are the people who drain you of energy instead of enriching you, the people who pull you down instead of raising you up, the people who require more than they can provide; the negative, whining, needy, manipulative people who can turn a happy day into a living hell. No matter how good our people skills are in general, most of us have problems with dealing effectively with these kind of people. Even those with really sharp people skills often get caught up in the polluting relationships (personal or professional) toxic people create.</p> <p>The good news is that there are effective ways to deal with toxic people and this session will provide a number of strategies to assist in these situations.</p>
Governance	<p>Focus on Integrated Strategic Planning</p> <p>The State Government has regulated the requirement for Local Governments to undertake an Integrated Strategic Planning process that includes the requirement to prepare Strategic Community Plans and Corporate Business Plans. This session will explore these plans and focus on the preparation of these plans is much more than a compliance requirement, and outline the benefits of the integrated approach.</p>
Community and Planning	<p>Focus on Community Disaster Resilience</p> <p>Local Government is responsible under the Emergency Management Act 2005 for recovery after an emergency event. The State Government is proposing sweeping changes to the way recovery is managed in WA, which will impact on Local Government. This workshop will focus upstream on the importance of developing resilience in communities; communication; and, businesses' continuity planning.</p>
Community and Planning	<p>Focus on Native Title</p> <p>This workshop will provide an update on the Native Title settlement process and commence a dialogue about opportunities for working together into the future. Hear from Professor Len Collard, Australian Research Fellow, University of Western Australia, who is leading a project to create an understanding of local indigenous geography and contribute towards environmental tourism and reconciliation.</p>
2.45pm	Refreshments
3.15pm	<p>CONVENTION KEYNOTE ADDRESS</p> <p><i>Private Damien Thomlinson</i></p> <p>The story of Private Damien Thomlinson, an Australian veteran of the Afghanistan war, is one that has touched and inspired people around the world.</p> <p>It was while serving in Afghanistan with the 2nd Commando Regiment that Pte Thomlinson's life was changed forever. On 3 April 2009 whilst on night patrol in the Tarin Kowt District of South Afghanistan, Damien's unit drove over an improvised Taliban bomb. Damien suffered horrendous injuries in the explosion, which resulted in both of his legs being amputated. The damage to his body was so severe; it is a miracle he wasn't killed.</p> <p>Damien's positive attitude and impressive triumph against adversity has seen him become an inspirational mentor to many other wounded soldiers and their families, whose support networks he is committed to strengthening and publicising. Above all, Pte Thomlinson's incredible journey stands as proof that no challenge is too great and that the ANZAC spirit truly is alive and well.</p> <p><i>Pte Thomlinson appears by arrangement with Saxton Speakers Bureau</i></p>
4.30pm	Close of the 2013 Local Government Convention
7.00pm - 11.30pm	Pre-Dinner Drinks and Gala Dinner , PCEC BelleVue Ballroom



Private Damien Thomlinson

14 COMMITTEES OF COUNCIL**14.1 SPRINGHAVEN ADVISORY COMMITTEE****COUNCIL DECISION / OFFICER RECOMMENDATION**

97/13 Moved Cr Mathwin, seconded Cr Baulch that the attached unconfirmed minutes of the Springhaven Advisory Committee held Thursday 11th April 2013 be received by Council.

CARRIED**7/0****14.2 MEDICAL / HEALTH CENTRE ADVISORY COMMITTEE****COUNCIL DECISION / OFFICER RECOMMENDATION**

98/13 Moved Cr Benn, seconded Cr Mathwin that the attached unconfirmed minutes of the Medical / Health Centre Advisory Committee held Friday 7th June 2013 be received by Council.

CARRIED**7/0**

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 CHIEF EXECUTIVE OFFICER RECRUITMENT**

AUTHOR: Anthony Middleton – Acting Chief Executive Officer
 DATE: Thursday, 13 June 2013
 FILE NO: PE.RCR.1
 ATTACHMENT: Confidential Reports & Attachments (to be circulated 18 June 2013)

SUMMARY

The purpose of this item is to consider the selection of a new Chief Executive Officer for the Shire of Kojonup.

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

99/13 Moved Cr Marsh, seconded Cr Benn that the meeting be closed to the public in accordance with s5.23 of the Local Government Act 1995 to discuss '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'.

CARRIED

7/0

4:15pm All Staff and Members of the Public left the Chamber.

COUNCIL DECISION

100/13 Moved Cr Pedler, seconded Cr Mathwin that Mr Rick Mitchell-Collins be offered the position of Chief Executive Officer at the Shire of Kojonup with the following employment conditions:

- **A three (3) year contract;**
- **Starting cash component of \$130,000 per annum, plus superannuation to be reviewed at 6 months;**
- **Other benefits as detailed in the Advertisement and Application Pack; and**
- **Relocation expenses (including airfares, personal effects and motor vehicle relocation) reimbursed to a maximum of \$10,000.**

CARRIED**7/0****COUNCIL DECISION**

101/13 Moved Cr Benn, seconded Cr Mathwin that the meeting be reopened to the public.

CARRIED**7/0**

4:31pm The Acting Chief Executive Officer returned to the Chamber.

The Shire President then read aloud Council's decision.

18 **NEXT MEETING**

Tuesday, 23rd July 2013 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 4:32pm.

20 **ATTACHMENTS (SEPARATE)**

- Item 10.1 Monthly Statement of Financial Activity 1st July 2012 to 31st May 2013
- Item 10.1 Appendix A – Springhaven Aged Care Facility Monthly Statement of Financial Activity 1st July 2012 to 31st May 2013
- Item 10.2 Monthly Payment Listing
- Item 10.3 Disposal/Write Off of Plant, Furniture and Equipment Assets
- Item 10.5 Budget Amendments – Reserve Transfers
- Item 12.3 Funding Submission from Men’s Shed
- Item 13.1 Community Strategic Plan
- Item 13.2 Shire of Kojonup Policy Manual
- Item 14.1 Unconfirmed Springhaven Advisory Committee Minutes – Thursday 11th April 2013
- Item 14.2 Unconfirmed Medical/Health Centre Advisory Committee Minutes – Friday 7th June 2013
- Item 17.1 Confidential Reports & Attachments (to be circulated 18 June 2013)

Presiding Member

Date