

SHIRE OF KOJONUP



Council Minutes

21st May 2013

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 21st May 2013****TABLE OF CONTENTS**

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MINUTES

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

In the absence of the Shire President, Cr Benn, Deputy 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 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 John Benn Deputy Shire President

Cr Frank Pritchard

Cr Ian Pedler

Cr Greg Marsh

Cr Michael Baulch

Cr Rosemary Hewson

Mr Kim Dolzadelli Manager of Corporate Services

Mr Craig McVee Manager of Works & Engineering

Mrs Heather Marland Senior Finance Officer

Mr Rob Cowie Admin/Regulatory Officer

Miss Sophie Knight Policy, Planning and Governance Officer

Member of the Public 1

APOLOGIES

Cr Jane Trethowan Shire President

Cr Jill Mathwin

Mr Anthony Middleton Acting Chief Executive Officer

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

There were questions taken on notice at the 16 April 2013 Council Meeting. The response to these questions has been sent in writing and was as follows:

Dear Pam,

MANAGEMENT OF GREEN WASTE

I refer to a question raised by you at the Ordinary meeting of Council held on 16th April 2013 relating to the management of green waste at our recycling & transfer station and advise as follows.

Shredding is the preferred option for managing green waste collected at the site. However, due to prohibitive costs associated with acquiring suitable equipment and the high labour cost of operating equipment, shredding of green waste is not sustainable at the present time.

Consideration has also been given to acquiring suitable equipment on a shared arrangement with the Southern Link VROC partners to use on a rotation basis in their waste management operations but so far to no avail.

One interesting argument is that even where green waste is shredded there is a limit to the volume that can be used locally. Inevitably where there are large stockpiles of shredded material that has no end use it is often disposed of to landfill, thereby incurring additional costs through double handling. It is therefore seen as more beneficial and cost effective to burn green waste under Department of Environment & Conservation controlled conditions which is usually carried out annually after summer and prior to the onset of winter rains.

Council is very proactive in working with our contractor Warren Blackwood Waste in developing initiatives and programs for reducing the volume of waste disposed of at our landfill and will continue to explore opportunities for better management of green waste delivered to the recycling & transfer facility.

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

Yours sincerely,

Mort Wignall
Manager of Regulatory and Community Services

4 PUBLIC QUESTION TIME

4.1 Pam McGregor - Foreshadowed Motion from Special Council Meeting on 2 May 2013

Commented to Councillors on Foreshadowed Motions

4.2 Pam McGregor - Petition presented to Council on 16 April 2013

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.

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

66/13 MOVED Cr Marsh seconded Cr Pritchard that Cr Hewson be granted Leave of Absence for the Council meeting to be held on 18th June 2013.

CARRIED 6/0

6 **CONFIRMATION OF MINUTES**ORDINARY MEETING 16th April 2013**COUNCIL DECISION****67/13** Moved Cr Pritchard, seconded Cr Hewson that the Minutes of the Ordinary Meeting of Council held on 16th April 2013 be confirmed as a true record.**CARRIED 6/0**SPECIAL MEETING 2nd May 2013**COUNCIL DECISION****68/13** Moved Cr Hewson, seconded Cr Pritchard that the Minutes of the Special Meeting of Council held on 2nd May 2013 be confirmed as a true record.**CARRIED 6/0****7** **ANNOUNCEMENTS** by the Presiding Member without discussion

Shire President is attending the Future of Local Government National Summit in Melbourne on behalf of the Southern Link VROC (Voluntary Regional Organisation of Councils).

8 **PETITIONS, DEPUTATIONS & PRESENTATIONS**

Nil

9 **DECLARATIONS OF INTEREST**

Nil

*3:42pm Miss Sophie Knight left the Chamber.**3:50pm Miss Sophie Knight returned to the Chamber.*

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

AUTHOR: Kim Dolzadelli – Manager of Corporate Services
DATE: Wednesday, 15 May 2013
FILE NO: FM.FNR.2
ATTACHMENT: 10.1 Monthly Statement of Financial Activity 1st July 2012 to 30th April 2013
10.1 Appendix A – Springhaven Aged Care Facility Monthly Statement of Financial Activity 1st July 2012 to 30th April 2013

DECLARATION OF INTEREST

Nil

SUMMARY

To accept the Monthly Statement's of Financial Activity for the periods of 1st July 2012 to 30th April 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 30th April 2013 show a solid position with 94.61% of rates collected and a total amount of cash holdings of \$3,950,076.47 of which \$2,003,141 is held in fully cash backed Reserves as at to 30th April 2013. Of these cash holdings \$1,506,678 of Municipal funds and \$1,532,652 of Reserve funds have been invested in short term deposits, due to mature during the month of May 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 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

69/13 Moved Cr Hewson, seconded Cr Marsh that the Monthly Statement's of Financial Activity for the periods of 1st July 2012 to 30th April 2013, as attached, be accepted.

CARRIED

6/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Kim Dolzadelli – Manager of Corporate Services
DATE: Tuesday, 14 May 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 April 2013 to 30th April 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

70/13 Moved Cr Marsh, seconded Cr Pritchard that in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 1/4/2013 to 30/4/2013 comprising of Municipal Cheques 12663 to 12695, EFT's 10102 to 10210 and Internal Payment Vouchers 4332 to 4358 totalling \$689,666.07 and as attached to this agenda, be received.

CARRIED

6/0

11 WORKS & ENGINEERING REPORTS**11.1 SUPPLY OF TRI-AXLE WIDENING DECK LOW LOADER – RFT 02-2013 AND RFT 03-2013
SALE OF P27001 1999 ROADWEST TRAILER**

AUTHOR: Heather Marland – Senior Finance Officer
 DATE: Wednesday, 15 May 2013
 FILE NO: PS.ACQ.3 & PS.DIS.2
 ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being requested to accept tenders for the supply and delivery of one new Tri- Axle Widening Deck Low Loader with/without trade of Council's existing Roadwest Tri Axle Low Loader 1999.

BACKGROUND

Council provided funds in the 2012/13 Budget for the purchase of a new Tri-Axle Low Loader. The addition of trade or outright sale of councils existing Low Loader P27001 was included in the March Budget Review. These items had previously been identified in Council's long term plant replacement program.

COMMENT

The required Statewide Public Notice in accordance with regulation 22 of the Local Government (Functions & General) Regulations 1996 calling for tenders was advertised in the Western Australian Newspaper on 13th April 2013.

Further advertising was also undertaken in the Great Southern Herald on 24th April 2013 and the Koji News on 26th April 2013.

All advertising was for the supply, trade or outright purchase all having a closing date of 4pm, Thursday 2nd May 2013.

The following tenders were received at the close of the tender period:

Tenderer	<u>RFT 02-2013</u> Supply	<u>RFT 03-2013</u> Trade/Outright Purchase
Roadwest Transport	\$124,000	\$34,818
Coastal Transport Engineering	\$121,990	
Mezz Trailers	\$124,103	
Procaman Trailers	\$124,300	
Allroads Motor Body Builders	\$129,293	
Duraquip	\$129,500	
Base Fabrications	\$130,000	\$20,909
Trevor Wood		\$25,000
Allused		\$18,000
Aust Weigh		\$9,545

An analysis of the tenders was undertaken by the Manager of Works which included an onsite visit to Roadwest Transport. The onsite visit was conducted by council's Manager of Works Craig McVee, Mechanic Dale Simons and Richard McKenzie as the OHS representative.

The Adopted 2012/2013 Budget provides for a purchase price on the new Tri-Axle Low Loader of \$130,000 and the Budget Review allows for a sale price of \$20,000 on the sale of councils existing Low Loader P27001 – a total net cost of \$110,000.

The officer is recommending that the tenders offered by Roadwest Transport for RFT 02-2013 being the supply of a Tri-Axle Low Loader including optional extra being rubber overlay for \$124,000 excluding GST and RFT 03-2013 being the purchase of councils existing Tri-Axle Low Loader P27001 for \$34,818 Excluding GST be accepted at a net changeover of \$89,182. This will be a saving to budget of \$20,818.

The Low Loader is made to order, requiring a build time of 12 weeks for delivery, as such it is recommended that purchase cost of \$124,000 and the sale value of \$34,818, equivalent to the net cost \$89,182, be carried forward into the 2013/2014 budget.

CONSULTATION

No consultation was required.

STATUTORY ENVIRONMENT

Section 3.57 Local Government Act 1995 and Division 2 of the Local Government (Functions & General) Regulations 1996 outlines the tender process.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The 2012/2013 Budget Review provides for a net changeover of \$110,000. The officer recommendation if adopted, will result in a net saving of \$20,818. Due to delivery timeframes the purchase and sale will not be completed in the 2012/13 financial year; Council is being requested to authorise the carry forward of these items into the 2013/14 Budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION / OFFICER RECOMMENDATION 1

71/13 Moved Cr Marsh, seconded Cr Baulch that Council accepts the tenders provided by Roadswest Transport for:

- a) The supply of 1 x Tri-Axle Widening Deck Low Loader including rubber deck optional extra as specified in RFT 02-2013 at a cost of \$124,000, and**
- b) The purchase of P27001 councils exiting Low Loader as described in RFT 03-2013 with an offer of \$34,818.**

CARRIED

6/0

COUNCIL DECISION / OFFICER RECOMMENDATION 2

72/13 Moved Cr Hewson, seconded Cr Pedler that Council authorises the purchase cost of \$124,000 and the sale value of \$34,818, equivalent to the net cost \$89,182 to be carried forward into the 2013/2014 budget.

CARRIED

6/0

12 COMMUNITY & REGULATORY SERVICES REPORTS**12.1 BUSH FIRE OFFICER APPOINTMENTS - 2013/2014**

AUTHOR: Rob Cowie – Admin/Regulatory Officer
 DATE: Tuesday 14 May 2013
 FILE NO: ES.REG.1
 ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To appoint statutory and representative bush fire positions for 2013/14.

BACKGROUND

Each year the Shire of Kojonup appoints persons to undertake statutory and representative roles to perform the obligations under the Bush Fires Act 1954. Nominations are forwarded from the individual Brigades via the Kojonup Bush Fire Control Association (KBFCFA), who make recommendation to the Council.

COMMENT

The KBFCFA have recommended to the Council that the following people be appointed to the respective Bush Fire Control positions, as indicated:

1. Chief Bush Fire Control Officer - Mr Digby Stretch;
2. Deputy Chief Bush Fire Control Officer - Mr Michael Baxter;
3. Senior Bush Fire Control Officers - Mr Tony Fisher and Mr Richard Banks;
4. Bush Fire Control Officers:

Mr B Johnson	BFCO Boilup Brigade
Mr G Gale	BFCO Boscabel Brigade
Mr G Marsh	BFCO Changerup Brigade
Mr O Bignall	BFCO Cherry Tree Pool Brigade
Mr R McGuire	BFCO Jingalup Brigade
Mr G Norrish	BFCO Kojonup Brigade
Mr T McDonald	BFCO Lumeah Brigade
Mr T Worts	BFCO Moberup Brigade
Mr R House	BFCO Muradup Brigade
Mr G Chomley	BFCO Orchid Valley Brigade
Mr G Cavanagh	BFCO Qualeup Brigade
Mr J Clifton	BFCO Ryan's Brook Brigade
Mr B Francis	BFCO Muradup Town site;
5. The Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as Fire Weather Officer and Deputy Fire Weather Officer, respectively, and the two Senior Fire Control Officers be authorised to act in this role in their absence;
6. The Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Fire Control Officers be appointed as the Officers authorised to impose Harvest and Movement of Vehicles Bans;
7. The Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as authorised officers to issue permits to burn for the collection of Clover Burr;

The appointments are subject to undertaking the appropriate BFCO training. The next training session will be held on 2 September 2013.

CONSULTATION

Consultation has occurred with the Brigades following call for nominations and consideration at individual Brigade AGM's. The Association AGM endorsed the BFCO recommendations.

STATUTORY ENVIRONMENT

Section 38 & 40 of the Bush Fires Act 1954 relates to the appointment of bush fire control officers. Specifically relevant sections state:

38. Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

39. Special powers of bush fire control officers

- (1) Subject to the provisions of this Act a bush fire control officer appointed under this Act by a local government may, in the exercise of his functions and the performance of his duties under this Act, do all or any of the following things —
 - (a) exercise any of the appropriate powers of the FES Commissioner under the *Fire Brigades Act 1942*, in so far as the same may be necessary or expedient, for extinguishing a bush fire or for preventing the spread or extension of the fire;
 - (b) enter any land or building, whether private property or not;
 - (c) pull down, cut, and remove fences on land, whether private property or not, if in his opinion it is necessary or expedient so to do for the purpose of taking effective measures for extinguishing a bush fire, or for preventing the spread or extension of the fire;
 - (d) cause fire-breaks to be ploughed or cleared on land, whether private land or not, and take such other appropriate measures on the land as he may deem necessary for the purpose of controlling or extinguishing a bush fire or for preventing the spread or extension of the fire;
 - (e) take and use water, other than that for use at a school or the domestic supply of an occupier contained in a tank at his dwelling-house, and other fire extinguishing material from any source whatever on land, whether private property or not;
 - (f) take charge of and give directions to any bush fire brigade present at a bush fire with respect to its operations or activities in connection with the extinguishment or control of the bush fire, or the prevention of the spread or extension of the fire;
 - (g) any other thing which in his opinion is incidental to the exercise of any of the foregoing powers;
 - (h) employ a person or use the voluntary services of a person to assist him, subject to his directions in the exercise of any of the foregoing powers; and
 - (i) either alone or with others under his command or direction enter a building which he believes to be on fire and take such steps as he considers necessary to extinguish the fire or prevent it from spreading, but except as arranged with or requested by an officer in charge of a fire brigade under the *Fire Brigades Act 1942*, this power shall not be exercised in a townsite in an area which has been declared a fire district under that Act or in a

townsite in which there is a fire brigade or volunteer fire brigade formed under the provisions of that Act.

24. Bush on land growing subterranean clover may be burnt during prohibited burning times

In accordance with Section 24 of the Bush Fires Act, burning to collect clover burr must be done with a special permit. The Council must appoint authorised officers to issue these special permits as Bush Fire Control Officers do not have the authority do so.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That, in accordance with the provisions of the Bush Fire Act 1954, the following appointments be made for the 2013/2014 financial year:

1. Chief Bush Fire Control Officer - Mr Digby Stretch;
2. Deputy Chief Bush Fire Control Officer - Mr Michael Baxter;
3. Senior Bush Fire Control Officers - Mr Tony Fisher and Mr Richard Banks;
4. Bush Fire Control Officers:

Mr B Johnson	BFCO Boilup Brigade
Mr G Gale	BFCO Boscabel Brigade
Mr G Marsh	BFCO Changerup Brigade
Mr O Bignall	BFCO Cherry Tree Pool Brigade
Mr R McGuire	BFCO Jingalup Brigade
Mr G Norrish	BFCO Kojonup Brigade
Mr T McDonald	BFCO Lumeah Brigade
Mr T Worts	BFCO Mobrurup Brigade
Mr R House	BFCO Muradup Brigade
Mr G Chomley	BFCO Orchid Valley Brigade
Mr G Cavanagh	BFCO Qualeup Brigade
Mr J Clifton	BFCO Ryan's Brook Brigade
Mr B Francis	BFCO Muradup Town site;
5. The Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as Fire Weather Officer and Deputy Fire Weather Officer, respectively, and the two Senior Fire Control Officers be authorised to act in this role in their absence;
6. The Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Fire Control Officers be appointed as the Officers authorised to impose Harvest and Movement of Vehicles Bans;
7. The Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as authorised officers to issue permits to burn for the collection of Clover Burr;

3:58pm Mr Craig McVee left the Chamber.

COUNCIL DECISION

73/13 Moved Cr Marsh, seconded Cr Pritchard that, in accordance with the provisions of the Bush Fire Act 1954, the following appointments be made for the 2013/2014 financial year:

- 1. Chief Bush Fire Control Officer - Mr Digby Stretch;**
- 2. Deputy Chief Bush Fire Control Officer - Mr Michael Baxter;**
- 3. Senior Bush Fire Control Officers - Mr Tony Fisher and Mr Richard Banks;**
- 4. Bush Fire Control Officers:**

Mr B Johnson	BFCO Boilup Brigade
Mr G Gale	BFCO Boscabel Brigade
Mr G Marsh	BFCO Changerup Brigade
Mr O Bignell	BFCO Cherry Tree Pool Brigade
Mr R McGuire	BFCO Jingalup Brigade
Mr G Norrish	BFCO Kojonup Brigade
Mr T McDonald	BFCO Lumeah Brigade
Mr T Worts	BFCO Moberup Brigade
Mr R House	BFCO Muradup Brigade
Mr G Chomley	BFCO Orchid Valley Brigade
Mr G Cavanagh	BFCO Qualeup Brigade
Mr J Clifton	BFCO Ryan's Brook Brigade
Mr B Francis	BFCO Muradup Town site;
- 5. The Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Bush Fire Control Officers be appointed as Fire Weather Officers;**
- 6. The Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Fire Control Officers be appointed as the Officers authorised to impose Harvest and Movement of Vehicles Bans;**
- 7. The Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Bush Fire Control Officers be appointed as authorised officers to issue permits to burn for the collection of Clover Burr.**

CARRIED**6/0**

REASON FOR CHANGE: Council felt it was important to add the Senior Bush Fire Control Officers to point 5 and 7 to ensure coverage in the absence of the Chief & Deputy Chief Fire Control Officer.

12.2 FIRE BREAK ORDER – 2013/2014

AUTHOR: Rob Cowie – Admin/Regulatory Officer
DATE: Wednesday 15 May 2013
FILE NO: LE.NOT.2
ATTACHMENT: 12.2 - Fire Break Order 2013/2014

DECLARATION OF INTEREST

Nil

SUMMARY

To consider the Fire Break Order for 2013/2014.

BACKGROUND

Council issue a Fire Break Order each year, under section 33 of the Bush Fires Act 1954. The order requires certain things to be done with respect to fire hazard reduction/ fire prevention on land. The order is distributed with the rates notice and any other publication conducted as required by the Act.

COMMENT

The distribution of the Fire Break Order is an opportunity to inform all landowners about their obligation to implement fire prevention and hazard reduction measures throughout the Shire.

The format of the Fire Break Order will be the same as last year, i.e. that can be kept on the fridge for easy reference. Adoption of the Fire Break Order at this meeting will allow time for printing of the notices in time for inclusion with Councils annual rate notice mail out scheduled for July 2013.

CONSULTATION

The Fire Break Order is a working document that has evolved with consultation with the Bush Fire Advisory Committee over the last 9 years. Digby Stretch, CBFCO and Paul Retallack, the Shire's Ranger have also reviewed the document before being presented to the Council.

STATUTORY ENVIRONMENT

Section 33 of the Bushfires Act 1954 (Local Government May Require Occupier of Land to Plough or Clear Fire Break) relates to Fire Break Orders

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

The printing costs will be included in the 2013/14 budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the 2013/2014 Fire Break Order:

1. As attached, be adopted;
2. Be advertised in the Government Gazette and a newspaper circulating within the district of the Shire of Kojonup; and
3. Be printed and distributed throughout the Shire of Kojonup.

COUNCIL DECISION

74/13 Moved Cr Marsh, seconded Cr Hewson that the 2013/2014 Fire Break Order:

- 1. As attached, with the following additions to the Brigade Contact Details list be adopted;**

John Benn	Boscabel 4	LT
Syd Loveland	Mobrup 3	LT
- 2. Be advertised in the Government Gazette and a newspaper circulating within the district of the Shire of Kojonup; and**
- 3. Be printed and distributed throughout the Shire of Kojonup.**

CARRIED

6/0

REASON FOR CHANGE: Council felt it was important to include all radio operators in the Brigade Contact Details section of the Fire Break Order.

Notice to all land owners and occupiers
within the Shire of Kojonup

Pursuant to section 33 of the Bush Fires Act 1954

SHIRE OF KOJONUP

2013/2014 FIRE BREAK ORDER



By order of the Shire of Kojonup Council 21 May 2013
Anthony Middleton, Acting Chief Executive Officer

BUSH FIRE BAN PHONE LINE: 9831 0145
BUSH FIRE EMERGENCY: 000 or 9831 1580

PROHIBITED BURNING TIME

1 November – 28 February

Permits may be issued between 1 Nov – 15 Dec for protective burning only. Between 16 Dec – 28 Feb no fires may be lit without the express permission of the Chief Bush Fire Control Officer. The Shire Council has authority to extend this date and you should consult with your local Bush Fire Control Officer or ring the hotline on 9831 0145.

RESTRICTED BURNING TIME

1 October – 31 October & 1 March – 30 April

Permits are required for all fires lit during these Restricted Burning times and must be obtained from your local Bush Fire Control Officer who will explain the conditions under which fires may be lit.

Permits will not be issued for townsite burning between 1 Mar – 30 Apr. Please note restricted burning times may be extended by the CBFCCO, you should consult with your local Bush Fire Control Officer or ring the hotline on 9831 0145.

NON RESTRICTED BURNING TIME

1 May – 30 September

Landholders must still take necessary precautions to keep their fires under control and on their own properties.

SPRAYING REMINDER

Chemical spraying of firebreaks on land within a gazetted townsite is to be completed to the Shire's satisfaction by the 15 September.

FIREBREAK INSPECTION WARNING

3 December – All firebreaks and fire hazard reduction measures to be completed on land within the gazetted townsite.

4 December – Council will conduct its annual firebreak inspection of all land within the gazetted townsite.

14 December – All protective burning and firebreak precautions to be completed on land outside the gazetted townsite.

16 December – Council will commence its aerial and ground inspection process of all land outside the gazetted townsite.

IMPORTANT DATES

BURNING RULES

1. Patrolling of all fires is the responsibility of the landowner or occupier for as long as the fire poses a risk. These include clearing fires as well as protective burning.
2. All adjoining landowners must be notified on the morning of the intended burn whether clearing grass or protective burning is carried out.
3. No fire to be lit before 1300 hours (1pm). If extension of Restricted Burning Period continues after 30 April, a fire may be lit after 1000 hours or at the discretion of the Chief Bush Fire Control Officer.
4. For all grass and stubble fires, all trees and heaps of logs within 40 metres of the outside of the perimeter break of the paddock, must be cleared around.
5. All stubble/grass burns conducted within the restricted burning period must have a 2.4 metre wide perimeter break cleared of all flammable material.
6. All other conditions on a WRITTEN PERMIT to burn must be complied with.

NON-COMPLIANCE WITH THE ABOVE MAY LEAD TO PROSECUTION.

The above rules are to be observed in all cases unless your Bush Fire Control Officer gives special approval to any alternative provisions.

TO REPORT A FIRE

Contact Either Zulu or Bush Fire Control Officer in the first instance or dial 000.

Provide the following information:

- Your name and contact number
- Fire location (information such as landmarks, road names, your location and the direction of smoke and estimated distance is helpful in establishing fire location)
- If it is a private property, supply the property owners name if known
- Provide details of site access if known

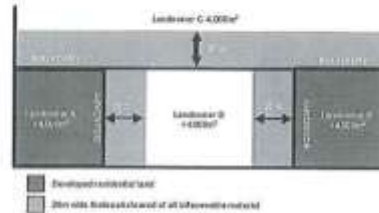
RADIO COMMUNICATIONS

- VHF Channel 41 Mid Band Channel
- UHF Channel 3 Prior to arrival at firesite
- UHF Channel 3 For harvest bans
- UHF Channel 11 Upon arrival at firesite

BURNING RULES

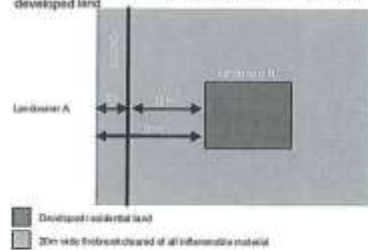
FIREBREAK DIAGRAM 1

A landowner with a boundary within 20m of a structure must ensure that they complete their portion of the required 20m perimeter firebreak clear of inflammable material



FIREBREAK DIAGRAM 2

Landowners with either vacant property OR land exceeding 4,000m² in size must ensure that a 20m boundary firebreak cleared of all inflammable material is installed along any boundary abutting the developed land



FIREBREAK DIAGRAMS

Pursuant to the powers contained in Section 33 of the Bush Fire Act 1954, you are hereby required to have firebreaks clear of all inflammable material, in the position, of the width, and for the period as specified.

1. Urban Land (Land within a gazetted townsite)

During the period from the 3rd December to 31st May inclusive, you shall have the following firebreaks:

- On all land, regardless of size or how the land is zoned, a firebreak of no less than 20 metres wide cleared of all inflammable material surrounding the perimeter of any homestead building, fuel installation (included drums), or group of such structures or installations. If burning is the method of hazard reduction employed; the inner and outer 2.4 metres of the firebreak must be totally cleared of all inflammable material prior to a burn being undertaken.
- On all land that is 4,000 square metres or less, regardless of how the land is zoned, all remaining flammable material to be reduced to a height of less than 50mm.
- Owners of property with an area greater than 4,000 square meters adjacent to developed residential property, a 20 metre boundary firebreak cleared of all flammable material on the land abutting residential land.
- Where chemical spraying is the method chosen as the means by which firebreaks are constructed, this is to be completed to the Shire's satisfaction by 15th September. If not, the Shire will do the work at the landowners' expense.

2. Rural Land (land outside a gazetted townsite)

Homesteads, Buildings, Haystacks, Bulk Fuel, Drums and Liquid Petroleum.

During the period from 14th December to the 31st May inclusive you shall have fire breaks at least 20 metres wide, if provided by burning, cultivating or spraying, or 60 metres wide if provided by being closely grazed or mowed to the satisfaction of the Shire. The firebreaks are to be in such positions as are necessary to completely surround the perimeter of any homestead building (excluding isolated non flammable buildings), fuel installation (including drums), hay stacks (but only haystacks within 60 metres of any building) or group of such structures or installations. In each case, the outer 2.4 metres of the firebreak area must be totally free of any inflammable material and where mowing is the method used; all residue of the mowing process must be removed from the area.

3. Plantation/Tree Farm Land

- Firebreaks shall be 15 metres wide on the boundaries of all plantations, tree farms, or such other locations as may be agreed to by the Council.
- Firebreaks shall be constructed around plantation compartments of approximately 50 hectares.
- A 50 metre perimeter firebreak around all buildings and fuel storage areas, cleared of all flammable material is required.

URBAN / RURAL / PLANTATION LAND

Plantation/Tree Farms – An area exceeding three hectares planted for commercial purposes.

Boundary Firebreaks – (15 metre requirements) – a boundary firebreak is defined as an area fifteen metres wide cleared of all flammable materials and having no overhanging tree branches, to provide a vertical clearance of at least five metres.

Planting Compartment – An individual area of approx 50 hectares surrounded by firebreaks cleared of all flammable material ten metres wide and five metres vertically. Internal firebreaks must be maintained in a trafficable condition and if needed trees on both sides of the firebreak are to be progressively pruned to allow unrestricted access to maintenance and fire fighting equipment to maintain an effective width of firebreak.

Powerlines

If a main power line failure occurs when a Movement of Vehicle Ban is in operation, report to the Chief Bush Fire Control Officer.

Western Power has a minimum requirement of ten metres clearance either side of the outside power pole. Generally, the clearance distanced from the powerline should be no less than the expected mature height of the trees planted in the outside row. However, in all instances where power lines are crossing land where it is proposed that plantations be planted, the owner should consult with Western Power, Bunbury 131351 for advice.

Boundary Firebreaks

Boundary firebreaks are not compulsory within the Shire of Kojonup Rural Area.

Exemptions

If it is considered impractical for any reason to clear firebreaks on the land as required by this notice you may apply to Council or its duly authorized officer no later than 60 days prior to the date by which firebreaks are required as per this notice for permission to provide firebreaks in alternative positions or take alternative action to abate fire hazards on the land. If Council or its duly authorized offices does not grant permission, you shall comply with the requirements of this notice.

Firebreak Inspection

In following the method adopted by Council to inspect the firebreaks required in this notice, it is not necessary for Council to notify you or give you any prior warning that legal action may proceed for failing to comply with the requirements of this notice.

Penalties: An infringement of \$250. A Penalty of up to \$5,000. A person in default is also liable, whether prosecuted or not to pay the cost of performing the work directed in this notice if it is not carried out by the required date.

Harvesting

As per the Bush Fires Act 1954, it is compulsory that an engine powered pumping unit and not less than 600 litres of water must be in attendance during grain harvesting operations. Trailed units must have the towing vehicle attached at all times. The fire fighting unit must be located in the paddock being harvested at all times.

Penalties: An infringement of \$250. A Penalty of up to \$5,000.

Swathers, Balers and Track Chainers

These are subject to the same conditions as Harvesting i.e. an engine powered pumping unit and not less than 600 litres of water be in attendance during operations from 1st Dec onwards (excluding canola swathing).

Oxyacetylene, Arc Welders, Friction Cutting Equipment etc

These are subject to the same conditions; whilst used in the open; as swathers and balers and in addition, the work site must be adequately cleared of flammable material before the use of the above equipment

TOTAL FIRE BAN DECLARATIONS

FESA may, if required, declare "Total Fire Bans" across broad regions of the State. Please check the Kojonup Bush Fire Ban Phone Line for specific information in case there are local exemptions for agricultural practices

DEFINITIONS AND SPECIFICATIONS

FIRE CONTROL OFFICERS AND BRIGADES 2013/2014

Boilup			
Ben Johnston	Bravo 1	BFCO	9832 8015
David Cussons	Bravo 2	LT	9833 1228
Boscabel			
Geoff Gale	Boscabel 1	BFCO	9832 8098
Doug Harrison	Boscabel 2	LT	9832 8009
Glenn Woodhams	Boscabel 3	LT	9832 8074
Changerup			
Gary Marsh	Charlie 1	BFCO	9833 2204
Paul Norrish	Charlie 2	DBFCO	9832 1017
Murray Magini	Charlie 3	LT	9863 1191
Cherry Tree Pool			
Owen Bignell	CTP 1	BFCO	9831 0333
Anthony Kowald	CTP 2	1 st LT	9821 0074
Andrew Bushell	CTP 3	2 nd LT	9821 0189
Neal O'Halloran	CTP 4	3 rd LT	9831 1095
Jingalup			
Richard McGuire	Jingalup 1	BFCO	9833 6309
Lachy Reid	Jingalup 2	LT	9833 6248
Miles Reid	Jingalup 3	LT	9833 6305
Kojonup			
Gavin Norrish	Keelo 1	BFCO	9831 1467
Eric Wright	Keelo 2	CAPT	9832 8034
Roger Blinney	Keelo 3	LT	9831 1657
Lumeah			
Tony McDonald	Leema 1	BFCO	9834 1193
Will Carrington-Jones	Leema 2	LT	9834 3023
Paul Durack	Leema 3	LT	9834 1026
Mobrup			
Trent Worts	Mobrup 1	BFCO	9834 2305
Rob Warburton	Mobrup 2	LT	9834 7517
Muradup			
Roger House	Mike 1	BFCO	9832 1031
Mark Blewett	Mike 2	LT	9832 1130
Bob Francis	Mike 3	BFCO/TWN	9832 1054
Orchid Valley			
Griff Chomley	OV 1	BFCO	9832 3071
Colin Ednie-Brown	OV 2	DBFCO	9832 3071
Daniel Simpson	OV 3	LT	9832 3051
Qualeup			
Gray Cavanagh	Qualeup 1	BFCO	9832 3058
Katie Daw	Qualeup 2	LT	9832 1003
David Forrester	Qualeup 3	LT	9832 3070
Andrew Marsh	Qualeup 4	LT	9833 2269
Ryans Brook			
Jonson Clifton	Romeo 1	BFCO	9834 2275
Stuart Tohl	Romeo 2	LT	9834 2225
Duncan Burt	Romeo 3	LT	9834 2283
Secretary			
Denise Berryman	Mike 4	Sec	9832 1041

BRIGADE CONTACT DETAILS

ZULU CONTACTS

Name	Position	CallSign	Contact Details
Digby Stretch	Chief BBFCO	Zulu 1	Ph 9833 7521 Mb 0428 540 521 Fx 9833 7540
Michael Baxter	Deputy BBFCO	Zulu 2	Ph 9833 2259 Mb 0427 332 279 Fx 9833 2259
Tony Fisher	Senior BFCO	Zulu 3	Ph 9831 1504 Mb 0428 311 504 Fx 9831 1845
Richard Banks	Senior BFCO	Zulu 4	Ph 9831 1310 Mb 0429 311 310 Fx 9831 0386

SECRETARY

Denise Berryman	Secretary	Mike 4	Ph 9832 1041 Fx 9832 1041
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SHIRE CONTACT DETAILS

Shire Office	9831 2400
Works Depot Office	9831 2900
After Hours Emergency Contact	0427 989 187
Works Manager	0427 427 854

EMERGENCY CONTACTS

Ambulance	000
Hospital	9831 2222
Doctor (surgery)	9831 1188
Police	9831 2555
Kojonup Fire & Rescue Service	9323 9333
Bush Fire Emergency	9831 1580 or 000

RADIO COMMUNICATIONS

VHF Channel 41	Mid Band Channel
UHF Channel 3	Prior to arrival at firesite
UHF Channel 3	For harvest bans
UHF Channel 11	Upon arrival at firesite

ZULU & SHIRE CONTACT DETAILS

13 EXECUTIVE & GOVERNANCE REPORTS**13.1 POLICY - COUNCIL ADVISORY COMMITTEES**

AUTHOR: Sophie Knight – Policy, Planning and Governance Officer
DATE: Wednesday 15th May 2013
FILE NO: CM.POL.2
ATTACHMENT: 13.1 Draft Council Advisory Committees Policy

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider a proposed new policy detailing the operations of Council Advisory Committee's.

BACKGROUND

A copy of the proposed policy is attached.

STATUTORY ENVIRONMENT

The Council may adopt, amend, waive policies under s2.7(2) of the Local Government Act 1995.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. Draft Policy 3.12, Council Advisory Committees, as attached be adopted;
2. The clause outlined in the draft policy requiring Committee Members to sign a declaration, be effective from 1 July 2013; and
3. The Acting Chief Executive Officer write to all community members on the following Advisory Committee's notifying them of Policy 3.12 and the requirement to sign the *Declaration by Advisory Committee Member* form:
 - a. Audit Committee;
 - b. Bush Fire Advisory Committee;
 - c. Springhaven Advisory Committee;
 - d. Kojonup Tourist Railway Advisory Committee;
 - e. Kodja Place Advisory Committee; and
 - f. Medical/Health Centre Advisory Committee.

COUNCIL DECISION

75/13 Moved Cr Hewson, seconded Cr Marsh that:

- 1. Draft Policy 3.12, Council Advisory Committees, as attached be adopted;**
- 2. The clause outlined in the draft policy requiring Committee Members to sign a declaration, be effective from 1 July 2013; and**
- 3. The Acting Chief Executive Officer write to all community members on the following Advisory Committee's notifying them of Policy 3.12 and the requirement to sign the *Declaration by Advisory Committee Member* form:**
 - a. Audit Committee;**
 - b. Bush Fire Advisory Committee;**
 - c. Springhaven Advisory Committee;**
 - d. Kodja Place Advisory Committee; and**
 - e. Medical/Health Centre Advisory Committee.**

CARRIED

6/0

REASON FOR CHANGE: Council felt it appropriate to remove the Kojonup Tourist Railway Advisory Committee as they are not a formal committee of Council but more an "other" committee of Council.

3.12 COUNCIL ADVISORY COMMITTEES (DRAFT)

Adopted or Reviewed by Council:	DRAFT	Council Minute Reference:
Reviewer:	Chief Executive Officer	
Local Law:		
Procedure:		
Delegation:		<i>Under Review</i>

OBJECTIVE

The Shire of Kojonup appreciates the service provided by members of Council Committees. In providing these services, however, a standard of professional behaviour must be demonstrated that maintains and promotes confidence and trust in the work of Council.

Advisory Committees are appointed to provide input and overview to Council on a specific topic either to a term of reference or on an ongoing basis.

Advisory Committees:

- advise Council on current and emerging issues;
- promote the awareness of a specific topic within Council and the community;
- provide a process for input into the planning and provision of services and facilities; and
- provide a process for feedback from community to the Council.

This policy provides guidelines for consistent practice in the way Advisory Committees are formed and operate.

POLICY

LEGAL ENVIRONMENT

In accordance with Section 5.8 of the *Local Government Act 1995* Council may convene a Committee of three or more persons, for the purpose of assisting the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

A Committee shall operate in accordance with the relevant requirements of:

- a) Local Government Act 1995, Part 5, Division 2;
- b) Local Government (Administration) Regulations 1996;
- c) Shire of Kojonup Policy 2.24 Code of Conduct; and
- d) Standing Orders Local Law 1997;
- e) this policy.

A committee member ceases to be a member of a committee if the member has been absent from three consecutive meetings of the committee without having been given a leave of absence.

RESOURCES

The Chief Executive Officer will appoint a responsible officer for ensuring that the committee is provided with appropriate administrative support and professional advice. Committee members shall ensure that matters regarding the operation of the committee are referred in the first instance to the responsible officer.

Shire resources can only be used for Shire purposes unless CEO has given specific approval. Shire resources include;

- Materials
- Equipment
- Facilities
- Vehicles
- Documents
- Staff time
- Records, Data and Information.

Advisory committees cannot commit Council resources.

RECOMMENDATIONS TO COUNCIL

Unless a specific Delegation of Statutory Authority has been established in accordance with s5.16 of the Local Government Act 1995, the decision making of a committee of Council is limited to providing recommendations for Council's consideration. The recommendations of advisory committees can assist council in making informed decisions on complex matters.

Recommendations to Council shall be strategic in nature and reflect the role of the Council and not be of administrative tasks.

CONDUCT OF COMMITTEE MEMBERS

Committee members are responsible for their own good conduct when providing services to Council and to the community. They are to know and understand the standards set out in this policy and in the Council's Code of Conduct. All relevant laws must also be obeyed. Any breaches of the Council's Code of Conduct will result in loss of membership to the committee.

Representing the Council on an advisory committee is an important responsibility and each member is to sign a declaration as attached. Community members are unable to serve on Council Committees if they have not signed the declaration.

When representing or providing services to the Council, committee members should, at all times, be courteous towards the public, Councillors, Council staff and other committee members so as not to bring Council into disrepute.

All public comments and media statements representing Shire of Kojonup or its committees must first be approved by the Shire President or the Chief Executive Officer.

MEETINGS

No Council Advisory Committee shall call a meeting without first obtaining written permission of the CEO detailing the purpose of the meeting. Approval will determine the following;

- a) Who chairs the meeting
- b) The format of the meeting; and
- c) Will recommendations for consideration be accepted

Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept in accordance with the Local Government Administration Regulation 11. Minutes of Committee meetings shall be referred to the next available ordinary Council meeting, where appropriate.

SAFETY

Council is responsible for providing a safe work environment and gives priority to the health, safety and welfare of Council officials and committee members. Committee members should protect their safety and that of others in the work environment and public areas. All safety concerns should be reported immediately to Council staff.

No member shall take part in activities or attend meetings of a Council committee while under the influence of alcohol or other drugs which could impair abilities or cause danger to themselves or others.

DISCLOSURE OF INTEREST

A member of a council advisory committee who has a pecuniary or financial interest in any matter with which the committee is concerned and who is present at a meeting of the committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.

The member declaring interest must not be present at, or in sight of, the meeting of the committee:

- a) at any time during which the matter is being considered or discussed by the committee, or
- b) at any time during which the committee is voting on any question in relation to the matter.



Shire of Kojonup

DECLARATION BY ADVISORY COMMITTEE MEMBER

Declaration by Advisory Committee Member

I, _____

of ¹ _____,

having been elected to the ² _____ Advisory Committee of the Shire of Kojonup, declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the Advisory Committee for the people in the district according to the best of my judgment and ability, and will observe the Shire of Kojonup's Policies 3.12 *Council Advisory Committees* and 2.24 *Code of Conduct*

Signed: _____ Date: _____

Witness Name: _____

Witness Signature: _____ Date: _____

¹ Insert your residential address.

² Insert Name of Advisory Committee

13.2 COMMUNITY CONSULTATION POLICY

AUTHOR: Sophie Knight – Policy, Planning and Governance Officer
 DATE: Wednesday 15th May 2013
 FILE NO: CM.POL.2
 ATTACHMENT: 13.2 Draft Community Consultation Policy

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider a proposed new policy detailing the manner in which the Shire consults with the community.

BACKGROUND

A copy of the proposed policy is attached.

STATUTORY ENVIRONMENT

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

OFFICER RECOMMENDATION

That Draft Policy 3.16, Community Consultation Charter, as attached be adopted.

COUNCIL DECISION

76/13 Moved Cr Pritchard, seconded Cr Pedler that Draft Policy 3.16, Community Consultation Charter, as attached with the following changes be adopted:
c) and d) become a) and b)
e), f), g), h) and i) become a), b), c), d) and e)
j), k), l), m) and n) become a), b), c), d) and e).

CARRIED

6/0

REASON FOR CHANGE: Council felt it appropriate to correct the numbering to ensure there is no confusion later on.

4:25pm Mrs Heather Marland & Mr Rob Cowie left the Chamber.

4:26pm Miss Sophie Knight left the Chamber.

3.16 COMMUNITY CONSULTATION POLICY

Adopted or Reviewed by Council:	DRAFT	Council Minute Reference:
Reviewer:	Manager of Corporate Services	
Local Law:		
Procedure:		
Delegation:		<i>Under Review</i>

A) OBJECTIVE

The following Community Consultation Charter be adopted as Council's policy for consulting with the community.

B) POLICY

THE SHIRE OF KOJONUP'S COMMITMENT TO YOU

This Community Consultation Charter reflects our commitment to open and effective consultation with the community in the process of making important decisions about the wellbeing of the community.

OUR VISION

A safe community to live, work, play & prosper.

WHY WILL WE CONSULT WITH YOU?

Good community consultation provides the community with an opportunity to contribute positively to the things that are important to them and to the decisions and outcomes that impact on their lives. It also assists the Council to make good decisions on behalf of the community.

The Council is charged with the responsibility to make many decisions on behalf of, and that impact on, the community and to deliver a wide range of infrastructure and community services. We endeavour to fulfil these responsibilities in an effective and efficient manner, while providing as much opportunity for the community to contribute through consultative processes as possible and where appropriate. We will continue to strive to get this balance right.

WHEN WE WILL CONSULT

The decision to undertake community consultation will only be made where there are a number of possible options or directions that could be taken by Council.

The Shire of Kojonup (staff and Councillors) will consider the need for, and type of, consultation required for each situation where Council is required to make an important decision about a matter that is likely to have a significant impact on the lives, homes or localities of residents, businesses, groups and organisations.

This assessment will be made in the context of the scale, importance, likelihood and expected onset of impact of the decision being made or action being taken by Council and the expected level of community interest and concern. It will also be made in the context of the level of risk or security.

THE CONSULTATION PROCESS

Each specific community consultation process may be undertaken in a slightly different way, reflecting the differing nature of the issue at hand. However, all community consultation undertaken by the Shire will be carried out in accordance with this Charter.

Clearly, in effectively consulting the community, many diverse and different views, opinions and preferences will be conveyed to Council. We will not always be able to reconcile these differences, nor make decisions or take actions that align with everyone's viewpoint.

The important thing, we believe, is that everyone in Kojonup has an open, accessible and equal opportunity to 'have a say' on important issues that impact their lives and an explanation of Council's position in relation to that matter.

In many cases, Council is required by legislation to carry out community consultation in a very specific manner, for example when selling Council land or in processing planning permit applications. This legislative requirement may either set a minimum standard / method of consultation or an exact standard / method of consultation.

In other cases, Council staff and Councillors will assess each situation to make an assessment about if and what kind of consultation is required and appropriate. In the event that Council decides, for good reason, that community consultation is not warranted, Council may inform the community about the issue and provide contact details of an appropriate staff member for community members to contact to discuss the matter.

We are committed to ensuring that for important matters within the Shire we will consult the community to both:

- c) Ensure that we have all information available to make informed decisions; and
- d) Provide the opportunity for all citizens to contribute to the outcomes in their community

Based on all of these inputs, including a range of community views, opinions and preferences, Council will make a decision or take a course of action that best serves the interests of the Kojonup community.

OUR CONSULTATION VALUES

When consulting with the community, Council values and is committed to:

- e) Ensuring that there is an opportunity and scope for community input to influence a decision or outcome before it is finally determined and that the extent of this scope is clearly communicated.
- f) Ensuring that all community consultations are:
 - o Inclusive, Accessible & Balanced
 - o Timely
 - o Focussed
 - o Culturally appropriate
 - o Informative
 - o Open and Clear
- g) Ensuring that the scale of consultation is appropriate to the scale of the issue being consulted on.
- h) (Following consultation with the community, and taking into consideration other relevant sources of information) Making a decision or taking an action required to improve the social, economic and environmental wellbeing of the municipality.
- i) All community consultation being undertaken in a manner that is consistent with our organisational values of:
 - o Honesty & trust
 - o Clear & open communication
 - o Leading by example
 - o Listening to each other
 - o Embracing diversity and difference

It is expected that all parties to a community consultation process, including community members, would behave in a way consistent with these values.

- j) Providing the community with adequate time and information to prepare and effectively contribute to consultation processes.
- k) Keeping the community well-informed throughout the consultation and decision-making process, including through up-to-date resources being made available on the Shire's website. Information provided to community members about the consultation process will be timely and clear.
- l) Working with established networks, groups and forums of active community members, while respecting that all community members have a right to contribute to consultation and decision-making processes, irrespective of whether they are part of an established forum or interest group.
- m) Respecting that not everyone in the community has a civic interest and wishes to participate in consultative engagements.

- n) Meeting our obligations under the Information Privacy Act 2000, regarding the handling of all personal information.

CUSTOMER FEEDBACK

To gauge our performance in relation to our consultation commitments, the Council encourages responses from our customers, whether they be complaints or compliments.

This Community Consultation Charter is intended as collaboration between the Council and the community it serves. Therefore if there is something that you feel unhappy about please utilise our simple feedback process.

Please give us the opportunity to improve our service to you. Comments, suggestions and compliments all provide an effective means by which to assess the existing service you receive.

Copies of our Complaints and Compliments Form can be downloaded from our website www.kojonup.wa.gov.au or obtained from one of our Customer Service Officers.

If we can help please contact us:

In person:	Administration Centre 93-95 Albany Highway KOJONUP WA 6395
By Mail:	P O Box 163 KOJONUP WA 6395
By Telephone:	08 9831 2400
By Fax:	08 9831 1566
By Email:	council@kojonup.wa.gov.au

14 COMMITTEES OF COUNCIL**14.1 MEDICAL / HEALTH CENTRE ADVISORY COMMITTEE****COUNCIL DECISION / OFFICER RECOMMENDATION**

77/13 Moved Cr Hewson, seconded Cr Pedler that the attached unconfirmed minutes of the Medical / Health Centre Advisory Committee held Friday 3rd May 2013 be received by Council.

CARRIED**6/0****14.2 MEDICAL / HEALTH CENTRE ADVISORY COMMITTEE****COUNCIL DECISION / OFFICER RECOMMENDATION**

78/13 Moved Cr Hewson, seconded Cr Pedler that Council endorse the following recommendation of the Medical / Health Centre Advisory Committee:

Advisory Committee Decision 12/13

That the Council investigate the feasibility of a proposal to build the new Medical Centre on the west side of the hospital.

LOST**3/4****The Presiding Member used his casting vote on this motion**

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 KOJONUP CEMETERY EXTENSION – PURCHASE OF LAND**

AUTHOR: Anthony Middleton – Acting Chief Executive Officer
 DATE: Wednesday, 15 May 2013
 FILE NO: CP.MTC.5
 ATTACHMENT: Confidential Report & Attachments

SUMMARY

The purpose of this item is to consider the purchase of land adjoining the Kojonup Cemetery for future requirements.

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

5:20pm *The meeting was adjourned.*

5:25pm *The meeting recommenced.*

COUNCIL DECISION / OFFICER RECOMMENDATION

79/13 Moved Cr Hewson, seconded Cr Pritchard 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

6/0

The Member of the Public now left the Chamber.

COUNCIL DECISION / OFFICER RECOMMENDATION

80/13 Moved Cr Pritchard, seconded Cr Hewson that lot 200 Tunney Road, Kojonup be purchased from Mr Don Hair for \$80,000, as contained within the 2012/2013 budget, for the purpose of future extension to the Kojonup Cemetery.

LOST 0/6

COUNCIL DECISION

81/13 Moved Cr Marsh, seconded Cr Pritchard

- 1. That permission be obtained from the owner the undertake explority drilling/digging to establish suitability of land for cemetery use,**
- 2. That Council obtain an independent valuation for Lot 200 Tunney Road,**
- 3. That the Acting Chief Executive Officer enter into negotiation with the owner on the basis of outcome of valuation and exploration.**

CARRIED 6/0

COUNCIL DECISION / OFFICER RECOMMENDATION

82/13 Moved Cr Pedler, seconded Cr Marsh that the meeting be reopened to the public.

CARRIED 6/0

The Member of the Public returned to the Chamber.

The Deputy Shire President then explained that the decision of Council with respect to Item 17.1 would remain confidential in accordance with section 5.23 (2) as the decision still related to a contract that may be entered in to by the local government.

The confidential decisions will be recorded in the minutes as the owner of Lot 200 Tunney Road has been notified of the Council Decisions.

18 **NEXT MEETING**

Tuesday, 18th June 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 5:58pm.

20 **ATTACHMENTS (SEPARATE)**

- | | |
|-----------|--|
| Item 10.1 | Monthly Statement of Financial Activity 1 st July 2012 to 30 th April 2013 |
| Item 10.1 | Appendix A – Springhaven Aged Care Facility Monthly Statement of Financial Activity 1 st July 2012 to 30 th April 2013 |
| Item 10.2 | Monthly Payment Listing |
| Item 14.1 | Unconfirmed Medical/Health Centre Advisory Committee Minutes – Friday 3 rd May 2013 |
| Item 17.1 | CONFIDENTIAL – Kojonup Cemetery Extension – Purchase of Land Report & Attachments |

Presiding Member

Date