

Kojonup



One community, many choices

SHIRE OF KOJONUP

MINUTES

Ordinary Council Meeting

15 May 2018

MINUTES FOR THE COUNCIL MEETING TO BE HELD ON 15 MAY 2018

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MINUTES

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

The Shire President declared the meeting open at 3.00pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meeting's attention to the disclaimer below:

Disclaimer

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

2 **ATTENDANCE & APOLOGIES**

Cr Ronnie Fleay	President
Cr Ned Radford	Deputy President
Cr John Benn	
Cr Graeme Hobbs	
Cr Jill Mathwin	
Cr Ian Pedler	
Cr Sandra Pedler	
Cr Judith Warland	

STAFF

Rick Mitchell-Collins	Chief Executive Officer
Mort Wignall	Manager Regulatory Services
Zahra Shirazee	Manager Community Development and Tourism
Anthony Middleton	Manager of Corporate Services
Rob Cowie	Regulatory/Admin & Payroll Officer
Pam Chambers	Senior Administration Officer
Phil Shephard	Planner
Michelle Dennis	Development Services Coordinator
Lorraine Wyatt	Executive Assistant

LEAVE OF ABSENCE

Nil

APOLOGIES

Nil

MEMBERS OF THE GALLERY

Paul Webb

3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS, DEPUTATIONS & PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

42 /18 Moved Cr Benn, seconded Cr Warland that Cr Radford be granted a leave of absence for the Briefing Session and Ordinary Council meetings to be held 24 July 2018.

CARRIED 8/0

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING 17 APRIL 2018

Minutes of the previous Ordinary Council Meeting which was held on 17 April 2018 were previously circulated under separate cover and are at **Attachment 7.1.1**

OFFICER RECOMMENDATION/COUNCIL DECISION

43/18 Moved Cr Hobbs, seconded Cr S Pedler that the Minutes of the Ordinary Meeting of Council held on 17 April 2018 be confirmed as a true record.

CARRIED 8/0

7.2 SPECIAL COUNCIL MEETING 23 APRIL 2018

Minutes of the Special Council Meeting which was held on 23 April 2018 are at **Attachment 7.2.1**

OFFICER RECOMMENDATION/COUNCIL DECISION

44/18 Moved Cr Mathwin, seconded Cr Warland that the Minutes of the Special Council Meeting held on 23 April 2018 be confirmed as a true record.

CARRIED 8/0

- 8 **ANNOUNCEMENTS** by the Presiding Member without discussion
On behalf of Council, the Shire President offered condolences to the family and friends of Myra Jones, Jill Watkins, Scott Lindsell and Mel Pains.

9 **DECLARATIONS OF INTEREST**

Item 12.5: Repainting Kojonup Railway Station Building

- Cr Radford declared an Impartiality Interest in item 12.5 as he is a committee member who also operates the heritage train tours.
- Cr Benn declared an Impartiality Interest in item 12.5 as he is a committee member.
- Cr Hobbs declared an Impartiality Interest in item 12.5 as he is a committee member.

Item 13.1: Submissions on Application for Development Approval – Workers Accommodation Units at No. 4 Kojonup-Katanning Road.

- Cr Radford declared a Financial Interest (Direct) in item 13.1, as he is the owner of a local Bed and Breakfast that does receive occasional bookings from the Kojonup Visitor Centre.

10 KEY PILLAR 1 – ‘PLACE’ REPORTS

10.1 KOJONUP SWIMMING POOL STRUCTURAL ASSESSMENT

AUTHOR	Mort Wignall, Manager Regulatory Services	
DATE	Thursday, 3 May 2018	
FILE NO	CP.DAC.12	
ATTACHMENT(S)	<p>10.1.1 – Extrin –Kojonup Pool Concrete Condition Assessment</p> <p>10.1.2 – Quotation from Wetdeck Pools for Remedial Works</p> <p>10.1.3 – Photograph of Major Leak in Pool Floor</p>	
STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”	Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”	
Key Pillar	Community Outcomes	Corporate Actions
KP – 1 Place	1.2 – Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.2.2-Implement and action a Sport, Recreation and Open Space Master Plan. 1.2.5-Improve disability access to infrastructure and services. 1.2.11-Sporting Infrastructure Upgrades-Sports Complex Building Defects/Building Compliance/Service Area for bins; Oval drainage/collection of storm water; West Access Upgrade.
KP- 3 Performance	3.3-Use a Building Assessment Framework and control our investment in building maintenance.	3.3.1-Implement an asset rationalisation process based on the Building Assessment Framework. 3.2.2-Maximise usage of community facilities whilst reducing the financial obligation on the Shire and its people.

DECLARATION OF INTEREST

Nil.

SUMMARY

To receive Extrins’ report on the assessment of the pool concrete shell and to seek Council’s endorsement of expenditure for remedial work undertaken on the pool concrete floor by Wetdeck Pools following investigative work carried out to test the pool for water leaks and for \$18,050.00 used for pool maintenance and repairs to be allocated to the Swimming Pool Reserve Account, as part of the annual budget process for the 2018/2019 financial year.

BACKGROUND

The 2017/2018 annual budget provided \$40,000.00 out of the Swimming Pool Reserve Account which is specifically for funding a major refurbishment and/or asset replacement, a portion of which has been used for a structural assessment report on the Kevin O'Halloran Memorial Swimming Pool. Work has been undertaken by Wetdeck Pools to test the pool for leaks and Extrin (who are consultants in corrosion management of concrete pools), have undertaken an assessment of the structural integrity of the pool floor and walls and have provided a report on their findings.

COMMENT

Most of the remedial work carried out after the investigative and assessment work involved reinstatement of narrow sections of concrete flooring along the centre of the pool, which was removed to identify the extent of a major leak detected in the dye test used as a leak detection method. The leak was caused by a split or perforation in the water stop of approximately 1 metre in length. This was most likely caused by shearing of the water stop membrane due to a section of the concrete floor floating when the pool was emptied approximately a decade ago without reducing the in-ground water level surrounding the external walls and under the base of the pool, causing the pool to float when emptied.

Part of the remedial work could have been held over until next financial year and carried out as part of the scope of works for re painting of the pool. However some works needed to be carried out now to enable partial refilling of the pool after completion of the assessment works. Given the expertise of Wetdeck Pools, it was determined after consultation with the Chief Executive Officer and Elected Members, to engage them to carry out repairs to sections of disturbed or defective concrete, mainly along the centre channel of the 50 metre pool, with funds from the Swimming Pool Reserve Account being used for this work.

It's considered that these works are not strictly major refurbishment or asset replacement, therefore there needs to be a budget variation to reinstate the \$18,050.00 spent on repairs and reinstatement work into the Swimming Pool Reserve Account in the 2018/2019 budget.

CONSULTATION

Chief Executive Officer
Councillors (3 attended a site visit)
Structural and Chemical Engineers
Wetdeck Pools
Briefing Session – 1 May 2018

STATUTORY REQUIREMENTS

Health (Aquatic Facilities) Regulations 2007

POLICY IMPLICATIONS

Council Policy 2.3.4 "Asset Management" incorporates a Building Assessment Framework when considering new infrastructure or renewal and maintenance of existing infrastructure. This is a qualitative assessment that considers how a building meets the Community Strategic Plan commitments, level of efficiency with regards to operational and maintenance costs, how fit for purpose the building is and its historical and cultural value; applying a weighting and score out of a 100. In July the Sporting Complex was assessed and achieved a score of 79 out of 100-the second highest score of all Shire buildings.

FINANCIAL IMPLICATIONS

Other than effecting the budget variation as outlined above to reinstate the amount of \$18,050.00 in the Swimming Pool Reserve Account as part of the annual budget process for the 2018-2019 financial year, there are no financial implications.

RISK MANAGEMENT IMPLICATIONS

In addition to operational and compliance risks of not progressing with necessary maintenance and eventual refurbishment of the pool, the matter presents a potential reputational risk to the organisation, due to disruption for facility users during the summer pool season. Planned future action to mitigate this risk includes proposed repainting of the pool(s) before commencement of the next pool season and within the next 5-7 years, replacing the deteriorating pool coping with a “Wetdeck” pool surround incorporating an access ramp for people with a disability and other ancillary works, the timeline for which will coincide with the time that the pools will again require repainting. Depending on availability of grant funding the Wetdeck pool surrounds work may commence sooner and in such case re-painting of the pool will be held over and included in the scope of works for the refurbishment of the 50 metre pool.

ASSET MANAGEMENT IMPLICATIONS

The Shire’s Asset Management Plan identifies the need for having an appropriate level of service and performance management system in place. The recent assessment against the Building Assessment Framework process ranks the Sporting Complex of which the Kevin O’Halloran Memorial Swimming Pool is part of, second of all Shire buildings and therefore the remedial and maintenance works carried out were considered warranted and necessary to maintain this important community facility in a “fit for purpose” condition.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Not applicable

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

45/18 Moved Cr Mathwin, seconded Cr Benn that Council:

- 1. Council receive the report by Extrin as attached.**
- 2. Endorse expenditure of \$18,050.00 for remedial work/maintenance undertaken on the Kevin O’Halloran Memorial Swimming Pool floor following investigative works carried out to test for water leaks and;**
- 3. Include an amount of \$18,050 used for maintenance/repairs of the Kevin O’Halloran Memorial Swimming Pool into the Swimming Pool Reserve account as part of the 2018/2019 draft budget process.**

CARRIED 8/0

11 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

11.1 REVIEW OF BUSINESS CONTINUITY & DISASTER RECOVERY PLAN

AUTHOR	Pam Chambers – Senior Administration Officer
DATE	Monday, 7 May 2018
FILE NO	CM.TND.1
ATTACHMENT(S)	11.1.1 - BCP and DC Plan - May 2018- Proposed Changes - Clean Copy 11.1.2 - BCP and DC Plan - May 2018- Proposed Changes - Showing tracking

STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 - Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.3: 1. Commence planning and undertake test of documented incident plans 2. Review document as a result of test and in preparation for Council; 3. Investigate and document the procedure to divert Shire land line phones to mobile phones; 4. Prepare Emergency Kits as identified in the plan; and 5. Investigate contractual requirements for radio failure and alternative contingency plans for methods of communications for works staff.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to review the Business Continuity & Disaster Recovery (BC&DR) Plan.

BACKGROUND

The BC&DR Plan was last reviewed by the Council at its meeting held 11 April 2017, where it resolved:

“...that the revised Business Continuity and Disaster Recovery Plan dated April 2017, as attached, be adopted.

COMMENT

A review of the BC&DR Plan has been undertaken. This Plan reinforces and is reinforced by the Shire's *Risk Management Plan*. The document has had major changes to make it more user friendly in the event of an incident.

Relevant risk information from this document will be incorporated into the Shires Risk Management Plan in order to ensure that the knowledge it contains is not lost. A copy of the Business Continuity & Disaster Recovery (BC&DR) Plan showing the changes made is attached, along with a 'clean' copy which is recommended for adoption.

CONSULTATION

Manager of Corporate Services
Manager of Regulatory Services
Regulatory/Admin & Payroll Officer

STATUTORY REQUIREMENTS

Local Government (Audit) Regulations 1996
Local Government Act 1995

POLICY IMPLICATIONS

Council Policy 2.3.5 – 'Risk Management' states as one of its objectives that there is to be a limited interruption to business continuity.

Council Policy 2.3.6 – 'Business Continuity' intends to provide the principles and responsibilities for responding to disruptions from internal or external events in a way that ensures critical functions are maintained or restored in a timely fashion, whilst minimising the impact to staff, Councillors, and the general community.

FINANCIAL IMPLICATIONS

Should this plan be adopted the Shire will be required to purchase the necessary equipment to contain and make up two emergency kits. The approximate cost for each kit is two hundred and fifty dollars (\$250.00). The kits will play a major role in the capability of the Shire to continue to deliver its services at an acceptable level following a disruptive incident or a disaster.

RISK MANAGEMENT IMPLICATIONS

This plan compliments risk management aspects pertaining to the Shire's operations and ability to conduct business in the event of a disaster.

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

46/18 Moved Cr Warland, Seconded Cr Radford that the revised Business Continuity and Disaster Recovery Plan dated May 2018, as attached, be adopted.

CARRIED 8/0

11.2 BUSHFIRE ADVISORY COMMITTEE RECOMMENDATIONS AND MINUTES

AUTHOR	Robert Cowie, Administration/Regulatory Officer	
DATE	Friday, 4 May 2018	
FILE NO	ES.CIR.2	
ATTACHMENT	11.2.1 – Minutes for the Bushfire Advisory Committee Meeting held 9 April 2018	
STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.

DECLARATION OF INTEREST

Nil.

SUMMARY

The Bushfire Advisory Committee is established under Section 67 of the *Bush Fires Act 1954* and plays an important role in the Council’s decision making process. Minutes of these meetings are presented to Council to ensure information flow.

BACKGROUND

Following the Kojonup Volunteer Bushfire Association (KVBA) AGM held on Wednesday 4 April 2018, it was recommended to the Bushfire Advisory Committee that:

- a) Tony Fisher be recommended for the Chief Bushfire Control Officer for the 2018/2019 year.
- b) Roger House be recommended for the Deputy Chief Bushfire Control Officer for the 2018/2019 year.
- c) Ross Fryer-Smith and Myles Reid be recommended for the Senior Bushfire Control Officers for the 2018/2019 year.
- d) The CBCO and the DCBCO are recommended for the Fire Weather Officer and Deputy Fire Weather Officer respectively for the 2018/2019 year.
- e) The CBCO and the DCBCO are recommended to be appointed as authorised officers to issue permits to burn for the collection of clover seed in the Shire for the 2018/2019 year.
- f) The CBCO, DCBCO and the two Senior FCO’s be authorised to advise the CEO of the Shire of Kojonup on the imposition of Harvest and Vehicle Movement Bans for the 2018/2019 year.

The Bushfire Association AGM recommended that the following people be appointed to the Fire Control Officer for their respective brigades:

Ben Johnston	Captain/FCO, Boilup Brigade
Geoff Gale	Captain/FCO, Boscabel Brigade
Paul Norrish	Captain/FCO, Changerup Brigade
Anthony Kowald	Captain/FCO, Cherry Tree Pool Brigade
David Robinson	Captain/FCO, Jingalup Brigade
Gavin Norrish	Captain/FCO, Kojonup Brigade
Nick Trethowan	Captain/FCO, Lumeah Brigade
Digby Stretch	Captain/FCO, Mobrurup Brigade
Ashley Sexton	Captain/FCO, Muradup Brigade
Griffin Chomley	Captain/FCO, Orchid Valley Brigade
Andrew Marsh	Captain/FCO, Qualeup Brigade
Stuart Tohl	Captain/FCO, Ryans Brook Brigade
Bob Francis	Captain/FCO, Muradup Town

The appointments are subject to undertaking the appropriate FCO training. The next training session is to be advised. Any conditions, restrictions or directions placed on FCO's who are standing again from last year will be continued

COMMENT

The Kojonup Bushfire Advisory Committee met on Monday 9th April and received the Minutes of the Kojonup Volunteer Bushfire AGM which included the recommendations for appointment to the various roles included in the Officer Recommendation in this agenda item.

CONSULTATION

Members of the Bushfire Advisory Committee.

STATUTORY REQUIREMENTS

Section 38, 40 & 67 of the *Bush Fires Act 1954*

POLICY IMPLICATIONS

There are no known Shire of Kojonup policy implications.

FINANCIAL IMPLICATIONS

There are no known financial implications.

RISK MANAGEMENT IMPLICATIONS

There are no known risk management implications.

ASSET MANAGEMENT IMPLICATIONS

There are no known asset management implications.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

There are no known VROC implications

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

47/18 Moved Cr Benn, Seconded Cr Radford that Council,

- 1. Receive the Bushfire Advisory Committee minutes for the meeting held 9 April 2018.**
- 2. Endorse the nominations of the below listed officers to the position of Captain/Fire Control Officer (FCO) (subject to undertaking appropriate FCO training) for the 2017/2018 financial year;**

Ben Johnston	Captain/FCO, Boilup Brigade
Geoff Gale	Captain/FCO, Boscabel Brigade
Paul Norrish	Captain/FCO, Changerup Brigade
Anthony Kowald	Captain/FCO, Cherry Tree Pool Brigade
David Robinson	Captain/FCO, Jingalup Brigade
Gavin Norrish	Captain/FCO, Kojonup Brigade
Nick Trethowan	Captain/FCO, Lumeah Brigade
Digby Stretch	Captain/FCO, Mobrurp Brigade
Ashley Sexton	Captain/FCO, Muradup Brigade
Griffin Chomley	Captain/FCO, Orchid Valley Brigade
Andrew Marsh	Captain/FCO, Qualeup Brigade
Stuart Tohl	Captain/FCO, Ryans Brook Brigade
Bob Francis	Captain/FCO, Muradup Town

- 3. Tony Fisher be appointed to the position of Chief Bushfire Control Officer for the 2018/2019 year.**
- 4. Roger House be appointed to the position of Deputy Chief Bushfire Control Officer for the 2018/2019 year.**
- 5. Ross Fryer-Smith and Myles Reid be appointed to the positions of Senior Bushfire Control Officers for the 2018/2019 year.**
- 6. The CBCO and the DCBCO appointed to the positions of Fire Weather Officer and Deputy Fire Weather Officer respectively for the 2018/2019 year.**
- 7. The CBCO and the DCBCO be appointed as authorised officers to issue permits to burn for the collection of clover seed in the Shire for the 2018/2019 year.**
- 8. The CBCO, DCBCO and the two Senior FCO's be authorised to advise the CEO of the Shire of Kojonup on the imposition of Harvest and Vehicle Movement Bans for the 2018/2019 year.**

CARRIED 8/0

11.3 2018-2019 FIRE BREAK ORDER

AUTHOR	Rob Cowie – Regulatory/Admin Officer	
DATE	Friday, 4 May 2018	
FILE NO	LE.NOT.02	
ATTACHMENT(S)	11.3.1 Fire Break Notice 2018/2019	
STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”	Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”	
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being asked to consider the recommendation to accept and produce the Fire Break Order as presented.

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 format of the Fire Break Order will be in the same format as last year that can be kept on the fridge for easy reference. The attached document will only show content; the final format will be a folded, flip chart type document approximately 10cm X 20cm with a magnet on the back page.

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 2018

CONSULTATION

Tony Fisher, Chief Bushfire Control Officer

STATUTORY REQUIREMENTS

Bush Fires Act 1954, section 33

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The production of these Notices are budgeted for each financial year.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

48/18 Moved Cr Radford, seconded Cr Hobbs that Council adopt 2018/2019 Fire Break Order as per attached document.

CARRIED 8/0

12 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

12.1 **FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (APRIL 2018)**

AUTHOR	Anthony Middleton – Manager Corporate Services	
DATE	Friday, 4 May 2018	
FILE NO	FM.FNR.2	
ATTACHMENT(S)	12.1.1 – April 2018 Monthly Financial Statements	
STRATEGIC/CORPORATE IMPLICATIONS		
	“Smart Possibilities – Kojonup 2027+”	“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 30 April 2018.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

COMMENT

The attached Statement of Financial Activity for the period 1 July 2017 to 30 April 2018 represents ten (10) months, or 83% of the year. The following items are worthy of noting:

- Surplus position of \$765,378.
- Operating results:
 - 87% of budgeted operating revenue has been received; and
 - 81% of budgeted operating expenditure spent;
- Capital expenditure achieved 62% of budgeted projects;
- The value of outstanding rates equates to 7.8% of 2017/2018 rates raised, which includes previous years arrears and instalment options but excludes deferred rates;
- Cash holdings of \$3.49m of which \$3.13m is held in cash backed reserve accounts;
- Page 10 & 11 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Council Policy 2.1.6 defines the content of the financial reports.

FINANCIAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

49/18 Moved Cr Mathwin, seconded Cr Warland that the monthly financial statements for the period 1 July 2017 to 30 April 2018, as attached, be noted.

CARRIED 8/0

12.2 MONTHLY PAYMENTS LISTING

AUTHOR	Melissa Binning – Finance Officer	
DATE	Monday, 7 May 2018	
FILE NO	FM.AUT.1	
ATTACHMENT	12.2.1 – Monthly Payment Listing 01/04/2018 to 30/04/2018	
STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of April 2018.

BACKGROUND

Not applicable.

COMMENT

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

Any comments or queries regarding the list of payments is to be directed to the Manager of Corporate Services prior to the meeting.

CONSULTATION

No consultation was required.

STATUTORY REQUIREMENTS

Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

POLICY IMPLICATIONS

Council’s Policy 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Refer to the VROC Strategic Plan

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

50/18 Moved Cr Benn, seconded Cr Radford, that in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:

FROM – 1 April 2018		TO – 30 April 2018
Municipal Cheques	14009 – 14015	\$20,911.92
EFTs	21008 – 21176	\$559,812.38
Direct Debits		\$431,758.39
Total		\$1,012,482.69

be received.

CARRIED 8/0

12.3 SUNDRY DEBTORS – BAD DEBT WRITE OFF

AUTHOR	Robert Cowie – Regulatory/Admin Officer
DATE	Tuesday, 1 May 2018
FILE NO	FM.DEB.2
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3– Performance	3.4 – Be organised and transparent with our financial management	3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being asked to consider the recommendation to write off Sundry Debtor accounts totaling \$2004.75.

BACKGROUND

The following debtors have had outstanding amounts dating back to 2016. The nature and amount of these debts makes it unlikely that any payment will be made by the Debtors.

Debtor	Name	Amount	Details	Action
72021	P L Clark	\$242.00	Fire Break Compliance	Fire Break compliance work carried out in Feb 2017 by external contractor at request from Shire Ranger, Paul Retallack. Property has since been sold and Debt Collection through external company is cost prohibitive.
69739	C Ormsby	\$1630.75	Fire Break Compliance	Fire Break compliance work carried out in Feb 2017 by external contractor at request from Shire Ranger, Paul Retallack. Debt Collection through external company has not been considered as it would be cost prohibitive.
72293	T Cox	\$132.00	Cemetery Niche Wall Vase	A steel flower vase was requested by debtor to be placed on Niche Wall following an interment in October 2016. Vase was ordered and received, and invoice sent to Debtor. Vase has not been collected and can be on used at later date.

The previous write off of ‘Bad Debt’ was September 2016. Council usually carries a monthly debt amount of approximately \$280,000.

COMMENT

The officer recommends that the amounts be written off as ‘bad debt’.

CONSULTATION

Manager of Corporate Services

STATUTORY REQUIREMENTS

Local Government Act 1995, section 6.12 – Power to defer, grant discounts, waive or write off debts.

Bush Fires Act 1954, section 33.8 – Local government may require occupier of land to plough or clear fire-break.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Provision for writing off these amounts is covered in the current budget as ‘doubtful debts’.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

51/18 Moved Cr Mathwin, seconded Cr S Pedler that the following sundry debtors totalling \$2004.75 be written off in the current financial year as bad debts:

Debtor	Name	Amount	Details
72021	P L Clark	\$242.00	Fire Break Compliance
69739	C Ormsby	\$1630.75	Fire Break Compliance
72293	T Cox	\$132.00	Cemetery Niche Wall Vase

CARRIED 8/0

12.4 FINANCIAL MANAGEMENT - MASTER LENDING AGREEMENT – WA TREASURY CORPORATION

AUTHOR	Anthony Middleton – Manager Corporate Services	
DATE	Wednesday, 2 May 2018	
FILE NO	FM.LOA.14	
ATTACHMENT(S)	12.4.1 - Master Lending Agreement	
STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”	Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”	
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to consider the Local Government Master Lending Agreement provided by the Western Australian Treasury Corporation.

BACKGROUND

The Western Australian Treasury Corporation (WATC) has implemented a local government Master Lending Agreement (LGMLA). This new LGMLA has been developed to incorporate the Commonwealth Government’s Personal Property Security Act 2009 and to improve the efficiency of the lending processes to local governments.

The LGMLA has been reviewed by the State Solicitor’s Office and the Department of Local Government.

COMMENT

The Shire of Kojonup currently has four (4) loans with the WATC. The LGMLA incorporates all existing and future loans together under the one agreement, therefore removing the need for individual loan agreements to be executed under common seal each time loan funds are advanced by the WATC.

As a local government is only permitted to provide security in the way of a charge over its general funds, pursuant to section 6.21 of the *Local Government Act 1995*, the WATC has been advised of the requirement to register these charges under the Personal Property Security Act 2009 and include reference to this requirement within the new LGMLA.

Any future borrowing under the LGMLA will be subject to the WATC’s credit approval policy at the time of the application. The release of funds will also be subject to the issuance of a firm rate quote by the WATC and acceptance by an authorised signatory of the Shire of Kojonup.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

Section 6.20 to 6.21 of the *Local Government Act 1995* defines the requirements of a local government's power to borrow funds.

POLICY IMPLICATIONS

Council Policy 2.1.9 – '*Borrowing Management*' and Council Policy 2.1.4 – '*Self Supporting Loans*' provide guidance for the borrowing of funds. This agenda item does not affect these policies.

FINANCIAL IMPLICATIONS

Whilst the execution of the LGMLA defines the rules for obtaining loan funds through the WATC, the adoption of the recommendation below does not in itself have a financial impact.

RISK MANAGEMENT IMPLICATIONS

The risks associated with matters in this report are minimised because of the regulatory process adopted by the WATC.

ASSET MANAGEMENT IMPLICATIONS

Although loan funds are an appropriate way to fund long term, inter-generational assets, this agenda item does not have any asset management implications as it merely defines the loan process.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

52/18 Moved Cr Mathwin, seconded Cr Radford that:

- 1. The Shire of Kojonup enters into a Master Lending Agreement with the Western Australian Treasury Corporation as per the attached draft agreement;**
- 2. The Council authorises the Shire President and Chief Executive Officer to affix the Common Seal of the Shire of Kojonup to this Master Lending; and**
- 3. The Chief Executive Officer, or the Manager Corporate Services as authorised by the Chief Executive Officer from time to time, is authorised to sign schedule documents under the Master Lending Agreement and give instructions thereunder on behalf of the Shire of Kojonup.**

CARRIED 8/0

Councillor Radford declared an Impartiality Interest and left the meeting at 3.10pm.
 Councillor Benn declared an Impartiality Interest and left the meeting at 3.10pm.
 Councillor Hobbs declared an Impartiality Interest and left the meeting at 3.10pm.

12.5 REPAINTING KOJONUP RAILWAY STATION BUILDING

AUTHOR	Phil Shephard – Planner
DATE	Tuesday, 1 May 2018
FILE NO	CP.MTC.51
ATTACHMENT(S)	12.5.1 - Department of Planning, Lands and Heritage advice Analysis and Recommendation on colour scheme for Kojonup Railway Station Building report – Helen Munt April 2018

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.3 – Use a Building Assessment Framework and control our investment in building maintenance. 3.4 – Be organised and transparent with our financial management.	3.3.1 – Implement an asset rationalisation process based on the Building Assessment Framework. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil.

SUMMARY

In accordance with Council’s adopted budget, staff have been pursuing the repainting of the Kojonup Railway Station building.

The railway station building is contained on the statutory State Register of Heritage Places (permanent entry 16 May 2008) under the *Heritage of Western Australia Act 1990* and the repainting requires the approval of the Heritage Council which has been received.

The repainting now requires development approval from the Shire and the recommendation is to approve the repainting.

BACKGROUND

Nil.

COMMENT

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

The Shire completed the Future Use and Development of the Kojonup Railway Station and Line (Helen Munt - Heritage and Interpretation Consultant January 2017) report which amongst other actions recommended maintenance of the railway station building. The Heritage Council noted in their advice the condition of the paint work has deteriorated and requires maintenance to protect the original timbers from further decline.

The repainting includes a change to the existing colours of the station to include manor red, cream and white. The new colours were proposed by Helen Munt and approved by the Heritage Council and reflect the station colour scheme used in the 1940's – 1980', the period when the station was most in use.

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

10. STATEMENT OF SIGNIFICANCE

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

- the place is a good representative example of a light railway station group developed between 1907 and the 1940s, distinguished by the variety of its extant buildings and structures, and enhanced by its unusual 1920s plantings;*
- it illustrates the development of the Kojonup-Katanning section of the Donnybrook-Katanning Railway, reflecting the important association of light rail facilities with agricultural development;*
- the place is an integral part of the Katanning-Kojonup Railway, one of the first three light railways constructed in the State from 1906-07, and the Donnybrook-Katanning Railway (1912); the Station Building (1925) is the first example of this type of station building to be constructed in Western Australia;*
- the place is a landmark in the central area of Kojonup for the semi industrial character of many of the elements, the small elegant Inter-War Queen Anne style Station Building and the substantial avenue of tall mature Spotted Gums;*
- the 1943 bus shed illustrates the transition of rail travel to bus travel, and the gradual decline of rail travel as the preferred method of transportation;*
- the place is highly valued by the community of Kojonup for its associations with the agricultural development of the region, and as a reminder of the significant role of the railway in the region; and*
- the presence of a collection of rolling stock at a small, rural railway station group is uncommon, with the historic carriage *Banksia* (1950) being the only extant example of its class (ADF495), and an 1899 carriage (J4 MRWCo) a rare item.*
- The c.1960-70s toilet block, the garden shed, the large 2002 shed and the skateboard track located within the area of Kojonup Railway Station (fmr) Group have little significance. The post-World War II bulk handling facilities, sleeper siding, weighbridge and stock yards west of Pensioner Road, and the site of the triangle east of Albany Highway, are noted in the assessment, but are outside the defined area of Kojonup Railway Station (fmr) Group.*

Given the support of the Heritage Council, the proposal to repaint and change the colours of the station building is considered consistent with the cultural heritage values for the place.

Zoning and Land Use/Development

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

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

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

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

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

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

The site is contained on the Shire’s Municipal Heritage Inventory (Place 24) and c.5.16.4.4 of TPS3 advises no person shall commence or carry out any development affecting any place listed in the inventory without first having applied and obtained development approval from Council.

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

Bushfire Planning

The site is shown as bushfire prone by the Department of Fire and Emergency Services mapping. As the proposal only involves the repainting of the existing building no particular requirements apply under the WA Planning Commission’s Policy SPP 3.7 Planning in Bushfire Prone Areas’.

TPS3 Considerations

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

Matter to be Considered	Response
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The proposed repainting is considered consistent with the objectives for the TPS3 (c.1.6).
(b) the requirements of orderly and proper planning including any proposed local planning scheme or	The proposed repainting is considered consistent with the orderly and proper planning of the locality.

Matter to be Considered	Response
<p>amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving;</p>	
<p>(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;</p>	<p>The land is reserved for public purposes and the repainting of the station building is consistent with the objectives for the reserve and builds on the existing long-term use of the land.</p>
<p>(k) the built heritage conservation of any place that is of cultural significance;</p>	<p>The station building has significant cultural heritage significance and is contained on the State Register of Heritage Places. The proposed repainting has been referred to the Heritage Council as required by the <i>Heritage of Western Australia Act 1990</i> and has been supported.</p>
<p>(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;</p>	<p>The repainting is expected to have a positive effect on the cultural heritage significance of the area.</p>
<p>(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</p>	<p>The repainting of the station building is considered compatible with the developments on adjoining land and will enhance its appearance.</p>
<p>(n) the amenity of the locality including the following - (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;</p>	<p>The repainting of the station building will improve the amenity of the area by ensuring this important heritage building is preserved.</p>
<p>(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;</p>	<p>The land is considered suitable for the proposed development. As noted, the site is considered bushfire prone although the proposed repainting is not affected by any additional construction requirements.</p>
<p>(r) the suitability of the land for the development taking into account the possible risk to human health or safety;</p>	<p>The proposal will assist the renovation of the building and is expected to remove risk to human health or safety from its present deteriorated state.</p>

Matter to be Considered	Response
(v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;	The repainting of the station building will benefit the local community by ensuring this important heritage building is preserved.
(w) the history of the site where the development is to be located;	The site has a long history of use as a railway station and associated uses.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	The repainting of the station building is expected to have a positive benefit on the local community by ensuring this important heritage building is preserved.
<i>c.78E.(1) of the Planning and Development (Local Planning Schemes) Amendment Regulations 2015</i> In considering an application for development approval for development to which this Part applies, the local government is to have regard to the bushfire resistant construction requirements of the Building Code.	See comments above.

Conclusion

The repainting and colour change to the railway station building has been budgeted for and has support of the Heritage Council and should be approved.

Alternate Options

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

1 Not support the proposal

The Council can choose to not support the repainting. This option is not recommended by staff.

2 Support the proposal

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

3 Defer the proposal

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

CONSULTATION

Heritage Council

Helen Munt (Heritage and Interpretation Consultant)

STATUTORY REQUIREMENTS

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

Heritage of Western Australia Act 1990 - The Kojonup Railway Station (fmr) Group is contained on the State Register of Heritage Places.

POLICY IMPLICATIONS

There are no Town Planning Scheme Policies that apply to this proposal.

FINANCIAL IMPLICATIONS

The Council has included funds of \$24,000 in the 2017/18 Budget for the repainting of the railway station.

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

The item is not covered in the Southern Link VROC Strategic Directions 2015-2020 plan.

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning, compliance and reputation functions. The organisational risk and proposed treatment or mitigation is summarised in the following table from the Shire's Risk Management Plan:

Risk Description	Risk Likelihood	Risk Consequence	Risk Classification	Risk Treatment
Council does not approve the repainting	Rare (E)	Minor (2)	Low	Managed by routine procedures, unlikely to need specific application of resources

ASSET MANAGEMENT IMPLICATIONS

The Kojonup Railway Station precinct is managed by the Shire of Kojonup under the Management Order issued for the land.

The station building is maintained by the Shire and is included in the Asset Management Plan.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

53/18 Moved Cr I Pedler, seconded Cr S Pedler that Council note the support from the Heritage Council and grant development approval for the new colour scheme and repainting of the Kojonup Railway Station building in accordance with the plans prepared by Helen Munt (Heritage and Interpretation Consultant) and advise the Heritage Council accordingly.

CARRIED 5/0

Councillor Benn and Councillor Hobbs returned to the meeting at 3.12pm

13 KEY PILLAR 4 – ‘PROSPERITY’ REPORTS

The Planner advised Councillors that a late submission had been received from the owner of the Hillview Roadhouse and Motel, and sought their guidance with regarding the acceptance of the submission before the item proceeded.

COUNCIL DECISION

54/18 Moved Cr I Pedler, Seconded Cr S Pedler that the late submission of Hillview Roadhouse and Motel be received

CARRIED 7/0

13.1 SUBMISSIONS ON APPLICATION FOR DEVELOPMENT APPROVAL – WORKERS ACCOMMODATION UNITS AT No. 4 KOJONUP - KATANNING ROAD, KOJONUP.

AUTHOR	Phil Shephard – Planner	
DATE	Wednesday, 1 May 2018	
FILE NO	A8094	
ATTACHMENT(S)	<p>13.1.1 - Submissions</p> <p>13.1.2 - Application plans</p> <p>13.1.3 - Bushfire Attack Level Assessment Report</p>	
STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
<p>KP4 – Prosperity</p>	<p>4.1 -Be providing business assistance for growth in small local industry.</p> <p>4.2 - Be attracting support industries and diverse and new business sectors to the region.</p>	<p>Amend TPS to encourage economic development and private investment.</p> <p>Drive population growth through the support of local industry, development of new industry and promotion of Kojonup’s point of difference.</p>

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider the submissions received on the proposal for development approval to develop 3 x 4-bedroom units for workers accommodation on the above property.

BACKGROUND

Council at its 20 March 2018 meeting (Resolution 28/18) initially considered the proposal and resolved as follows:

That Council:

- 1) *In accordance with c.3.3.5(b) of TPS3 determine by absolute majority that the proposed workers accommodation use/development on No. 4 Kojonup - Katanning Road, Kojonup may be consistent with the objectives for the Residential zone and undertake referral to adjoining/nearby landowners and advertise the proposal for public comment for a period of not less than 14-days.*
- 2) *Delegate to the CEO the power to determine the development application for the proposed workers accommodation on No. 4 Kojonup-Katanning Road, Kojonup following the advertising period including the placement of conditions and/or advice on the approval in consultation with the Town Planner. Should any submissions be received that the CEO determines cannot be adequately dealt with by the placement of a condition/advice or that would warrant staff recommending the application be refused, the application will be referred to the April 2018 meeting for determination.*

COMMENT

Proposal

The development includes 4 units of 3-bedrooms (16m²) each as shown in the attached plans to be located adjacent to the existing house to be used for workers accommodation.



Aerial image showing lot boundary in red and surrounding buildings (Source: Landgate Map Viewer Plus)

The plans attached for the units show they are prefabricated and 14.4m long x 4.2m wide and single-storey each with a bed, en-suite and couch/bench. The units would be constructed

with a front 1.5m-wide verandah and repainted inside and out in a pastel (not white) colour. One (1) on-site parking bay will be provided for each unit (12 bays).

The areas around the units will be landscaped and a common amenities area will be provided for shade/bbq/gazebo etc.

The existing house will be used as a manager's residence.



Street view image showing front of property from Kojonup-Katanning Road and existing driveway and dwelling (Source: Google Earth Pro)

The property is 2,908m² in area and has frontage to Kojonup-Katanning Road. Adjoining land uses include a church (to the south), roadhouse (to the west), residential (to the east) and school (to the north). There is an existing dwelling and detached garage constructed on the site.

The property is zoned Residential and has a density code of R10/20 under TPS3 and is connected to water supply, sewer, electricity and telecommunications infrastructure. The R20 density code allows for 6 single houses or grouped dwelling units to be developed on the site.

Town Planning Scheme No. 3 controls

The proposal is primarily aimed at accommodation of workers on a temporary basis engaged in construction and agricultural projects around Kojonup. The use was determined by Council that it may be consistent with the objectives and purpose of the Residential zone and the proposal was referred to adjoining/nearby landowners and advertised for public comment as required by TPS3.

The objectives for the Residential zone (c.3.2.1) under TPS3 are:

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

- (a) *The zone shall be predominantly residential.*
- (b) *Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.*

- (c) *A non-residential use shall only be permitted if the use does not detract from the amenity of the area.*

The proponent has committed in the application to ensuring the development is functional and made attractive with boundary fencing, landscaping and on-site vehicle parking and will comply with all relevant standards.

Submissions

The closing date for submissions was Friday 13 April 2018 and 2 submissions were received (St Bernard's Catholic Primary School and St Bernard's Church). Another 2 submissions (C Potaka and I & S Malane) were received after the closing date.

Council must decide whether to accept the late submissions or not. Staff were still completing this report and the late submissions have been able to be included.

The majority of the submissions were received from the adjoining/nearby landowners (St Bernard's Catholic Primary School, St Bernard's Church and C Potaka) that had the application directly referred to them with an invite to comment. The other submission is from the owners/operators of the Caravan Park (I & S Malane).

The submissions from St Bernard's Catholic Primary School and St Bernard's Church highlight their concerns with vehicle parking and request the proponents ensure no vehicle parking occurs on road verge and school/church land. The church also requests a 1.5m high screen fence be erected along the boundary at the proponents cost.

The submissions from C Potaka and I & S Malane do not support the proposal. The concerns and reasons for opposing the proposal include:

- *That the dangers being so close to our boundary will create unwanted noise and high volume of vehicles will be a hazard.*
- *Ongoing random people coming and going could be unsafe for our children and expose them to dangers, especially since I did not see any plans for parking vehicles or to erect fencing.*
- *Concerned about the development of caretaker dwellings that may restrict future industrial uses in the industrial area.*
- *These proposals will place a commercial strain on our principle business of providing worker accommodation.*
- *Highlight the lack of sewer infrastructure hampers further development of the caravan park.*
- *Don't believe there is an accommodation shortage or need for the proposal.*
- *Concerned approval for these types of proposals is not promoting the growth of Kojonup.*

The submissions received from the adjoining/nearby landowners are considered to have a higher priority as they are the most impacted from the proposal. These submissions conditionally support the proposal and request parking on-site and screen boundary fencing be provided at the proponents cost. These requests are considered appropriate given the impact of the proposal and can be placed as conditions of development approval.

As noted above, the proponent has committed in the application to ensuring the development is functional and made attractive with boundary fencing, landscaping and on-site vehicle parking.

The comments regarding the economic impact of the proposal and other caretaker’s dwellings and workers/construction accommodation camps on an existing business is noted.

The Shire has approved some large-scale construction projects over the last few years including at GD Pork, Moonies Hill Windfarm and Stone Axe Pastoral Feedlot/Abattoir amongst others and it is important that a wide range of facilities including the caravan park, motels, rentals, b&b’s etc., are available within Kojonup and the district to capitalise on the opportunities these projects present. The concerns raised are not considered to warrant the proposal being refused.

The property is a large site (2,900m²) and the surrounding uses include the roadhouse/motel units, school and church with 1 residential property adjoining the eastern boundary and the proposal is considered compatible with these uses.

The proposal is considered to be generally consistent with the objectives for the Residential zone and will provide additional accommodation primarily for workers to the district.

Bushfire Planning

As noted previously, the property is shown as bushfire prone by the Department of Fire and Emergency Services mapping and the application includes a Bushfire Attack Level Assessment Report (BAL) as required under the WA Planning Commission’s Policy SPP 3.7 Planning in Bushfire Prone Areas’.

The BAL recommends some modifications to the development site to achieve compliance and a reassessment when the required works have been completed. Should the proposal proceed, a condition of development approval will require a Bushfire Management Plan and/or Evacuation Plan to be prepared and implemented to address the present risk.

TPS3 Considerations

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

Matter to be Considered	Response
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The proposal is considered consistent with the objectives for the TPS3 (c.1.6) and Residential zone (c.3.2.1).
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving;	The proposal is considered consistent with the orderly and proper planning of this residential area in Kojonup.
(c) any approved State planning policy;	The proposal to comply with: State Planning Policy 3.1 ‘Residential Design Codes’.

Matter to be Considered	Response
	State Planning Policy 3.7 ‘Planning in Bushfire Prone Areas’.
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;	<p>The proposed accommodation units are 14.4m long x 4.2m wide and single-storey. The units would be constructed with a front 1.5m-wide verandah and repainted inside and out in a pastel (not white) colour and are considered compatible in height, bulk, scale and appearance with other similar structures in the residential areas in Kojonup.</p> <p>The new buildings will be required to be setback from the boundaries in accordance with the R-Codes requirements at a minimum of 1.5m.</p> <p>The proposal will incorporate on-site parking, screen fencing along the boundary and landscaping to reduce the impact of the development on surrounding properties.</p>
(n) the amenity of the locality including the following- (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	<p>The proposal will incorporate an on-site manager within the existing residence to manage the accommodation.</p> <p>The proposal is not expected to negatively impact on the environment, character or amenity of this residential locality.</p>
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;	<p>There is 1 Eucalypt tree in the rear corner of the lot that is required to be removed to achieve an adequate bushfire attack level rating.</p> <p>As noted elsewhere, the proponent has committed to providing landscaping within the site to soften the building surrounds and provide shade etc.</p> <p>Wherever possible, the existing vegetation at the front of the lot should be retained to assist shield the buildings from the road.</p>
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;	The land is considered suitable for the proposed development and minor works are required to achieve an acceptable bushfire attack level rating (see other comments below).
(r) the suitability of the land for the development taking into account the possible risk to human health or safety;	The proposal is not considered to increase risk to human health or safety.
(s) the adequacy of -	There are no changes required to access/egress from the site and the

Matter to be Considered	Response
<p>(i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</p>	<p>proponent has committed to providing 1 bay per bedroom (total of 12 bays) on-site for parking of vehicles.</p>
<p>(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</p>	<p>The proposal is not expected to generate any substantial increase in traffic to the site or adversely traffic safety in the area. As requested in the submissions, the proponent will be advised to ensure that patrons do not park their vehicles on the road verge or school/church grounds.</p>
<p>(u) the availability and adequacy for the development of the following - (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability;</p>	<p>The units will require connection to the Water Corporation deep sewer and water supply networks. Stormwater will need to be retained and/or disposed or reused on-site. Rubbish disposal service will need to be organised through the Shire. Any access requirements will be determined through the Building Permit process.</p>
<p>(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;</p>	<p>The proposal will increase the availability of workers accommodation within Kojonup and this is expected to have a positive impact on the community with the future development of planned projects within the Shire including GD Pork, Moonies Hill Windfarm and Cheviot Hills Feedlot/Abattoir amongst others. It is important that a wide range of facilities including the caravan park, motels, rentals, b&b's etc., are available within Kojonup and the district to capitalise on the opportunities these projects present.</p>
<p>(y) any submissions received on the application;</p>	<p>See comments in report.</p>
<p><i>c.78E. (1) of the Planning and Development (Local Planning Schemes) Amendment Regulations 2015</i> In considering an application for development approval for development to which this Part applies, the local government is to have regard to the bushfire resistant construction requirements of the Building Code.</p>	<p>The proponent has submitted a bushfire attack level assessment report that advises of certain works to achieve an acceptable risk. The proponent should also prepare a bushfire management plan and/or evacuation plan as a condition of approval to achieve compliance with the WA Planning Commission's State Planning Policy 3.7 'Planning in</p>

Matter to be Considered	Response
	Bushfire Prone Areas'. The final details will be determined in consultation with the Department of Fire and Emergency Services.

Conclusion

The comments received in the submissions should be noted and the proposal, if approved, should be subject to conditions including on-site parking, fencing and landscaping to address the concerns raised.

Staff recommend the proposal be approved.

Alternate Options

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

1 Not support the proposal

The Council can choose to not support the proposal if it is considered to be inconsistent with the objectives for the zone and/or that the matters raised in the submissions warrant a refusal.

2 Support the proposal

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

3 Defer the proposal

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

CONSULTATION

The proposal was referred directly to adjoining/nearby landowners and advertised from 26 March – 13 April (18 days) which achieves the minimum comment period of 14 days.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 - This application is required to be determined in accordance with the requirements of Town Planning Scheme No. 3 which is an operative local planning scheme under the Act.

POLICY IMPLICATIONS

There are no Council policies relevant to this report.

FINANCIAL IMPLICATIONS

The proponent must pay the development application fee of \$1,344 as set down in the adopted 2017/18 List of Fees and Charges. In addition, advertising charges will be recouped from the proponent.

RISK MANAGEMENT IMPLICATIONS

Risk Description	Risk Likelihood	Risk Consequence	Risk Classification	Risk Treatment
Council does not support the proposal	Unlikely (D)	Minor (2)	Low	Managed by routine procedures, unlikely to need specific application of resources

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications relevant to this report.

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

Southern Link VROC Strategic Directions 2015-2020

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

55/18 Moved Cr Benn, seconded Cr Warland That Council:

- 1) Accept the late submissions from C Potaka and I & S Malane.**
- 2) Note the submissions received and advise the submitters that the submissions are appreciated and the decision accordingly.**
- 3) Grant development approval for the workers accommodation use/development on No. 4 Kojonup-Katanning Road, Kojonup subject to the following conditions/advice:**
 - a) The development to be generally consistent with the attached stamped approved plan and where marked in red, unless a variation has been approved in writing by the Chief Executive Officer.**
 - b) A maximum of 12 single-room accommodation units is permitted.**
 - c) The existing dwelling to be used by the manager of the workers accommodation only and may not be used for additional worker accommodation.**
 - d) The buildings to be repainted in a pastel colour/tone to the satisfaction of the Chief Executive Officer.**
 - e) The buildings to be setback from the boundaries in accordance with the R-Codes requirements.**
 - f) The provision of 12 on-site parking bays suitable for the expected workers vehicles to the satisfaction of the Chief Executive Officer.**
 - g) No parking of workers vehicles is permitted on the road verge or adjoining school/church grounds.**
 - h) No changes to the existing access/egress crossover point onto Kojonup – Katanning is permitted without approval from the Shire and Main Roads.**
 - i) The accommodation units to be connected to the Water Corporation deep sewer and water supply networks.**
 - j) All stormwater to be retained and/or disposed of or reused on-site.**
 - k) The site to be landscaped including shade trees and vegetation between the buildings and boundaries in accordance with a Landscaping Plan to be submitted for approval by the Chief Executive Officer.**
 - l) The existing trees/vegetation within the front setback area to be retained wherever possible to assist shield the development from view from the road.**
 - m) The provision of a 1.8m high screen fence along the side and rear boundaries at the proponents cost.**
 - n) The proponent to prepare a bushfire management plan and/or evacuation plan to achieve compliance with the WA Planning Commission’s State Planning Policy 3.7 ‘Planning in Bushfire Prone Areas’ to the satisfaction of the Chief Executive Officer in consultation with the Department of Fire and Emergency Services.**

Advice Notes:

- *The placement of the units and construction of the verandah additions requires a separate Building Permit to be obtained prior to any works commencing.*
- *The Shire accepts the advice in the bushfire attack level assessment report submitted with your application and supports the consultant's recommendations to revise the assessment upon the completion of the site works to determine the final bushfire requirements.*
- *The provision of a rubbish service for the proposal will need to be negotiated through the Shire.*
- *Please note the matters raised in the submissions as it is important that the accommodation units and workers are properly managed to ensure there is no disruption or adverse impacts on the surrounding properties.*

LOST 0/7

COUNCIL DECISION

56/18 Moved Cr Benn, Seconded Cr Warland that Council:

- 1) Accept the late submissions from C Potaka and I & S Malane.**
- 2) Note the submissions received and advise the submitters that the submissions are appreciated and the decision accordingly.**
- 3) Refuse development approval for the workers accommodation use/development on No. 4 Kojonup-Katanning Road, Kojonup for the following reasons:**
 - a) The proposal is likely to create unacceptable social issues such as increased noise, activity and potential anti-social behaviour that impacts on the surrounding properties due to the use proposed.**
 - b) The site is inappropriate due to its location adjoining a church and school.**
 - c) The proposal conflicts with existing accommodation providers including the motel and caravan park who are governed by 'short term accommodation' regulation.**
 - d) The proposal is stated to provide 12 short-term accommodation units and is not in keeping with the character and scale of the zoned and predominant residential use and appears inconsistent with the previous application tabled at the Council meeting held 20 March 2018.**
 - e) The proposal has not adequately addressed vehicle parking to ensure there is adequate on-site provision and to ensure that no vehicles will utilise the verge or surrounding properties or how such parking could be managed.**
 - f) Approval would set an undesirable precedent for other residential properties who may wish to develop similar proposals.**

CARRIED 7/0

Cr Radford returned to the meeting at 3.35pm

Paul Webb left the meeting at 3.35pm

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

Nil.

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS

Nil

17 CONFIDENTIAL REPORTS

17.1 REQUEST FOR TENDER 06/2017 – SPORTING COMPLEX RAMP AND RETAINING WALL

AUTHOR: Michelle Dennis – Development Services Coordinator
DATE: Tuesday, 8 May 2018
FILE NO: CP.DAC.12

17.2 BLACK COCKATOO CAFÉ LEASE

AUTHOR: Pam Chambers – Senior Administration Officer
DATE: Thursday, 3 May 2018
FILE: CP.REG.1

17.2 KODJA PLACE BUDGET REVIEW

AUTHOR: Rick Mitchell-Collins, Chief Executive Officer
DATE: Friday, 11 May 2018
FILE NO: ED.IND.1

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

OFFICER RECOMMENDATION/COUNCIL DECISION

57/18 Moved Cr Warland, seconded Cr Benn that the meeting be closed to the public in accordance with Section 5.23 (2) of the *Local Government Act 1995* to discuss:

- (a) a contract entered into, or which may be entered into, by the Local Government 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 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.**

CARRIED 8/0

17.1 REQUEST FOR TENDER 06/2017 – SPORTING COMPLEX RAMP AND RETAINING WALL

OFFICER RECOMMENDATION/COUNCIL DECISION

58/18 Moved Cr Fleay, seconded Cr Mathwin that Council:

- 1. Accept the tender offer from Civil Kerbing Contracting Pty Ltd for a total of \$319,722.44 (including GST) for the construction of the retaining wall, ramp and stairs at the Sporting Complex in accordance with Shire of Kojonup tender specification 06/2017.**
- 2. Acknowledge that the gas bottles are to be retained in their current position.**
- 3. Allocate any unspent portion of accounts C203 and C278 to be transferred to the Sporting Facilities Reserve Account at the end of the 2017/018 financial year.**

CARRIED 8/0

17.2 BLACK COCKATOO CAFÉ LEASE

OFFICER RECOMMENDATION/COUNCIL DECISION

59/18 Moved Cr Mathwin, Seconded Cr S Pedler that Council endorse the attached commercial property lease to lease for two (2) years with an additional option of three (3) years for that part of Lot 53 on Diagram 79673 known as the Black Cockatoo Café to Ian Watson and Karen Watson.

CARRIED 8/0

17.3 KODJA PLACE BUDGET REVIEW

This item was withdrawn and rescheduled for presentation to the Ordinary Council meeting to be held on Tuesday 24 June 2018 to allow time to for communications with the Department of Local Government, Sport and Cultural Industries to seek permission for Councillors to participate after it was revealed 5 Councillors may have a Financial Interest in this item, therefore affecting the quorum by extinguishing the majority vote.

OFFICER RECOMMENDATION

60/18 Moved Cr I Pedler, seconded Cr Warland that the meeting resume in open session and Decisions 58/18 and 59/18 be conveyed to the public as a matter of public record.

CARRIED 7/0

18 **NEXT MEETING**

Tuesday, 19 June 2018 commencing at 3:00pm.

19 **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 3.43pm.

20 **ATTACHMENTS (SEPARATE)**

- Item 7 7.1.1 Minutes of the Ordinary Council Meeting held 17 April 2018
- 7.2.1 Minutes of the Special Council Meeting held 23 April 2018
- Item 10.1 10.1.1 Extrin-Kojonup Pool Concrete Condition Assessment
- 10.1.2 Quotation from Wetdeck Pools for Remedial Works
- 10.1.3 Photographs of Major Leak in Pool Floor
- Item 11.1 11.1.1 BCP and DC Plan - May 2018- Proposed Changes - Clean Copy
- 11.1.2 BCP and DC Plan - May 2018- Proposed Changes - Showing tracking
- Item 11.2 11.2.1 Minutes for the Bushfire Advisory Committee Meeting held 9 April 2018
- Item 11.3 11.3.1 Fire Break Notice 2018/2019
- Item 12.1 12.1.1 April 2018 Monthly Financial Statement.
- Item 12.2 12.2.1 Monthly Payments Listing
- Item 12.4 12.4.1 Master Lending Agreement
- Item 12.5 12.5.1 Department of Planning, Lands and Heritage advice
 Analysis and Recommendation on Colour Scheme for Kojonup
 Railway Station Building report – Helen Munt April 2018
- Item 13.1 13.1.1 Submissions
- 13.1.2 Application plans
- 13.1.3 Bushfire Attack Level Assessment Report