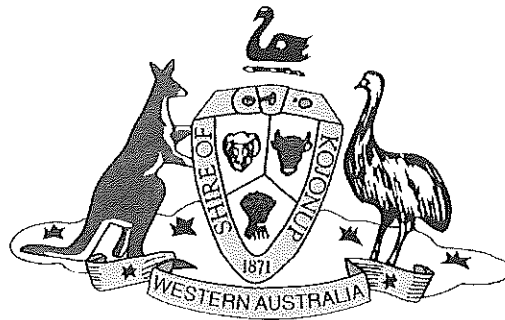


# SHIRE OF KOJONUP



## Council Minutes

***15<sup>th</sup> May 2012***

**SHIRE OF KOJONUP****MINUTES FOR THE COUNCIL MEETING HELD ON 15<sup>th</sup> May 2012****TABLE OF CONTENTS**

<b>1</b>	<b>DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS</b>	<b>3</b>
<b>2</b>	<b>ATTENDANCE, APOLOGIES &amp; LEAVE OF ABSENCE</b>	<b>3</b>
<b>3</b>	<b>PUBLIC QUESTION TIME</b>	<b>3</b>
<b>4</b>	<b>SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE</b>	<b>3</b>
<b>5</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>4</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES</b>	<b>4</b>
<b>7</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>4</b>
<b>8</b>	<b>PETITIONS, DEPUTATIONS &amp; PRESENTATIONS</b>	<b>4</b>
8.1	MEDICAL CENTRE PETITION	4
<b>9</b>	<b>DECLARATIONS OF INTEREST</b>	<b>6</b>
<b>10</b>	<b>FINANCE REPORTS</b>	<b>6</b>
10.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY	6
10.2	MONTHLY PAYMENTS LISTING	7
<b>11</b>	<b>ENGINEERING &amp; WORKS REPORTS</b>	<b>9</b>
11.1	TENDER DISPOSAL OF VOLVO G710B MOTOR GRADE	9
<b>12</b>	<b>ECONOMIC &amp; ENVIRONMENTAL DEVELOPMENT REPORTS</b>	<b>10</b>
12.1	APPLICATION FOR REDUCED SETBACK AND OVERSIZED OUTBUILDING AT No. 2 (LOT 66) BIGNELL ROAD, KOJONUP.	10
<b>13</b>	<b>CORPORATE &amp; COMMUNITY SERVICES REPORTS</b>	<b>12</b>
13.1	BUSH FIRE ASSOCIATION – APPOINTMENT OF OFFICER'S 2012/13	12
13.2	FIREBREAK ORDER	15
13.3	ENDORSEMENT OF ASBESTOS MANAGEMENT PLAN	16
<b>14</b>	<b>COMMITTEES OF COUNCIL</b>	<b>17</b>
<b>15</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>17</b>
<b>16</b>	<b>NEW BUSINESS</b>	<b>17</b>
<b>17</b>	<b>CONFIDENTIAL REPORTS</b>	<b>17</b>
<b>18</b>	<b>NEXT MEETING</b>	<b>17</b>
<b>19</b>	<b>CLOSURE</b>	<b>17</b>
<b>20</b>	<b>APPENDICES AND TABLED DOCUMENTS</b>	<b>17</b>
<b>21</b>	<b>ATTACHMENTS</b>	<b>18</b>

**SHIRE OF KOJONUP****MINUTES****1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

The Shire President declared the meeting opened at 3:04pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and read aloud the disclaimer below:

*Disclaimer*

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

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

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

**2 ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE**

Cr Jane Trethowan	Shire President
Cr John Benn	Deputy Shire President
Cr Ian Pedler	
Cr Frank Pritchard	
Cr Rosemary Hewson	
Cr Greg Marsh	
Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mr Mort Wignall	Manager of Regulatory and Community Services
Mrs Heather Marland	Senior Finance Officer
Mr Robert Sexton	Public Gallery
Mr William Harvey	Public Gallery
Mrs Barbara Hobbs	Public Gallery
Mrs Lorreen Greeuw	Public Gallery

**APOLOGIES**

Cr Jill Mathwin	Granted Leave of Absence at Meeting 17 April 2012
Cr Michael Baulch	Applying for a Leave of Absence for the Council meeting.

**3 PUBLIC QUESTION TIME**

Nil

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

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE****COUNCIL DECISION**

**30/12 MOVED Cr Hewson seconded Cr Pedler that Cr Baulch be granted Leave of Absence for the Council meeting held 15th May 2012.**

**CARRIED 6/0**

**6 CONFIRMATION OF MINUTES**

ORDINARY MEETING 17<sup>th</sup> April 2012

Corrections:

Item 8 – Fifth Paragraph – Insert the word 'not' between the words 'volunteers' and 'brought' such to read 'volunteers not brought'.

**COUNCIL DECISION**

**31/12 MOVED Cr Benn seconded Cr Pritchard that the Minutes of the Ordinary Meeting of Council held on 17<sup>th</sup> April 2012 with the above corrections be confirmed as a true record.**

**CARRIED 6/0**

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

The President gave an overview of her attendance at the recent State Roads Conference.

The President advised of her attendance at the Department of Sport & Recreation (DSR) Regional Planning meeting held last Thursday in Albany. She noted that DSR was keen to implement a regional recreation plan utilising information coming out of the Integrated Planning and Reporting framework now required to be undertaken by Councils throughout WA.

The President advised of her attendance at the Country Women's Association 80<sup>th</sup> Birthday Lunch Friday on 11<sup>th</sup> May 2012.

**8 PETITIONS, DEPUTATIONS & PRESENTATIONS****8.1 MEDICAL CENTRE PETITION**

**AUTHOR:** Kim Dolzadelli – Manager Corporate Services  
**DATE:** Wednesday, 9 May 2012  
**FILE NO:** CU.PBR.8  
**ATTACHMENT:** 8.1.1 Medical Centre Petition  
 8.1.2 Medical/Health Centre Background

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To receive the tabled/attached Medical Centre Petition.

**BACKGROUND**

The attached Medical Centre Petition was received by the Shire President Cr Jane Trethowan on Wednesday 2<sup>nd</sup> May 2012.

Also attached to this Agenda is Attachment 8.1.2 "Medical/Health Centre Background " which gives a comprehensive background of the options looked at so far and a chronology of the project so far. This information is included in the Shires newsletter "KOJONUP – Shire Update" which was delivered to Australia Post on Thursday 10<sup>th</sup> May 2012 for distribution to all residents and absentee owners of land within the district.

#### **COMMENTS**

Council is advised that the Local Government Act 1995 does not dictate any prescribed manner or how Council chooses to respond to the attached petition. It is understood that the petitioners chose not to circulate a petition that forced Council to hold a Special Meeting of Electors, however what they are requesting is quite clear in the attached petition.

For the information of Council the following requirements would apply to a request for a Special Meeting of Electors:

#### **The Local Government Act 1995**

##### **5.28. Electors' special meetings**

- (1) A special meeting of the electors of a district is to be held on the request of not less than —
  - (a) 100 electors or 5% of the number of electors —whichever is the lesser number; or
  - (b)  $\frac{1}{3}$  of the number of council members.
- (2) The request is to specify the matters to be discussed at the meeting and the form or content of the request is to be in accordance with regulations.
- (3) The request is to be sent to the mayor or president.
- (4) A special meeting is to be held on a day selected by the mayor or president but not more than 35 days after the day on which he or she received the request.

##### **5.29. Convening electors' meetings**

- (1) The CEO is to convene an electors' meeting by giving —
  - (a) at least 14 days' local public notice; and
  - (b) each council member at least 14 days' notice,of the date, time, place and purpose of the meeting.
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

#### **Local Government (Administration) Regulations 1996**

##### **16. Requests for electors' special meetings — s. 5.28(2)**

A request for a special meeting of the electors of a district is to be in the form of Form 1.

It is appropriate for Council to discuss the petition and also consider the setting or proposal of dates for public consultation/meeting with respect to the Medical Centre.

#### **CONSULTATION**

Nil.

#### **STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

None applicable.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That Petition as tabled/attached be received.

**COUNCIL DECISION**

**32/12 MOVED Cr Pritchard seconded Cr Marsh that Petition as tabled/attached be received.**

**CARRIED 6/0**

**COUNCIL DECISION**

**33/12 MOVED Cr Hewson seconded Cr Marsh that a public meeting be called to discuss the Medical Centre Development on Tuesday 5<sup>th</sup> June 2012 at 7:00pm.**

**CARRIED 6/0**

*3:28pm Mrs Lorreen Greeuw & Mrs Barbara Hobbs left the Chamber.*

**9 DECLARATIONS OF INTEREST**

Nil

**10 FINANCE REPORTS**

**10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

AUTHOR: Kim Dolzadelli – Manager Corporate Services  
DATE: Monday, 7 May 2012  
FILE NO: FM.FNR.2  
ATTACHMENT: 10.1 Monthly Statement of Financial Activity 1<sup>st</sup> July 2011 to 30<sup>th</sup> April 2012

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To accept the Monthly Statement's of Financial Activity for the periods of 1<sup>st</sup> July 2011 to 30<sup>th</sup> April 2012.

**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 1<sup>st</sup> July 2005.

**COMMENTS**

The attached Statements of Financial Activity for the period of 1<sup>st</sup> July 2011 to 30<sup>th</sup> April 2012 show a solid position with 95.76% of rates collected and a total amount of cash holdings of \$2,314,160 of which \$1,883,113 is held in fully cash backed Reserves as at to 30<sup>th</sup> April 2012. Of these cash holdings \$300,000 of Municipal funds and \$1,745,134 of Reserve funds have been reinvested in short term deposits, due to mature 20<sup>th</sup> May and 19<sup>th</sup> May 2012 respectively.

Council is advised that no submissions were received with respect to the proposed loan, as amended by Council decision 16/12, of \$360,000 for the Sporting Complex Renewal/Upgrade project. Sign off on the "Certification for Acceptance of Firm Quotation" has occurred and the Loan Agreement was signed by the Acting Chief Executive Officer and Shire President and Common Seal affixed on 9<sup>th</sup> May 2012. Loan funds are expected to be drawn down on 15<sup>th</sup> May 2012. I am pleased to advise that the loan interest rate for this funding is 4.94% compared to 6.10% that was originally budgeted.

Council is also advised that the Auction for the Sale of 39 Elverd Street was held Saturday 5<sup>th</sup> May 2012 and the property was successfully sold. The Sale is expect to settled mid June 2012.

**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.

**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

**OFFICER RECOMMENDATION**

That the Monthly Statement's of Financial Activity for the periods of 1<sup>st</sup> July 2011 to 30<sup>th</sup> April 2012, as attached, be accepted.

**COUNCIL DECISION**

**34/12 MOVED Cr Marsh seconded Cr Benn that the Monthly Statement's of Financial Activity for the periods of 1<sup>st</sup> July 2011 to 30<sup>th</sup> April 2012, as attached, be accepted.**

**CARRIED**

**6/0**

**10.2 MONTHLY PAYMENTS LISTING**

AUTHOR: Kim Dolzadelli – Manager Corporate Services  
 DATE: Thursday, 10 May 2012  
 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 1<sup>st</sup> April 2012 to 30<sup>th</sup> April 2012.

**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 F3 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

**OFFICER RECOMMENDATION**

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 1/04/2012 to 30/04/2012 comprising of Municipal Cheques 12187 to 12225, EFT's 8565 to 8716 and Internal Payment Vouchers 3052 to 3080 totalling \$762,352.83 and as attached to this agenda, be received.

**COUNCIL DECISION**

**35/12 MOVED Cr Hewson seconded Cr Benn that in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 1/04/2012 to 30/04/2012 comprising of Municipal Cheques 12187 to 12225, EFT's 8565 to 8716 and Internal Payment Vouchers 3052 to 3080 totalling \$762,352.83 and as attached to this agenda, be received.**

**CARRIED**

**6/0**

*3:52pm Mrs Heather Marland left the Chamber.*

Tabled Document – Offer to Purchase Volvo G170B Motor Grader from Mason Enterprises WA Pty Ltd Trading as Trans-Plus.



**11 ENGINEERING & WORKS REPORTS****11.1 TENDER DISPOSAL OF VOLVO G710B MOTOR GRADE**

AUTHOR: Kim Dolzadelli – Manager Corporate Services  
DATE: Monday, May 07, 2012  
FILE NO: PS.DIS.2

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Council is being requested to reject tenders for the disposal of the Volvo G710B Motor Grader and authorize the Chief Executive Officer to negotiate an appropriate sale.

**BACKGROUND**

Council Budgeted to dispose of the Volvo Motor Grader in its 2011/12 Budget. Through its Budget Review adopted 17<sup>th</sup> April 2012 the amount was set at \$75,000 excluding GST.

**COMMENT**

Requests for tenders were advertised in the Western Australian Newspaper on 31<sup>st</sup> March 2012, Great Southern Herald 4<sup>th</sup> April 2012 and Koji News 13<sup>th</sup> April 2012 with a closing date of 16<sup>th</sup> April 2012. At the close of the tender period one tender was received from a Queensland based company for an amount of \$53,200 excluding GST which is \$21,800 less than budgeted.

The sole tenderer has been contacted and has been advised that officers will be recommending that the tender be rejected. They have indicated that they are still interested in the purchase of the Motor Grader should Council wish to negotiate on price.

Council is advised that Regulation 30. (2a)(b) of the Local Government Functions and General Regulations 1996 provides that:

*"a disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable".*

Essentially this means that Council now has the ability to sell the Motor Grader without consideration of the tender process requirements.

At the time of writing this report the Manager of Works & Engineering is undertaking enquiries to establish further sale opportunities. The outcome of these enquiries will be presented to Council at the meeting.

**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

**POLICY IMPLICATIONS**

Council Policy sets the criteria for assessment of tenders.

**FINANCIAL IMPLICATIONS**

The 2011/12 Budget as amended Provides for proceeds from sale of this Plant item of \$75,000.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS** – Simple Majority

**ORIGINAL OFFICER RECOMMENDATION**

That Council:

- a) Rejects the Tender received, and
- b) Authorises the Chief Executive Officer to negotiate an appropriate sale of the Motor Grader with either the current tenderer or alternate buyer.

*The Manager of Corporate Services advised the meeting that the tabled document from Mason Enterprises WA Pty Ltd Trading as Trans-Plus had been received the day of the meeting and was a result of proactive approaches by the Manager of Engineering & Works to source any prospective buyer.*

*The Manager of Corporate Services further advised the meeting that he had contacted the original tenderer the week prior to the meeting and had advised them that officers would be recommending to Council that their tender be rejected and that negotiations with the current tenderer and any other interested party be initiated through the authority of the Chief Executive Officer. The meeting was further advised that the original tenderer was contacted prior to the opening of the Council meeting after receipt of the tabled document and invited to submit a new offer for consideration by the Council, this offer was declined.*

*The Manager of Corporate Services advised the meeting that his recommendation in light of the offer received from Mason Enterprises WA Pty Ltd Trading as Trans-Plus, would be that Council reject the original tender received and accept the offer from Mason Enterprises.*

**AMENDED OFFICER RECOMMENDATION**

That Council:

- a) Rejects the Tender received, and
- b) That Council accept the offer from Mason Enterprises WA Pty Ltd Trading as Trans-Plus) of \$67,500.00 plus GST for the purchase of the Volvo G170B Motor Grader.

**COUNCIL DECISION**

**36/12 MOVED Cr Marsh seconded Cr Benn that Council rejects the Tender received.**

**CARRIED****6/0**

REASON FOR CHANGE: Council wished to separate the decision such that it was clear that the original tender was rejected and a new offer was then considered.

**COUNCIL DECISION**

**37/12 MOVED Cr Marsh seconded Cr Benn that Council accept the offer from Mason Enterprises WA Pty Ltd Trading as Trans-Plus) of \$67,500.00 plus GST for the purchase of the Volvo G170B Motor Grader.**

**CARRIED****6/0**

Tabled Document - Amended Site Plan for Item 12.1

**12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS**

**12.1 APPLICATION FOR REDUCED SETBACK AND OVERSIZED OUTBUILDING AT No. 2 (LOT 66) BIGNELL ROAD, KOJONUP.**

AUTHOR: Phil Shephard – Town Planner  
 DATE: 9 May 2012  
 FILE NO: DB.BDA 4  
 APPLICANT: D Radford

OWNER: D & G Radford  
 ATTACHMENTS: 12.1.1 Site Plan – No. 2 (Lot 66) Bignell Road, Kojonup  
 12.1.2 Elevations - No. 2 (Lot 66) Bignell Road, Kojonup

#### **DECLARATION OF INTEREST**

Nil.

#### **SUMMARY**

An application for planning consent has been received to construct a 108m<sup>2</sup> outbuilding on the above property as shown on the attached plans. The outbuilding exceeds the size permitted under the existing Town Planning Scheme Policy No. 9 and must be presented to Full Council for determination. In addition, the outbuilding is to be constructed approximately 12m from the boundary which is less than the 15m stipulated by the scheme.

It is recommended that subject to no objections being received from the adjoining landowners, the application be approved.

#### **BACKGROUND**

Staff has requested comment from the affected adjoining landowners (comments period closes 14/5/2012) on the proposed outbuilding. Any comments received from adjoining landowners will be presented to the Full Council meeting.

#### **COMMENT**

The outbuilding will have dimensions of 12m x 9m (with a wall height of 3.6m and a pitch height of 4.475m). The outbuilding will be constructed of steel frames with the roof and walls to be clad with 'sandbank' colorbond metal sheeting and contrasting 'jasper' and 'paperbark' colorbond metal sheeting for the doors, windows, downpipes and flashings etc. The applicants advise that the outbuilding is required for "vehicle and caravan storage purposes".

A site inspection of the lot and special rural area was conducted by the Town Planner on 2/5/2012 and it was clear that similar sized outbuildings (larger than the 65m<sup>2</sup> permitted under delegation in the zone) have been constructed within the zone. It was also clear that some structures were developed at less than 15m.

Staff has referred the application to affected adjoining neighbours for their comment. The recommendation is to approve the application if no objections are received from the neighbours.

The options available to Council in considering the application can be summarised as follows:

- a) Defer the application and seek additional information from the applicants;
- b) Approve the application (with or without conditions); or
- c) Refuse the application and give reasons.

#### **CONSULTATION**

Staff have referred the application to the affected adjoining landowners for comment (closes 14/5/2012). Any comments received will be tabled at the Full Council meeting.

#### **STATUTORY ENVIRONMENT**

*Planning and Development Act 2005* – The Shire of Kojonup Town Planning Scheme No. 3 is an operative local planning scheme under the Act. The subject lot is zoned Special Rural and is within Special Rural Area No. 2 under Town Planning Scheme No. 3.

Clause 5.12.3 requires:

*"No dwelling or other structure shall be permitted within 15m of a lot boundary unless the Council considers that a lesser setback will not adversely affect the amenity of the area and the neighbouring properties."*

A separate Building Licence will be required to construct the outbuilding.

#### **POLICY IMPLICATIONS**

The outbuilding is covered by Town Planning Scheme Policy No 9 which restricts staff delegation to approve outbuildings within the Special Rural zone to a maximum of 65m<sup>2</sup>. Applications for outbuildings that are greater than 65m<sup>2</sup> are required to be submitted to Council for determination.

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

Nil.

**VOTING REQUIREMENTS – SIMPLE MAJORITY**

*The Manager of Corporate Services advised the meeting that the amended site plan was received Monday 14<sup>th</sup> May 2012 and that the significant change to the plan was the setback from the boundary was shown as 20 meters compared to 12 meters as shown on the original site plan. The Manager of Corporate Services explained to the meeting that the minimum setback required was 15 meters and therefore there was no need for Council to consider any setback relaxation given the amended site plan.*

**ORIGINAL OFFICER RECOMMENDATION**

That Council grant Planning Consent for the oversized Outbuilding and reduced setback on No. 2 (Lot 66) Bignell Road, Kojonup, subject to the following conditions:

- i) The outbuilding (maximum floor area of 108m<sup>2</sup>) to be constructed utilising steel frames with the roof/walls to be clad with colorbond metal sheeting colours as nominated in the application.
- ii) The outbuilding to be sited no closer than 12m from the lot boundary as shown in the attached stamped approved plans.
- iii) All stormwater to be disposed of on-site.

**AMENDED OFFICER RECOMMENDATION**

That Council grant Planning Consent for the oversized Outbuilding on No. 2 (Lot 66) Bignell Road, Kojonup, subject to the following conditions:

- i) The outbuilding (maximum floor area of 108m<sup>2</sup>) to be constructed utilising steel frames with the roof/walls to be clad with colorbond metal sheeting colours as nominated in the application.
- ii) All stormwater to be disposed of on-site.

ADVICE NOTE: That Disposal of Stormwater is to have no Impact on Effluent Disposal Systems.

**COUNCIL DECISION**

**38/12 MOVED Cr Pritchard seconded Cr Hewson that Council grant Planning Consent for the oversized Outbuilding on No. 2 (Lot 66) Bignell Road, Kojonup, subject to the following conditions:**

- i) The outbuilding (maximum floor area of 108m<sup>2</sup>) to be constructed utilising steel frames with the roof/walls to be clad with colorbond metal sheeting colours as nominated in the application.**
- ii) All stormwater to be disposed of on-site.**

**ADVICE NOTE: That Disposal of Stormwater is to have no Impact on Effluent Disposal Systems.**

**CARRIED 6/0**

**13 CORPORATE & COMMUNITY SERVICES REPORTS****13.1 BUSH FIRE ASSOCIATION – APPOINTMENT OF OFFICER'S 2012/13**

AUTHOR: Stephen Gash – Chief Executive Officer  
 DATE: Tuesday 1 May 2012  
 FILE NO: ES.REG.1  
 ATTACHMENT: Nil

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To endorse the appointment of statutory and representative positions for the Shire of Kojonup and Kojonup Bush Fire Association for 2012/13.

**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 and Bush Fire Advisory Committee.

**COMMENT**

To allow the time to print the Fire Break Order the CEO exercised delegation number FIRE 004 which allows:

*“The Chief Executive Officer is delegated authority to appoint persons to the position of Fire Control Officer, including dual Fire Control Officers with adjoining local governments as provided for under Section 38 & 40 of the Bush Fires Act 1954.”*

The following persons have been appointed by the CEO under the above delegation for the 2012/13 year:

Mr B Johnson	FCO Boilup Brigade
Mr G Gale	FCO Boscabel Brigade
Mr G Marsh	FCO Changerup Brigade
Mr N O'Halloran	FCO Cherry Tree Pool Brigade
Mr T Stevenson	FCO Jingalup Brigade
Mr G Norrish	FCO Kojonup Brigade
Mr I Palmer	FCO Lumeah Brigade
Mr W Parker	FCO Mobrup Brigade
Mr R House	FCO Muradup Brigade
Mr W Parker	FCO Orchid Valley Brigade
Mr B Webb	FCO Qualeup Brigade
Mr M Cameron	FCO Ryan's Brook Brigade
Mr B Francis	FCO Muradup Town site
Mr J Lewis	FCO Kojonup Town site

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 FCOs who are standing again from last year will be continued.

**CONSULTATION**

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

**STATUTORY ENVIRONMENT**

Section 33 of the Bush Fires Act 1954 relates to Fire Break Orders  
Section 38 & 40 of the Bush Fires Act 1954 relates to FCO appointment

**POLICY IMPLICATIONS**

There are no known Shire of Kojonup policy implications.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS – SIMPLE MAJORITY**

**ORIGINAL OFFICER RECOMMENDATION**

1. That Mr Digby Stretch be appointed as Chief Fire Control Officer for the Shire of Kojonup for 2012/13 financial year.
2. That Mr Michael Baxter be appointed as Deputy Chief Fire Control Officer for the Shire of Kojonup for 2012/13 financial year.
3. That Mr. Tony Fisher and Richard Banks be appointed as Senior Fire Control Officers for the Shire of Kojonup for 2012/13 financial year.
4. That the Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as Fire Weather Officer and Deputy Fire Weather Officer, respectively, for the Shire of Kojonup for 2012/13 financial year, and the two Senior Fire Control Officers be authorised to act in this role in their absence.
5. That 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 Ban Officers for the Shire of Kojonup for 2012/13 financial year.
6. That 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 in the Shire of Kojonup for 2012/13 financial year.
7. That Council endorses the appointed Fire Control Officers, as members of the Bush Fire Advisory Committee.
8. That Council notes the appointment of Mr R House as President of the Association and Presiding Member of the Bush Fire Advisory Committee.
9. That Council notes the appointment of Mrs D Berryman as Honorary Secretary for the Association.

**COUNCIL DECISION****39/12 MOVED Cr Benn seconded Cr Marsh**

1. That Mr Digby Stretch be appointed as Chief Fire Control Officer for the Shire of Kojonup for 2012/13 financial year.
2. That Mr Michael Baxter be appointed as Deputy Chief Fire Control Officer for the Shire of Kojonup for 2012/13 financial year.
3. That Mr. Tony Fisher and Richard Banks be appointed as Senior Fire Control Officers for the Shire of Kojonup for 2012/13 financial year.
4. That the Chief Fire Control Officer be appointed as Fire Weather Officer and the Deputy Chief Fire Control Officer and the two Senior Fire Control Officers be appointed as Deputy Fire Weather Officer, for the Shire of Kojonup for 2012/13 financial year.
5. That 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 Ban Officers for the Shire of Kojonup for 2012/13 financial year.
6. That the Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Fire Control Officers be appointed as authorised officers to issue permits to burn for the collection of Clover Burr in the Shire of Kojonup for 2012/13 financial year.

7. That Council endorses the appointed Fire Control Officers, as members of the Bush Fire Advisory Committee.
8. That Council notes the appointment of Mr R House as President of the Association and Presiding Member of the Bush Fire Advisory Committee.
9. That Council notes the appointment of Mrs D Berryman as Honorary Secretary for the Association.

**CARRIED 6/0**

REASON FOR CHANGE: Change to point 4 was made as other officers can not be authorised in the absence of approved officers. Change to point 6 was made to ensure an appropriate number of officers were authorised to issue permits to burn for the collection of Clover Burr.

### 13.2 FIREBREAK ORDER

AUTHOR: Stephen Gash – Chief Executive Officer  
 DATE: Wednesday, 9 May 2012  
 FILE NO: LE.NOT.2  
 ATTACHMENT: 13.2 - Fire Break Order 2012/2013

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

To consider the Fire Break Order for 2012/2013.

#### **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.

Apart from an updated listing of radio operator positions, the only changes to the Fire Break Order are the inclusion of information on 'Non-Restricted Burning Times' and a sentence noting that restricted burning times can be extended, on the Important Dates page. The inclusion of contact details for Denise Berryman, as the Honorary Secretary of the Advisory Committee, have been include in the Fire Break order on the Zulu & Shire Contact Details page and the Brigade Contact Details page, to highlight her position as discussed at the Advisory Committee meeting held on 30 April 2012.

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 8 years. Digby Stretch, CBFCO elect and Paul Retallack, Shire's Senior Ranger have also reviewed the document before being presented to Council.

#### **STATUTORY ENVIRONMENT**

Section 33 of the Bushfires Act 1954 relates to Fire Break Orders

#### **POLICY IMPLICATIONS**

There are no known Shire of Kojonup policy implications.

**FINANCIAL IMPLICATIONS**

The printing costs will be included in the 2012/13 budget.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS – SIMPLE MAJORITY****OFFICER RECOMMENDATION**

That Council adopts the Firebreak order for 2012/2013 as attached to this agenda.

**COUNCIL DECISION**

**40/12 MOVED Cr Hewson seconded Cr Marsh that Council adopts the Firebreak order for 2012/2013 as attached to this agenda.**

**CARRIED 6/0**

*4:24pm Mr William Harvey & Mr Robert Sexton left the Chamber.*

**COUNCIL DECISION**

**41/12 MOVED Cr Benn seconded Cr Marsh that a vote of thanks be passed on to all volunteer fire brigades.**

**CARRIED 6/0**

**13.3 ENDORSEMENT OF ASBESTOS MANAGEMENT PLAN**

**AUTHOR:** Mort Wignall, Manager of Regulatory Services  
**DATE:** Tuesday, 8 May 2012  
**FILE NO:** PE.OSH.5  
**ATTACHEMENT:** 13.3 – Asbestos Management Plan

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

In order to meet requirements of Occupational Safety and Health (OS&H) Legislation Council is required to have an Asbestos Management Plan.

**BACKGROUND**

Whilst necessary procedure is followed when dealing with matters regarding the management of asbestos containing materials, the formation of an appropriate Asbestos Management Plan demonstrates on-going progression of the OS&H process.

**COMMENT**

Following discussions with the Council's LGIS Regional Risk Coordinator, OS&H Committee Members and relevant staff, the attached Asbestos Management Plan is presented for Council's information and endorsement.

**CONSULTATION**

Mr John Appleyard, LGIS Regional Risk Coordinator  
 Alan Watkins, Shire's Building Surveyor

**STATUTORY ENVIRONMENT**

OSH Regulations 1996 – Regulations 3.1 and 5.43  
 Code of Practice for the Management and Control of Asbestos in Workplaces – NoHSC



**POLICY IMPLICATIONS**

Council Policy 8 – OS&H Hazardous Substances Management.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

This matter is not dealt with in the Strategic Plan

**VOTING REQUIREMENTS** – Simple Majority

**OFFICER RECOMMENDATION**

That Council endorses the Asbestos Management Plan, as presented.

**COUNCIL DECISION**

**42/12 MOVED** Cr Pritchard seconded Cr Benn that Council endorses the Asbestos Management Plan, as presented.

**CARRIED**

**6/0**

**14 COMMITTEES OF COUNCIL**

Nil

**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**

Nil

**18 NEXT MEETING**

Tuesday, 19<sup>th</sup> June 2012 commencing at 3:00pm.

**19 CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4:26pm.

**20 APPENDICES AND TABLED DOCUMENTS**

Tabled Document – Offer to Purchase Volvo G170B Motor Grader from Mason Enterprises WA Pty Ltd Trading as Trans-Plus Item 11.1, and

Tabled Document - Amended Site Plan for Item 12.1

**21     ATTACHMENTS**

- Item 8.1.1            Medical Centre Petition
- Item 8.1.2            Medical/Health Centre Background
- Item 10.1            Monthly Statement of Financial Activity 1<sup>st</sup> July 2011 to 30<sup>th</sup> April 2012
- Item 10.2            Monthly Payment Listing
- Item 12.1.1          Site Plan - No. 2 (Lot 66) Bignell Road, Kojonup
- Item 12.1.2          Elevations - No. 2 (Lot 66) Bignell Road, Kojonup
- Item 13.2            Fire Break Order 2012/2013
- Item 13.3            Asbestos Management Plan

\_\_\_\_\_  
Presiding Member

\_\_\_\_\_  
Date