

SHIRE OF KOJONUP

Kojonup



One community, many choices

# MINUTES

Ordinary Council Meeting

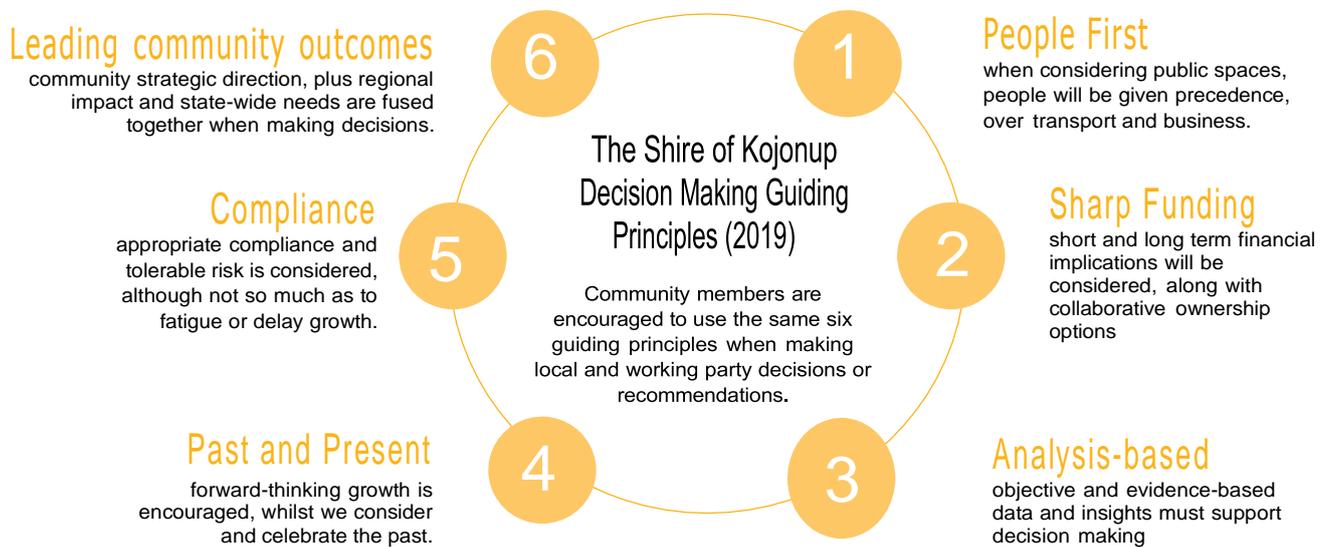
18 August 2020

**MINUTES FOR THE COUNCIL MEETING HELD ON 18 AUGUST 2020**

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The Shire of Kojonup has a set of six guiding principles it uses when making decisions. These principles are checked and enhanced every two years; in line with the Strategic Community Plan review schedule.



MINUTES

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

The Shire President declared the meeting open at 3.02pm 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.*

**Acknowledgement of Country**

*The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.*

*We pay our respect to their Elders past, present and emerging*

**Prayer – The prayer was acknowledged in the absence of Councillor Pedler**

*Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elizabeth. Grant to her good health and strength in the executing of her duties.*

*We pray for all Ministers and Cabinet members of the Australian Federal and State Government. Grant to them wisdom in the welfare of Australia, so that truth and justice is established for all Australians.*

*Lastly Gracious Father, we pray for ourselves. We ask that you might grant to us the ability to speak with integrity and to work with uncompromising diligence. Grant to us the wisdom to make good decisions, remembering that we are one community. Grant to us the good humour to keep things in perspective in a community that is a diverse population.*

*We ask that we might always be mindful of the safety and welfare of the people of Kojonup. Grant to all who serve on Public Committees the ability to listen and work together with mutual respect for one another. Bless us with the personal joy of knowing that we have done our best.*

**2 ATTENDANCE and APOLOGIES**

**COUNCILLOR**

Cr Benn

Shire President

Cr Radford

Deputy Shire President

Cr Fleay

Cr Singh

Cr Webb

Cr Wieringa

Cr Gale

**STAFF**

Rick Mitchell-Collins

Chief Executive Officer

Anthony Middleton

Manager Corporate and Community Services

Michelle Dennis

Development Services Coordinator

Robert Cowie

Payroll and Emergency Management Officer

Phil Shephard

Town Planner

Lorraine Wyatt

Executive Assistant

**LEAVE OF ABSENCE**

Nil

**APOLOGIES**

Cr Pedler

**GALLERY**

Jillian Mathwin

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

Nil.

**4 PUBLIC QUESTION TIME**

Nil

**5 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 CONFIRMATION OF MINUTES**

**7.1 COUNCIL MEETING 28 JULY 2020**

Minutes of the Council Meeting which was held on 28 July 2020 were previously circulated under separate cover and are at [Attachment 7.1.1](#).

**OFFICER RECOMMENDATION**

That the Minutes of the Council Meeting held on 28 July 2020 be confirmed as a true record.

**COUNCIL DECISION**

**107/20 Moved Cr Singh, seconded Cr Fleay**

That the Minutes of the Council Meeting held on 28 July 2020 be confirmed subject to the inclusion of the following comment by Councillor Wieringa being recorded.

*At the Council meeting 28 July 2020 during the discussion around the appointment of a Community Services Manager (CESM), in light of the controversy surrounding the appointment, I had asked for clarification regarding the way in which the appointment had been made and why it was presented to Council as a motion.*

*The clarification was that:*

- 1. The contract for the appointment of the CESM was already signed by the CEO before bringing it to Council.*
- 2. That the CEO was not seeking nor requiring approval from Council to make the appointment but rather presented it as a motion to inform Council of the appointment.*
- 3. That despite very strong community objection to the appointment, Council would not be able to rescind the motions, as was requested by Kojonup Bushfire Association, due to the reasons outlined in points 1 and 2 above.*

*I believe that the way in which the CESM appointment was presented to Council was disingenuous because, in actuality, it was a 'fait accompli'. I would like to request an assurity from the CEO that in future, the CEO uses Briefing Session to advise Council of Shire*

***decision and not wrap a controversial CEO decision in the guise of a Council approved motion.***

**CARRIED 7/0**

Reason for change: Councillor Wieringa requested that the record reflect her comments.

CEO noted Cr Wieringa's comments, however stated that the matter was discussed at a Briefing Session held 2 June, 2020 regarding DFES funding availability and Resource Sharing opportunity as a result of the MOU. A report was tabled at the 16 June 2020 Council meeting which Council endorsed given the CEO and Councils legal compliance attached to Emergency Services Prevention, Preparedness, Response, Recovery and Special Projects. A further report was tabled at the 28 July 2020 Council Meeting in response to correspondence from the Volunteer Bush Fire Association with Decision 93/20 allowing Council to ensure the roles and functions to be undertaken by the CESM under the direct report of the CEO allay the concerns raised by the Volunteer Bushfire Association.

The CEO, Zulu's and President of the Volunteer Bushfire Association met on 10 August 2020 and progressed the preparation of a Position Description as required by Decision 93/20. The controversy around the CESM occurred because members of the Volunteer Bush Fire Association believed the CESM would be on the fire ground which was never the intent of the MOU or draft Business Plan and would only occur if requested by the CBFCO or CEO/Shire President.

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

Nil.

**9 DECLARATIONS OF INTEREST**

**11.2 Subdivision - Lot 85 John Street and Lot 2 Murby Street, Kojonup (WA Planning Commission File 159475)**

- Councillor Fleay declared a Financial Interest in this item due to being a committee member of the Western Australian Planning Commission who received sitting fees.

**10**    **KEY PILLAR 1 – ‘PLACE’ REPORTS**

Nil.

## 11 **KEY PILLAR 2 – ‘CONNECTED’ REPORTS**

### 11.1. LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MINUTES 27 JULY 2020

<b>AUTHOR</b>	Rob Cowie – Payroll & Emergency Management Officer
<b>DATE</b>	Friday, 7 August 2020
<b>FILE NO</b>	ES.MET.1
<b>ATTACHMENT(S)</b>	<a href="#">11.1.1 - LEMC Minutes 27 July 2020</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
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 purpose of this report is to consider the minutes from the Local Emergency Management Committee meeting held 27 July 2020.

#### **BACKGROUND**

The Local Emergency Management Committee (LEMC) is established under Section 38 of the *Emergency Management Act 2005* and plays an important role in the Council’s decision making process. Minutes of these meetings are presented to Council to consider any recommendations made.

#### **COMMENT**

The Shire of Kojonup LEMC has been convened more frequently due to the recent Covid-19 Pandemic. The LEMC will now revert to regular quarterly meetings with the next scheduled for 26 October 2020.

#### **CONSULTATION**

Various members of the Local Emergency Management Committee

#### **STATUTORY REQUIREMENTS**

Section 38 of the *Emergency Management Act 2005*

#### **POLICY IMPLICATIONS**

Nil.

#### **FINANCIAL IMPLICATIONS**

Nil.

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2) <i>Business Disruption</i>	<i>Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.</i>	<i>Regular LEMC, DEMC Meetings</i>	<i>Nil</i>
Risk Rating - Adequate			
IMPLICATIONS			
The Shire is legislated to establish and maintain a LEMC. The risk of not having a LEMC is that all staff, Councillors and relevant Community members need to be able to work together under pressure in times of extreme stress should an emergency situation arise.			

**ASSET MANAGEMENT IMPLICATIONS**

Nil.

**SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS**

Nil.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**108/20 Moved Cr Fleay, seconded Cr Gale**

**That the minutes of the Local Emergency Management Committee meeting held 27 July 2020 be received.**

**CARRIED 7/0**

Cr Fleay declared a financial interest in this item and left the meeting at 3.15pm.

11.2. SUBDIVISION - LOT 85 JOHN STREET AND LOT 2 MURBY STREET, KOJONUP (WA PLANNING COMMISSION FILE 159475)

<b>AUTHOR</b>	Phil Shephard – Town Planner
<b>DATE</b>	Monday, 10 August 2020
<b>FILE NO</b>	LP.SUB.3
<b>ATTACHMENT(S)</b>	<a href="#">11.2.1 - Proposed Freehold Subdivision Plan</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>“Smart Possibilities – Kojonup 2027+”</b>		<b>“Smart Implementation – Kojonup 2018-2022”</b>
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP2 - Connected	2.4 Having enabled and facilitated improved housing options through public and private partnerships.	Adopt new Town Planning Scheme to support infill residential growth and private subdivisions and advocate for change in the cost of development headworks at a state level.

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

The WA Planning Commission (WAPC) have referred the proposed subdivision of Lots 85 John Street and Lot 2 Murby Street, Kojonup for comment.

The existing delegation only allows the CEO to provide approval for a maximum of 2 lots and as this application seeks to create 7 lots it is required to be submitted to Council for consideration.

The land is owned by the Shire of Kojonup and forms part of the Kojonup-Katanning Road Guided Development Plan area. It will create lots for the existing and new dwellings being constructed along the road.

The recommendation is to:

- Advise the WAPC that it supports the proposed subdivision with conditions; and
- Modify the existing delegation to allow the CEO to respond to subdivision applications within adopted Guided Development Plan areas.

**BACKGROUND**

The Council at its 18 November 2014 meeting (Resolution 182/14) resolved to adopt the Guided Development Plan prepared by Edge Planning & Property for the Shire which encompassed Lots 1, 84, 85, 100 & 101 Kojonup-Katanning Road, Lots 50 & 105 John Street

and Lot 2 Murby Street, Kojonup for use by Council when considering land use/development applications and subdivision referrals for the affected land.

**COMMENT**

The 2 lots proposed to be subdivided are shown in the image below:



*Lots 85 and 2 bordered in red (Image from Landgate Map Viewer Plus)*

Proposed subdivision

The proposed subdivision is in accordance with the adopted Guided Development Plan for the area and should be supported subject to standard subdivision conditions. The conditions will allow for the creation of the 4 lots shown as Stage 2 along Murby Street.

The lots along Kojonup-Katanning Road will encompass the existing house and doctor surgery and the 2 houses under construction plus 1 vacant lot. The lots are consistent with the requirements of the R-Codes.

Modifying the existing delegation

The existing instrument of delegation to the CEO only allows for approval for a maximum of 2 lots. In this example, there is a Council adopted Guided Development Plan that covers the area and staff would recommend that Council modify the existing delegation to enable the CEO to deal with subdivision/amalgamation proposals where there is an adopted Guided Development Plan in place.

This would enable a similar proposal to be responded to in a shorter timeframe and improve administration efficiency.

For Councillors information, there are only 3 areas that have adopted Guided Development Plans, and which would be affected as follows:

- Lot 101 Soldier Road, Kojonup which allows for the future development of sewered and some larger unsewered housing lots.

- Lots 84, 85, 100 & 101 Kojonup- Katanning Road, Lots 50 & 105 John Street and Lot 2 Murby Street, Kojonup which allows for the future development of seweraged housing lots including single residences and grouped dwellings.
- Lots 8 & 361 Loton Close/Soldier Road, Kojonup which allows for the future development of additional aged persons housing units and housing lots.

As with all delegations, the CEO can choose not to exercise a discretion and require the proposal be submitted to Council for consideration.

The recommended modification to the existing delegation in Plan 001 Development Applications would state:

Delegated Power	Conditions
c) To recommend approval to the WA Planning Commission (WAPC) for subdivision or amalgamation proposals and request WAPC apply relevant conditions.	<ol style="list-style-type: none"> <li>1. Only for subdivision proposals creating 2 lots, where the proposal complies with TPS3 Policy and Provisions.</li> <li>2. There is no limit on the size or number of lots under this Delegation for subdivision proposals where the property is covered by an adopted Guided Development Plan and the proposal complies with TPS3 Policy, Provisions and the adopted Guided Development Plan.</li> <li>3. There is no limit on the size or number of lots under this Delegation for amalgamations.</li> </ol>

The delegation would improve administrative efficiency and enable a quicker turnaround for applications to be determined.

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

*1 Support the proposed subdivision and/or modifying the delegation*

The Council can choose to support the proposed subdivision and/or delegation in part, or whole and with or without conditions. This option would be consistent with Council’s previous decisions to seek title for the houses/lots covered by the application. The conditions proposed in the officer recommendation are in the format requested by the WAPC.

*2 Not support the proposed subdivision*

The Council can choose to not support the proposed subdivision. This option would not be consistent with Council’s previous decisions.

*3 Not support modifying the delegation*

The Council can choose to not support the proposed modified delegation. If this option were chosen, all subdivisions creating more than 2 lots would still be required to be submitted to Council for consideration.

**CONSULTATION**

Nil.

## STATUTORY REQUIREMENTS

### Proposed subdivision

*Planning and Development Act 2005* - The proposed subdivision referral 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.

The proposed subdivision has been referred by the WA Planning Commission (WAPC) to Council with a request for any information, comment, or recommended conditions that Council seek to have the Commission consider in assessing the application. Council is reminded that all applications for subdivision/amalgamation are submitted to, and determined by, the WAPC in consultation with relevant stakeholders (State Government bodies and Local Government). The WAPC provides 42 days for comments (closing on 8 September 2020) to be received from stakeholders. It is the WAPC's decision to act on any advice or recommendation received from Council.

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

### Modifying the existing delegation

*Local Government Act 1995* – s5.42 of the Act allows the Council to delegate some functions to the CEO.

## POLICY IMPLICATIONS

The proposed subdivision is in accordance with the adopted Guided Development Plan for the area which has been adopted as a Town Planning Scheme Policy under the Shire's Town Planning Scheme No. 3.

## FINANCIAL IMPLICATIONS

The costs of completing the proposed subdivision are for the Shire to meet and have been budgeted for in the 2020/21 budget.

## RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3) <i>Compliance</i>	<i>Lack of training, awareness and knowledge; Impulsive decision making</i>	<i>Councillor/Staff Induction Process; Councillor/Staff training</i>	<i>Nil</i>
7) <i>Environment Management</i>	<i>Differing land tenure (land occupancy or ownership conditions); Competing land use (growing</i>	<i>Nil</i>	<i>Nil</i>

	<i>population vs conservation)</i>		
IMPLICATIONS			
The Shire is both the landowner and referral agency. The conditions selected from the WAPC's standard suite of conditions are considered the most relevant to this proposal and the change to the instrument of delegation will offer improved administrative efficiencies.			

**ASSET MANAGEMENT IMPLICATIONS**

The land covered by the proposed subdivision is owned by the Shire of Kojonup. The proposed lots and existing/proposed houses are included on the Asset Register.

**SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS)  
IMPLICATIONS**

Nil.

**VOTING REQUIREMENTS**

Simple majority for proposed subdivision.

Absolute majority for delegation.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**109/20 Moved Cr Radford, seconded Cr Singh**

1. That Council advise the WA Planning Commission that it supports the proposed subdivision of Lot 85 John Street and Lot 2 Murby Street, Kojonup as shown in WAPC File 159475 on the basis that it complies with the adopted Guided Development Plan for the area and request they place the following conditions on the subdivision approval:

**Building and use conditions**

- B1 All buildings and effluent disposal systems (delete as applicable) having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme, Building Act 2011, and National Construction Code Series/Building Code of Australia (as amended). (Local Government)

**Drainage and site works conditions**

- D4 The land being filled, stabilised, drained and/or graded as required to ensure that: a) lots can accommodate their intended development; and b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/ or proposed finished ground levels of the land abutting; and c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)
- D7 Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)
- D8 Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)

**Fire and emergency infrastructure conditions**

- F2 A notification, pursuant to Section 165 of the *Planning and Development Act 2005*, is to be placed on the certificate(s) of title for the balance lots, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan).  
The notification is to state as follows: *'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land'*. (Western Australian Planning Commission)

**Transport, roads and access conditions**

- T1 Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/ applicant's cost. As an

alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)

T20 Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)

That Council does not require any public open space to be created. Given the small nature of the subdivision proposal and existing open space facilities already available in Kojonup for the existing and any future residents, it is not considered necessary to request any additional land for open space at this time.

2. That Council adopt the following modification to Instrument of Delegation Plan 001 Development Applications be replacing clause c) to state:

Delegated Power	Conditions
<p>c) To recommend approval to the WA Planning Commission (WAPC) for subdivision or amalgamation proposals and request WAPC apply relevant conditions.</p>	<ol style="list-style-type: none"> <li>1. Only for subdivision proposals creating 2 lots, where the proposal complies with TPS3 Policy and Provisions.</li> <li>2. There is no limit on the size or number of lots under this Delegation for subdivision proposals where the property is covered by an adopted Guided Development Plan and the proposal complies with TPS3 Policy, Provisions and the adopted Guided Development Plan.</li> <li>3. There is no limit on the size or number of lots under this Delegation for amalgamations.</li> </ol>

CARRIED 6/0

Councillor Fleay returned to the meeting at 3.16pm.  
Phil Shephard left the meeting at 3.16pm.

## 12 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

### 12.1. FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JULY 2020)

<b>AUTHOR</b>	Anthony Middleton – Manager Corporate & Community Services
<b>DATE</b>	Monday, 10 August 2020
<b>FILE NO</b>	FM.FNR.2
<b>ATTACHMENT(S)</b>	<a href="#">12.1.1 – July 2020 Monthly Financial Statements</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>“Smart Possibilities – Kojonup 2027+”</b>		<b>“Smart Implementation – Kojonup 2021 +”</b>
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
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 31 July 2020.

#### **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 2020 to 31 July 2020 represents one (1) month, or 8% of the year.

The following items are worthy of noting:

- Closing surplus position of \$3.99m;
- Operating results:
  - 36% of budgeted operating revenue has been received; and
  - 5% of budgeted operating expenditure spent;
- Capital expenditure achieved 0% of budgeted projects;
- The value of outstanding rates equates to 104.2% of 2020/2021 rates raised (outstanding balance carried forward plus 2020/2021 rates levied on 30 July 2020);

- Cash holdings of \$3.46m of which \$3.24m is held in cash backed reserve accounts and \$702,000 is a grant held for other parties; and
- Page 9 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**

**110/20 Moved Cr Radford, seconded Cr Singh**

**That the monthly financial statements for the period 1 July 2020 to 31 July 2020, as attached, be noted.**

**CARRIED 7/0**

12.2. MONTHLY PAYMENTS LISTING JULY 2020

<b>AUTHOR</b>	Vivicka Kahn - Finance Officer
<b>DATE</b>	Monday, 10 August 2020
<b>FILE NO</b>	FM.AUT.1
<b>ATTACHMENT</b>	<a href="#">12.2.1 – Monthly Payment Listing 1/07/2020 to 31/07/2020</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP3 - 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 July 2020.

**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 and Community 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**

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**

Nil.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**111/20 Moved Cr Radford, seconded Cr Gale**

**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 July 2020		TO – 31 July 2020
Municipal Cheques	14248 - 14253	\$28,532.99
EFTs	26303 - 26523	\$1,752,206.23
Direct Debits		\$507,057.18
<b>Total</b>		<b>\$2,287,796.40</b>

be received.

**CARRIED 7/0**

12.3. KOJONUP SALEYARDS

<b>AUTHOR</b>	Michelle Dennis – Development Services Coordinator
<b>DATE</b>	Tuesday, 11 August 2020
<b>FILE NO</b>	CP.MTC.19
<b>ATTACHMENT(S)</b>	<p>12.3.1 – Public Liability Site Risk Assessment – Kojonup Saleyards</p> <p>12.3.2 – Code of Practice for animals at Saleyards in Western Australia</p> <p>12.3.3 – Saleyard Operating Licence and Decision Report</p>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 3 - Performance	3.3 – Use a Building Assessment Framework and control our investment in building maintenance	3.3.5 – Define, document and implement “Levels of Service” for all assets and services.
KP 4 - Prosperity	4.3 – Be attracting support industries and diverse and new business sectors to the region.	4.3.1 – Whilst growing business, advocate and manage for expected water efficiency, energy efficiency and waste management to support regional and state-wide environmental standards.

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

To consider options for the future use of the Kojonup Saleyards following an unsatisfactory compliance audit by the Department of Water and Environmental Regulation (DWER).

**BACKGROUND**

Council has considered several officer reports outlining the options for the use of the Kojonup Saleyards i.e. Ordinary Council Meetings held November 2014, June 2015, July 2016 and March 2019. These reports were in response to the need to obtain, and the operating implications of, a saleyard operating licence from DWER as well as considerations regarding public liability and risk.

As outlined in the cover letter of attachment 12.3.3 it is an offence to contravene a condition of a licence. The offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000. The site was recently audited by a Senior Environmental Compliance Officer from the Compliance and Enforcement branch of DWER. Due to the presence of non-compliances, the auditing officer identified that the Shire may be referred for formal legal action.

In determining the extent of further action, the Shire has been formally requested to respond to DWER regarding the following non-compliances by 31 August 2020:

1. *Livestock sale yard pens were not inspected before and after each livestock sale, and after each instance of incidental use, on 30/10/18, 3/11/18, 22/11/18, 24/11/18, 13/12/18, and 15/12/18*
2. *More than 8,000 animals were held on site on 23/11/18 (9,051) and 14/12/18 (8,726).*
3. *Saleyards pens were not inspected before each sale (30/10/18, 22/11/18 & 13/12/18) to assess if they were required to be dampened.*
4. *The date of each use and the number of animals held at the Premises each use was not being recorded.*
5. *Accurate and auditable records of weekly premises inspections were not kept.*

While an annual report is yet to be collated and submitted for the 2019-2020 operating year, non-compliances 1, 3, 4 and 5 will feature again on the return to DWER as procedures have not been formulated or adopted to address these matters. Items 1, 2, 3 and 5 can be addressed administratively for formal sale dates, though with an operational cost to Council. The incidental/occasional use of the yards, which anecdotally corresponds with sales in Katanning i.e. every week, is currently not captured.

While some repair works have been completed to the yards, minimal works have been progressed regarding the treatment options/recommendations contained within the LGIS report from 2018.

#### **COMMENT**

Based on the outcome of the DWER audit, it is evident that operation of the saleyards has not been prioritised as a core business of current or previous Councils, resulting in the saleyards not being afforded the officer time or consultant engagement required to see through the previously identified public liability tasks and licensing obligations. While a meeting with the Senior Management Team and Senior Ranger/Building Maintenance Coordinator has occurred, further strategic direction from Council is sought.

The increase in saleyard fees has resulted in the creation of the Saleyards reserve account, with a 2019/20 closing balance of \$45,355. The purpose of this reserve is “to fund major refurbishment and/or asset renewal of the Kojonup Saleyards”. Given the age of the yards (pen construction type etc.) and the access controls recommended by LGIS in order to minimise the Shire’s public liability risk, it is considered unlikely that any substantial improvements to the yards will be able to be implemented in the short term with the funding available. Additional administrative tasks required to meet the DWER licensing requirements will incur costs, which will reduce the annual transfer to the reserve account.

The current licence restricts the yards to holding a total of 8,000 animals at any one time, and is restricted to hold a total of 24,000 animals per year i.e. limiting sales to 3 per year. The DWER licence conditions were formulated based on the numbers that were recorded at the yards at the time of the licence application; however uncontrolled incidental use is currently not captured which would likely result in the 24,000 annual licence restriction being exceeded. These incidental users are not paying for their use.

It is not considered unreasonable that many users, given the increase in yard fees, are expecting that the level of service at the yards will be improved. Given the changes to technology that have occurred, largely as a direct result of the COVID-19 pandemic, and the other avenues available for sheep sales in the region, is it considered reasonable that the saleyards offer users a sufficient market advantage that justifies the operating burden and risks for 24,000 animals per year?

It is recommended that the Shire engage an appropriately qualified consultant to provide a holistic review of the use and operation of the Kojonup saleyards and wash down bay including:

- Shire public liability risk management obligations (as per LGIS report)
- Shire OSH obligations
- DWER licencing obligations
- Current and emerging animal welfare standards (noting that the current standards are from 2003)
- Alternative sale options for current users
- Alternative uses for the existing site
- Alternative site for saleyards/provision of saleyards in Kojonup

#### **CONSULTATION**

Senior Management Team

Senior Ranger/Building Maintenance Coordinator

#### **STATUTORY REQUIREMENTS**

*Environmental Protection Act 1986* – outlines the licensing requirements as well as to prevent pollution to the environment.

*Animal Welfare Act 2002* – outlines the obligations for the welfare, safety and health of animals.

*Biosecurity and Agriculture Management Act 2007* – outlines obligations of recording animal movement throughout the State.

*Occupational Safety and Health Act 1984* – place an onus to provide safe places and systems of work with an emphasis on continual improvement.

*Civil Liability Act (WA), Occupiers Liability Act (WA)* – confers a duty of care to those who enter and use the site by the organisation that manages and controls the site.

#### **POLICY IMPLICATIONS**

2.1.8 – Financial Governance – establishes financial management and governance principles to be applied to general financial decision making including those required to manage and maintain physical assets to achieve the maximum useful life from the initial investment. Budget items are required to be assessed against factors including demonstrated community need, estimated annual costs for operation and maintenance and economic or community development advantages to the area.

2.3.4 – Asset Management Plan – aims to guide the management of the Shire’s infrastructure assets to meet agreed service delivery and performance expectations. The saleyards does not contain any buildings so has not as yet been considered in the context of the adopted Building Assessment Framework.

**FINANCIAL IMPLICATIONS**

There are funds available in account C055 that could be used to fund the officer recommendation.

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK				
Risk Profile	Risk Description/Cause	Key Control	Current Action	
1) <i>Asset Sustainability</i>	<i>Insufficient budget to maintain or replace assets. Inadequate design (not fit for purpose)</i>	<i>Nil</i>	<i>Nil – Saleyards currently not incorporated into the Risk Management Framework</i>	
3) <i>Compliance</i>	<i>Ineffective policies and procedures</i>			
4) <i>Document Management</i>	<i>High workloads and time pressures</i>			
6) <i>Engagement</i>	<i>Inadequate documentation or procedures</i>			
7) <i>Environment Management</i>	<i>Inadequate reporting/oversight frameworks</i>			
8) <i>Errors, Omissions, Delays</i>	<i>Inadequate formal procedures or training; poor internal communication between teams</i>			
13) <i>Project/Change Management</i>	<i>Lack of investment</i>			<i>Clear/formal project ownership</i>
14) <i>Safety &amp; Security</i>	<i>Inadequate policy, frameworks, systems and structure to prevent the injury of visitors, staff, contractors and/or tenants; Inadequate signage, barriers or other exclusion techniques</i>			<i>Workplace inspections/Audits (all sites)</i>

<b>IMPLICATIONS</b>			
While the Shire’s Risk Assessment and Acceptance Criteria has been updated since the LGIS report, the new criteria largely aligns with the consequences table outlined within the LGIS report. The LGIS report has identified a number of extreme risks, as well as some high and moderate risks regarding public liability necessitating intervention as outlined below:			
<i>Risk Rank</i>	<i>Description</i>	<i>Criteria</i>	<i>Responsibility</i>
<i>Extreme</i>	<i>Unacceptable</i>	<i>Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring</i>	<i>CEO/Council</i>
<i>High</i>	<i>Urgent Attention Required</i>	<i>Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring</i>	<i>Executive Manager/CEO</i>
<i>Moderate</i>	<i>Monitor</i>	<i>Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring</i>	<i>Operational Manager</i>

**ASSET MANAGEMENT IMPLICATIONS**

Nil. The Saleyards have not been identified in the long term financial plan for the Shire.

**SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS**

The VROC represent independent communities working together to achieve mutually beneficial outcomes.

The Shire of Katanning have requested to become a party to the existing VROC. The Shire of Katanning currently owns and operates an undercover sheep specific saleyard within 40kms of the Kojonup saleyard. Any change to the operation of the Kojonup saleyards may have an impact on the Katanning saleyards.

**VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER RECOMMENDATION**

### **That:**

- 1. An appropriately qualified consultant be engaged to provide a holistic review of the use and operation of the Kojonup saleyards and wash down bay including:
  - i. Shire public liability risk management obligations (as per LGIS report)**
  - ii. Shire OSH obligations**
  - iii. DWER licencing obligations**
  - iv. Current and emerging animal welfare standards**
  - v. Alternative sale options for current users**
  - vi. Alternative uses for the existing site**
  - vii. Alternative location for the saleyards and wash down bay/provision of saleyards in Kojonup****
- 2. The Saleyards Reserve be used to undertake the holistic review of the use and operation of the Kojonup saleyards and wash down bay.**
- 3. The CEO implement administrative checklists and inspections as required by DWER licensing requirements: and**
- 4. The Kojonup Saleyards be closed pending the outcome of the holistic review of operations.**

## **COUNCIL DECISION**

### **112/20 Moved Cr Fleay, seconded Cr Gale**

#### **That:**

- 1. An appropriately qualified consultant be engaged to provide a holistic review of the use and operation of the Kojonup saleyards and wash down bay, not exceeding the value of \$10,000 in consultancy fees and to include:
  - viii. Shire public liability risk management obligations (as per LGIS report)**
  - ix. Shire OSH obligations**
  - x. DWER licencing obligations**
  - xi. Current and emerging animal welfare standards**
  - xii. Alternative sale options for current users**
  - xiii. Alternative uses for the existing site**
  - xiv. Alternative location for the saleyards and wash down bay/provision of saleyards in Kojonup;****
- 2. The Saleyards Reserve be used to undertake the holistic review of the use and operation of the Kojonup saleyards and wash down bay; and**
- 3. The CEO implement administrative checklists, signage and inspections as required by DWER licensing requirements.**

**CARRIED 7/0**

Reason for change: Councillors were of the view that the future of the Saleyards, while viewed as a critical infrastructure, required more information before being able to make a comprehensive assessment.

**13**    **KEY PILLAR 4 – ‘PROSPERITY’ REPORTS**

Nil.

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

14.1. BUSH FIRE COMMUNICATIONS

<b>AUTHOR</b>	Anthony Middleton – Manager Corporate & Community Services
<b>DATE</b>	Friday, 7 August 2020
<b>FILE NO</b>	ES.CIR.2
<b>ATTACHMENT(S)</b>	14.1.1 - Kojonup WAERN Coverage Review - May 2020

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
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.
KP 5 – Digital	5.4 – Have used technology to become a smart, safe, collaborative and informed region	5.4.1 - Enable and advocate for public access to NBN for all residents. 5.4.6 - Technology provisions to ensure all residents have instant access to innovative health provisions.

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

To consider the outcomes of a review into the coverage of the Western Australian Emergency Radio Network (WAERN) in the Shire of Kojonup with reference to previous Council resolutions regarding Bush Fire Communications.

**BACKGROUND**

At the Bush Fire Advisory Committee (BFAC) meeting held 15 October 2019, the following recommendation was made to the Council:

***‘that it be recommended to council that Council urgently commit to building a new communications tower to the maximum height possible on the current midband site, pending an agreement with DFES to move the WAERN repeater to the new tower.’***

Up until this point, Shire staff have been researching the construction of the new tower on public land for the installation of the mid-band radio network. The recommendation made above now includes the moving of the WAERN radio network to a new Council owned tower to be constructed at the privately owned Samson Road Site. This represents a change in direction from previous Council decisions.

Following the 15 October 2019 BFAC meeting, correspondence was provided from Mr Digby Stretch, Kojonup Bush Fire Association President on 24 October 2019 as follows:

*'Hi all,*

*Attached are the radio shadow maps for the current mid-band tower (assuming a new 60m tower) and the Jingalup/Balgarup Rd site at 60m. The Jingalup site looks better overall, although some black spots would be created in the Cherry Tree Pool region. The Chowerup tower has closed out most of the black spots in the SW corner of the shire. For clarity, I'll ask Murray for a map that includes the Chowerup repeater.*

*I was wrong in my recollection at BFAC last week that the current mid-band site was better on the shadow maps than the Jingalup Rd site. I'm happy for the shire to be considering the Jingalup site despite the motion that I put at BFAC regarding siting the new tower at the current mid-band repeater site.'*

At its Special Council Meeting held on 5 November 2019, the Council resolved (motion 126/19):

*"That Council defer a decision on the Communications Tower replacement until the CEO has undertaken the following actions:*

- 1. Ascertain DFES Capital funding criteria in respect of the Local Government Grant Scheme (LGGS) for the construction of a new Communications Tower which has the ability to accommodate the Shire of Kojonup' Radio Communications Network including but not limited to:
  - a) The Shire's Mid-Band radio network;*
  - b) The WA Emergency Radio Network;*
  - c) The Shire's Works and Services department radio network;*
  - d) CB radio;*
  - e) Community FM Radio; and*
  - f) Internet;**
- 2. Cost to erect a new Communications Tower and associated radio network at the Jingalup Site situated at Jingalup/Balgarup Road given the improved coverage achieved from Shadow Testing undertaken by DFES Communications;*
- 3. Land tenure requirements given Jingalup site is currently a road reserve;*
- 4. New tower design considerations such as height, structural integrity especially if utilising the tower on offer from WAPOL;*
- 5. Costs to relocate the Muradup Shed which permits all weather protection for new batteries and installation of new solar panels to the Jingalup site;*
- 6. Costs for security fencing, improved road access to the new tower and costs of shifting/replacing the WAERN system or installation of new aerials to the Jingalup site;*
- 7. Costs of dismantling and/or selling the Samson Road Tower and rehabilitating the site;*
- 8. Advice to be sourced from DFES Communications as required;*
- 9. Lodge an application seeking LGGS Capital Funding based on the above information; and*

**10. Council give due consideration to borrowing the appropriate funds in order for the new Jingalup Tower to be operational by Mid-2020.”**

Following the Council’s resolution 126/19 above, the Department of Fire and Emergency Services (DFES) were requested to fund the construction of a new tower in accordance with the above resolution, but especially points 1, 8 & 9. DFES’s response to this request has been provided in the form of a report titled ‘Kojonup WAERN Coverage Review - May 2020’ (attached).

In summary, DFES would commit to meeting the cost of transferring the repeater for channel 234 to the new site, but have not given any indication of further funding provision. It is estimated that the cost of a new communications tower and associated infrastructure will exceed \$300,000, although little is known regarding the scope of the build at this stage.

**COMMENT**

The report provided by DFES highlights that improved communications are not necessarily achieved through the construction of new infrastructure. In fact, there is no evidence that the construction of a new tower will improve WAERN coverage provided by existing towers at Kojonup (number 234) and Chowerup (229). The report states:

***‘A proposal has been submitted for a new tower to be erected at Jingalup Road (Appendix D). Shadow mapping of the proposed site has indicated good coverage but less than the area comparison of the linked 229 and 234. These sites should remain linked in the event of the new tower being constructed.’***

DFES have made the following recommendations within the report:

1. Local communications plans are reviewed by the Shire of Kojonup with assistance from the Regional Office of DFES for suitability;
2. An immediate training needs analysis should be undertaken at a DFES Regional level to ensure that local volunteers understand the value of, and can effectively employ the communications plans;
3. Based upon the training needs analysis, a development program be initiated by the Region to support local volunteers communications training;
4. DFES Operational Communications work with the region and local representation to map suitable re-transmission sites to assist the Incident Command Centre to monitor incidents from the field;
5. DFES Operational Communications and Radio Communications Section offer technical advice in support of the construction of the proposed new tower;
6. The Shire of Kojonup accepts that any improved coverage from the proposed tower site, indicated by shadow mapping developed by DFES Radio Communications Section, is not guaranteed. The Shire should consider getting an independent analysis prior to committing to this expenditure; and
7. While DFES Operational Communications believe that the administrative options (above) should be initiated before any capital expenditure, DFES would commit to meeting the cost of transferring the repeater for channel 234 to the new site upon the construction of the new tower.

As there is no evidence that the construction of a new tower will improve WAERN coverage provided by existing towers at Kojonup (number 234) and Chowerup (229) and DFES have recommended a series of administrative options to improve communications, it is recommended that further work be undertaken to develop the scope and costing details of a new tower in accordance with Council resolution 126/19. The cost of such research to be funded via account C138 (Bush Fire Repeater Tower).

#### CONSULTATION

Nil.

#### STATUTORY REQUIREMENTS

Nil.

#### POLICY IMPLICATIONS

Nil.

#### FINANCIAL IMPLICATIONS

The Shire of Kojonup currently has an amount of \$ 111,569 in a cash backed reserve account to be utilised for this project.

A review of recent building permits for communications infrastructure showed the following costs of construction:

Approval Date	Suburb	Comments	Approval Value
18/10/2016	Frankland River	Telecommunications tower (46m monopole) associated cabinet and fencing.	\$300,000
6/04/2017	Boscabel	Telecommunications 60m tower (guyed mast), associated equipment and fencing	\$357,000
1/06/2017	Kojonup	Replacement 55m communications tower (guyed mast), replacement equipment shelter and cabling	\$130,000
18/04/2018	Frankland River	Telecommunications tower and associated equipment shelter, cabling, fencing and equipment	\$279,000
22/04/2017	Cranbrook	Telecommunications 60m tower (guyed mast), shelter and fencing (includes removal of existing tower)	\$200,000
24/05/2017	Tenterden	Telecommunications 60m tower (guyed mast), shelter and fencing	\$250,000
20/09/2017	Mobrup	Telecommunications 40m tower (monopole), associated equipment and fencing	\$150,000
28/09/2017	Lumeah	Telecommunications 64.35m lattice tower, associated equipment and fencing	\$195,000
22/03/2018	Orchid Valley	Telecommunications 60m tower (guy mast), associated equipment and fencing	\$279,000

The total cost of the construction of a new tower, if required, will also need to include:

- Land tenure changes (preferred site is currently a road reserve);
- Fencing;
- Tower design specifications;
- Radio Hut / Shed;
- Batteries and solar panels;
- Road access / clearing; and
- Costs of dismantling and/or selling the Samson Road Tower and rehabilitating the site.

## RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1) <i>Asset Sustainability Practices</i>	<i>Inadequate design (not fit for purpose)</i>  <i>Outputs not meeting expectations;</i>	<i>Asset Replacement Schedule</i> <i>Asset Register</i>	N/A
6) <i>Engagement Practices</i>	<i>Infrastructure Projects</i>	<i>Advisory committees/groups</i>	N/A
8) <i>Errors, Omissions &amp; Delays</i>	<i>Incorrect planning, development, building, community safety and Emergency Management advice</i>	<i>Policies and procedures</i>	N/A
11) <i>IT &amp; Communications</i>	<i>Failures or disruptions caused by hardware, software or networks</i>	<i>Performance Monitoring</i>	N/A
IMPLICATIONS			
<p>In the absence of a detailed investigation that encompasses all aspects of emergency communications (e.g. coverage, hardware, land tenure/ownership, whole of life costing, advances in communication equipment/technology) by an independent consultant with expertise in this field, the Shire is unnecessarily exposed.</p> <p>The construction of a new tower could total between \$300,000 and \$400,000 and it is currently very difficult to establish, with any certainty, what advantages or improvements this will tangibly provide.</p> <p>There have been numerous requests since the Council’s original 21 February 2017 motion to “get on with building a new tower” from the community and Brigade volunteers. However, it is considered that there are many unanswered questions and issues still to be resolved with regard to the construction of a new tower for bush fire radio communications in the Shire of Kojonup. They include:</p>			

- Exactly what measurable benefit will be gained from the construction of a new tower or from relocating to a higher site? 10% improvement? 20%?
- The focus of previous Council's motions (e.g. 21 February 2017) surrounded the issue of the mid-band tower being located on private land and possible tenure issues that may result from that. Is this still the main priority as subsequent motions focus on the WAERN and do not address this issue?
- Will new black spots be created by choosing a new site? Shadow mapping suggests black spots may be created at Cherry Tree Pool;
- Why has shadow mapping been produced using a hypothetical 60 metre tower? Why not 50 metres or 70 metres?
- Would DFES and/or the Emergency Services Levy (ESL) contribute to the cost of construction? The current report from DFES indicates that they will fund moving equipment, not the cost of construction of a new tower.
- Can other services such as internet, community radio, community CB radio and the Shire's works department radio communications be placed onto the tower without interfering with performance?
- Does a new site require new licensing requirements and a change to a different frequency?
- The Shire of Kojonup has been offered a second hand 55m mast that is currently being unused at the WAPOL site. Does this tower offer any advantages over our existing tower? There is no warranty on the structure and all assessments will need to be taken at cost to the Shire, however, a structural report has been provided. Has a structural report ever been sourced for our existing Samson Road tower?

#### **ASSET MANAGEMENT IMPLICATIONS**

The current communications tower is included in our Asset Register.

Should a new tower be constructed at a cost of \$300,000 to \$400,000 with a useful life of fifty (50) years, then \$6,000 to \$8,000 should be put aside each and every year for asset replacement at the end of its useful life in 2070.

#### **SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS**

As fires do not adhere to Shire boundaries, communication is considered a regional matter and coverage across the region should be considered with our neighbours.

#### **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER RECOMMENDATION**

*That, in accordance with Council motion 126/19 whereby the Council deferred a decision on the Communications Tower replacement until certain actions were undertaken, the following be resolved:*

- 1. The report from the Department of Fire & Emergency Services titled 'Kojonup WAERN Coverage Review - May 2020' be received;*
- 2. Recommendations within this report be referred to the Bush Fire Advisory Committee for comment and advice; and*
- 3. Authorise the Chief Executive Officer to engage an independent consultant to carry out a comprehensive investigation into:*
  - a. The current and future needs and requirements of the Shire of Kojonup's Radio Communications Network;*
  - b. The best site within the Shire to locate this infrastructure for full coverage of the Shire of Kojonup, noting the Council's preference for the Jingalup Site situated at Jingalup/Balgarup Road;*
  - c. Provide tender specifications, detailed designs and cost estimates of any required new infrastructure;*
  - d. Communications network to include, but not limited to:*
    - i. The Shire's Mid-Band radio network;*
    - ii. The WA Emergency Radio Network;*
    - iii. The Shire's Works and Services department radio network;*
    - iv. CB radio;*
    - v. Community FM Radio; and*
    - vi. Internet*

**COUNCIL DECISION**

**113/20 Moved Cr Radford, seconded Cr Webb**

*That, in accordance with Council motion 126/19 whereby the Council deferred a decision on the Communications Tower replacement until certain actions were undertaken, the following be resolved:*

- 1. The report from the Department of Fire & Emergency Services titled 'Kojonup WAERN Coverage Review - May 2020' be received;*
- 2. The CEO be authorised to engage with the Department of Fire and Emergency Services (DFES) or others on the type of tower needed and the cost of the structure for Jingalup site located on Jingalup Road and Balgurup Road;*
- 3. The communications on the tower include provision for:*
  - i. The Shire's Mid-Band radio network;*
  - ii. The WA Emergency Radio Network;*
  - iii. The Shire's Works and Services department radio network;*
  - iv. CB radio;*
  - v. Community FM Radio; and*
  - vi. Internet;*
- 4. The CEO try to secure more funding for constructions of the tower and not just transferring WAERN to the new tower from DFES; and*
- 5. The tower at the Jingalup site to be installed and operational by October 2021 if possible.*

**CARRIED 7/0**

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

Nil.

**16**     **NEW BUSINESS**

Nil.

**17**     **CONFIDENTIAL REPORTS**

Nil.

**18**     **NEXT MEETING**

Ordinary Council Meeting Tuesday, 15 September 2020 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 4.240pm.

**20     ATTACHMENTS (SEPARATE)**

Item 7.1	7.1.1	Minutes of the Ordinary Council Meeting held 28 July 2020
Item 11.1	11.1.1	LEMC Minutes 27 July 2020
Item 11.2	11.2.1	Proposed Freehold Subdivision Plan
Item 12.1	12.1.1	July 2020 Monthly Financial Statements
Item 12.2	12.2.1	Monthly Payment Listing 1/07/2020 to 31/0/2020
Item 12.3	12.3.1	Public Liability Site Risk Assessment – Kojonup Saleyards
	12.3.2	Code of Practice for animals at Saleyards in Western Australia
	12.3.3	Saleyard Operating Licence and Decision Report
Item 12.4	12.4.1	Kojonup WAERN Coverage Review - May 2020

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Presiding Member

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Date

