

SHIRE OF KOJONUP

Kojonup



MINUTES

Ordinary Council Meeting

16 May 2023

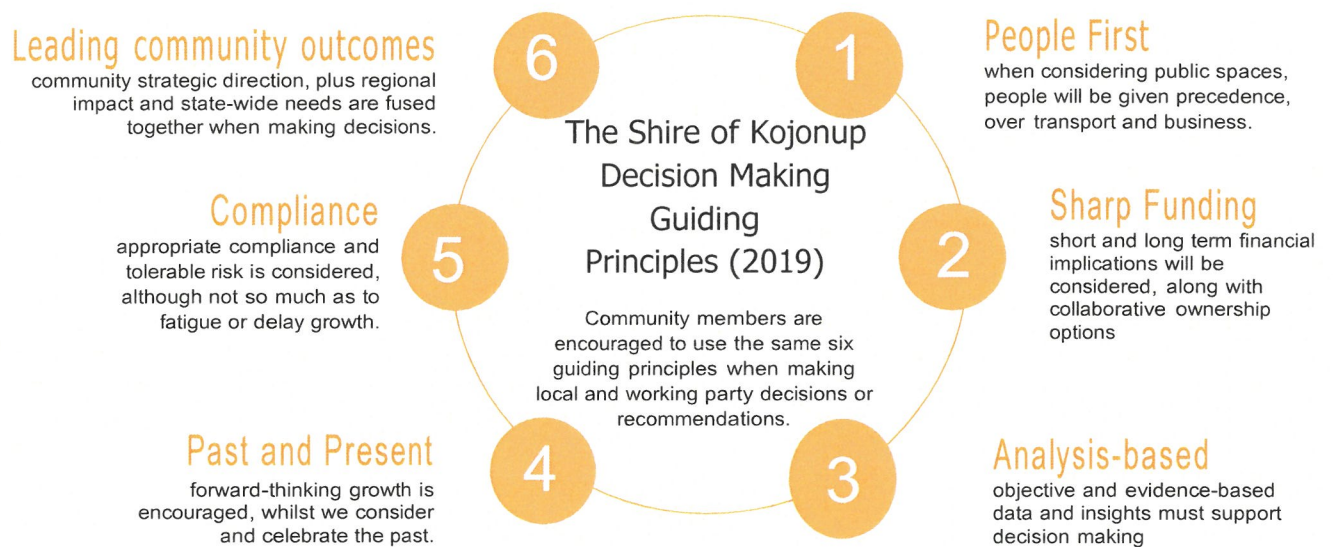
MINUTES OF A COUNCIL MEETING HELD ON 16 MAY 2023

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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 3.00pm and drew 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

Almighty God, we pray for wisdom for our reigning monarch King Charles.

We ask for guidance in our decision making and pray for the welfare of all the people of Kojonup.

Grant us grace to listen and work together as a Council to nurture the bonds of one community.

Amen

2 **ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Nil

3 **ATTENDANCE**

COUNCILLORS

Cr N Radford

Shire President

Cr P Webb

Deputy Shire President

Cr F Webb

Cr Wieringa

Cr Gale

Cr Singh

Cr R Bilney

Cr Egerton-Warburton

STAFF

Grant Thompson

Chief Executive Officer

Robert Jehu

Manager Regulatory Services

Judy Stewart

Senior Administration Officer

GUESTS

Jason Gibbons

Truck Operator

Craig McVee

Manager Works and Services

Douglas Fraser

Works Foreman

3.1 **APOLOGIES**

Nil

3.2 **APPROVED LEAVE OF ABSENCE**

Nil

4 **DECLARATION OF INTEREST**

Cr Singh – Item 9.1.2 – Proximity

5 **PUBLIC QUESTION TIME**

5.1 **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

5.2 **PUBLIC QUESTION TIME**

Nil

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING 18 April 2023

Minutes of an Ordinary Council Meeting held on 18 April 2023 are at **attachment 6.1.1.**

OFFICER RECOMMENDATION/COUNCIL DECISION

48/23 Moved Cr Gale

Seconded Cr F Webb

That the Minutes of the Ordinary Council Meeting held on 18 April 2023 be confirmed as a true record.

CARRIED 8/0

7 PRESENTATIONS

7.1 PETITIONS

Nil

7.2 PRESENTATIONS

7.2.1 JASON GIBBONS – TRUCK OPERATOR – 25 YEARS OF SERVICE

The President outlined Jason Gibbons' history of employment with the Shire of Kojonup (Shire), spanning twenty five years, and presented Mr Gibbons with a Certificate of Appreciation in recognition of his service to the Shire.

Mr Gibbons thanked the Shire for his employment and acknowledged the Manager Works and Services and the Works Foreman for their support.

Mr Gibbons, the Manager Works and Services, and the Works Foreman left the meeting at 3.05pm.

7.3 DEPUTATIONS

Nil

8 METHOD OF DEALING WITH AGENDA BUSINESS

There was nil change to the order of business.

9 REPORTS

9.1 KEY PILLAR 1 – ‘PLACE’ REPORTS

9.1.1 KOJONUP COMMUNITY MEN’S SHED INC. FACILITY – REQUEST FOR PROPOSAL 01 OF 2022/2023

AUTHOR	Estelle Lottering – Regulatory Services Administration Officer
DATE	Monday, 8 May 2023
FILE NO	FM.TND.15
ATTACHMENT(S)	9.1.1.1 – Proposal application - Action Sheds 9.1.1.2 – Proposal application - BK Thompson Electrical Service

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP – 1 Place	1.3 – Have systems in place to attract youth to the region, even in a transient manner	1.3.7 – Co-location of Men’s Shed, Kojonup Tourist Railway and Kojonup Historical Society to heritage rail precinct
KP – 2 Connected	2.1 – Be growing our state-wide and local tourism and shopping capabilities through regional alliances	2.1.3 – Cooperate to increase activation of Main Street and better use of underutilised Main Street spaces
KP – 3 Performance	3.4 – Be organised and transparent with our financial management	3.4.2 – Act with sound long-term and transparent financial management and deliver residents value for money

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for the Council to consider the proposals received for the construction of the proposed new Kojonup Community Men’s Shed (Men’s Shed).

BACKGROUND

Initial planning for the relocation of the Men’s Shed to the Benn Parade site formed part of the ‘Kojonup SMART Future Project’ Regional Growth Fund grant application in 2018.

Discussions with the Kojonup Men's Shed Inc., regarding their existing facility no longer being fit for purpose, began in early 2021. With the announcement of Phase Three of the Local Roads and Community Infrastructure Program (LRCIP) Federal grant round in May 2021, a successful grant application saw the allocation of a portion of these funds set aside for the relocation, planning and construction of a new Men's Shed facility. Work Schedules to this effect were submitted to the Department of Infrastructure, Transport, Regional Development and Communications (Department) on 19 May 2022, with the Department's advice of its acceptance of the projects being received 6 June 2022.

The facility construction project is included in the 2022/2023 Annual Budget.

The path forward was discussed with Council at the 13 December 2022 Briefing Session and staff have worked on the RFP documentation and process following this.

At its 7 February 2023 Ordinary Meeting, Council resolved as follows:

"That the Kojonup Community Men's Shed Request for Proposal 01 of 2022/2023 (RFP) report be tabled for discussion at a Special Council Meeting on 28 February 2023 and that the Chief Executive Officer investigate the option of a new Men's Shed location being on the existing Men's Shed site (Lot 135 Albany Highway, Kojonup) and report to Council on the impact taking into consideration the following:

- 1. Regulatory requirements to remediate the site prior to any construction;*
- 2. Demolition of the existing Men's Shed (including removal of asbestos);*
- 3. Decommissioning of underground fuel tanks;*
- 4. Remediation of the soil where required;*
- 5. Inclusion of dust extraction equipment; and*
- 6. Formation of a car park on the title."*

At its 28 February 2023 Special Council Meeting, Council resolved as follows:

"That Council:

- 1. Endorses the Kojonup Community Men's Shed Request for Proposal 01 of 2022/2023, as per Attachment 9.1.1.5 with the following change: the site location, site parameters and map be 135 Albany Highway, Kojonup, and*
- 2. Authorises the Chief Executive Officer to proceed with the Request for Proposal process."*

A Request for Proposal was advertised accordingly complying with the tender process due to the anticipated cost of the project.

COMMENT

The proposal documentation was modularised into different components as follows and forwarded to nine (9) interested contractors:

1. Site Preparation and Services Excavation
2. Plumbing Services
3. Electrical Services
4. Shed Construction

Two (2) proponents submitted proposals as summarised below:

Table 1 - Proponents

	Contractor
1	Action Sheds
2	BK Thompson Electrical Service

Part of the Request for Proposal required contractors to complete a compliance criteria checklist and a Work Health and Safety Management Plan.

The qualitative assessment criteria, as advertised, were as follows:

- Demonstrated understanding of the RFP Requirements 45%
- Detailed Construction timeframe 30%
- Capacity & Demonstrated Experience in Completing Similar Projects 25%

Each respondent's offer was considered against the qualitative criteria.

Table 2 – Proposal Assessment – Request for Proposal 1 of 2022/2023

Proposal #	Contractor	Proposal Components	Amount
1	Action Sheds	Site Preparation and Services Excavation	\$ 32,937.50
	Action Sheds	Plumbing Services	\$ 50,000.00
	Action Sheds	Electrical Services	\$100,000.00
	Action Sheds	Shed Construction	\$311,505.77
	Action Sheds	WC/Tool Store/Office	\$ 38,925.00
	Action Sheds	Builder's Licence	\$ 21,238.74
	Action Sheds	Application fees	\$ 12,815.00
	Action Sheds	Total	<u>\$567,422.01</u>
2	BK Thompson Electrical Service	Electrical Services	\$ 46,635.60

Contractor 2, BK Thompson Electrical, is a local contractor in Kojonup and has demonstrated capability through past projects. This submission is assessed as showing value for money and, therefore, this proposal is recommended to do the electrical component.

Contractor 1, Action Sheds, was the only full proposal received. The proposal price of \$567,422.00 is within the budgeted costs estimates. This submission has demonstrated understanding of the RFP requirements. Action Sheds has the capacity to undertake the project, and has demonstrated experience in similar projects. This proposal is assessed as value for money and is recommended to do the site preparation and services excavation, plumbing services, and shed construction.

Officers have clarified with Action Sheds that the framing will be C section. This material is compatible with the size of the building, in accordance with standards.

The thickness of the proposed concrete pad can be increased in areas requiring additional load capacity; the current proposal cost does not include additional thickness. If a scope variation is required, this will increase the budget accordingly.

CONSULTATION

Council Briefing Session 2 May 2023

Kojonup Community Men's Shed Inc. Executive Committee

Chief Executive Officer

Manager Regulatory Services

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy 2.1.2 Purchasing & Creditor Control outlines the processes to follow when purchasing goods. Due to the anticipated value of this project, proposals were called in line with this policy and legislative requirements for tenders – r.11 of the Local Government (Functions and General Regulations) 1996.

FINANCIAL IMPLICATIONS

The 2022/2023 Annual Budget contained an allowance of \$1,000,000 for this project which was adjusted in the half yearly budget review to \$750,000. Funding of \$750,000 is confirmed in the LRCIP Phase Three funding.

The RFP proposals received create a contingency allowance of \$235,942.40 to be utilised for any unforeseen events or works that form during construction.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3.Compliance	Breakdowns in tender or procurement processes	Tender and procurement process	Nil
	Impulsive decision making	Tender and procurement process	Nil
12.Misconduct	Undue influence from Manager/Councillor	Elected Member Training	Nil
		Segregation of duties	
13.Project - Change Management	Inadequate project planning	Project Management procedures	Implement formal project management guidelines
14.Safety & Security	Ineffective/inadequate testing, sampling or other health requirements	Asbestos register & procedures	Nil
<i>Risk rating – High</i>			
IMPLICATIONS			
With any large construction project, implications can include scope variations due to poor project management; unknown variables found after construction commencement e.g.; asbestos in the soil; poor contractor workmanship leading to cost overruns.			

ASSET MANAGEMENT IMPLICATIONS

The construction of a new asset increases depreciation, operating and maintenance costs impacting the profit and loss statement, asset register and balance sheet.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

49/23 Moved Cr Egerton-Warburton

Seconded Cr P Webb

That Council:

1. Accepts the Proposal from Action Sheds for \$467,422 for Site Preparation and Services Excavation, Plumbing Services, and Construction components of a new Men's Shed at Lot 135 Albany Highway, Kojonup;
2. Accepts the Proposal from BK Thomson Electrical Service for \$46,635.60 for the electrical works component associated with the construction of a new Men's Shed at Lot 135 Albany Highway, Kojonup; and
3. Authorises the Chief Executive Officer (CEO) to:
 - a) conduct due diligence on the successful proponents to satisfy the CEO of their ability to deliver the works on-time, within budget and to the quality standards required; and
 - b) if the CEO is satisfied with the due diligence, proceed to contract the successful proponents for construction of the Men's Shed based on the submitted proposals.

CARRIED 8/0

Cr Singh declared a proximity interest and left the meeting at 3.07pm.

9.1.2 PAVEMENT RE-SURFACE AND SLIP FACTOR REVIEW – 122 AND 124 ALBANY HIGHWAY

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Thursday, 11 May 2023
FILE NO	FM.TND.2
ATTACHMENTS	<p>9.1.2.1 – Correspondence - Parminder Singh and Kellie Jane Bowey – Pavement Resurface Request</p> <p>9.1.2.2 –Slip ratings Coved Finished Concrete with Dulux Avista Water Based Sealer</p> <p>9.1.2.3 – Slip ratings addendum</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 1 - Place	1.4 - Be enjoying a Main Street which is an inviting meeting place where we celebrate our history and heritage in a modern way	1.4.6 - Redevelop the main street to create a people friendly and vibrant retail centre - Provide Community infrastructure that attracts outsourced or privately run facilities and programs. - Work with local retail outlets to build a people-friendly, active, vibrant and smart Main Street
KP 4 - Prosperity	4.4 – Have collaborated to enhance and attract diverse retail to ensure a successful and renewed Main Street.	4.4.1 - Support Main Street urban renewal through in-kind support and policy development.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for the Council to re-consider a prior written request to resurface the paving in front of Shop 124 Deli and the Shear Class hairdresser at 124 and

122 Albany Highway, Kojonup, respectively, at no cost to the Shire of Kojonup (Shire) with additional information pertaining to consideration of the slip factor.

BACKGROUND

A streetscape concept plan to revitalise Kojonup's main street section of Albany Highway is being progressed; however, no funding has been sourced or allocated for this project.

COMMENT

The owner of 124 Deli, Parminder Singh, and the owner of Shear Class hairdressers, Kellie Jane Bowey, have applied to the Council for permission to coat the current pavers covering the pavement between their shop fronts and the kerb at the front of the premises.

The pavers outside these retail properties are old and inconsistent with the rest of the main street and, therefore, will have no impact on aesthetics.

The proposal is to coat the current pavers with a Charcoal Base Grey Slate colour as per the photographs attached. The current pavers in this location are not consistent with the majority of the pavers along the main street and the footpath from the Chemist to 122 Albany Highway is concrete before changing to red/brown pavers currently in place at 122 and 124 Albany Highway. Having the product applied would allow Council to assess the finished product over time.

The products to be used are Nubond and Dulux as per the photos attached.

The Contractor to be employed by Parminder Singh and Kellie Jane Bowey has operated and used the product in City councils.

The product line used in Spray on Pavers is as follows:

- High Pressure acid cleaning
- Primer coating (Nu Bond Polymer)
- Colour (Charcoal Base Grey) Oxide
- Base Compounder (Dulux Avista)
- Dulux Extended Wear Sealer for sealing.

The main concern is if several businesses along the street applied to paint their adjoining pavements, this may create a variety of different textures along the street.

The Shire of Kojonup (Shire) currently has no form guide as to what colours or products should be applied in the street. We have not compared this request to the Streetscape concept.

Inconsistent approval applications in the main street could cause reputational damage to the Shire; this request is not aligned to a consistent Town Planning streetscape approach. If approved, any future applications would need to be judged on their individual merits.





Photos of product to be utilised provided by the proponent

Slip Factor

The Australian Standard for slip resistance includes a wet pendulum slip test for both new and existing surfaces. The standards are AS 4586:2013, Slip resistance classification of new pedestrian surface materials. Furthermore, AS 4663:2013 concerns slip resistance measurement of existing pedestrian surfaces.

The product is classified as D1 for the dry test which reflects a medium to high slip resistant product, and P4/54 for the wet test which complies and demonstrates a medium to high slip resistant product. Please refer to attachments 9.1.2.2 and 9.1.2.3 for further information on the slip tests data on this product and an explanation sheet on interpreting the test.

In its current form the wet and dry test for this product meets the AS4586:2013 Slip Resistance Classification of New Pedestrian Surface Materials; however, it is recommended that Dulux Avista Slip Reducing Additive Powder and/or Dulux Avista Slip Reducing Additive

Crushed Glass be added to the concrete sealer to ensure slip resistance adheres in areas that are outside higher foot traffic and in areas that may become wet regularly. This is the case for the areas in question and this report recommends that an additional coat of sealer, incorporating one of the Slip Reducing Additives, is necessary.

Curing times will depend on the ambient conditions and can vary from job to job.

The manufacturer recommends the sealed surface does not have foot traffic for a minimum time of 24 hours and no vehicle traffic for at least 5 days if applying to areas of vehicle traffic.

The type and frequency of traffic, along with the weather conditions, all play a part in how long the sealer may last. Traffic over excess dirt, friction (e.g.; from tyres), and other excessive wear and tear (e.g.; power steering or heavy traffic) may reduce the life of the sealer. Constant UV exposure may also reduce the life of the sealer. Regular maintenance helps extend the life of the sealer.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will be no initial financial cost to Council.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1 - Asset Sustainability	Inadequate design (not fit for purpose)	Routine maintenance schedule: Hard Infrastructure (Roads, bridges, drainage, footpaths)	Nil
<i>Risk Rating: Moderate</i>			
IMPLICATIONS			
<p>Risks include:</p> <p>Inadequate design (not fit for purpose):</p> <p>Product used and public impact for sensitive residents during coating process.</p> <p>Resurface material is a slip hazard for the public.</p> <p>Product is less than warranted, the Shire is liable for maintenance and other cleanup costs.</p> <p>Post coating it does not fit aesthetically into the current town scheme and Shire needs to change out the pavers creating rework and cost.</p> <p>Contractors not contracted by the Shire working on Shire owned assets - the risk of workers public liability claim.</p> <p>Outputs not meeting expectations:</p> <p>No control of standard of work as not contracted through the Shire.</p> <p>Reputation damage for Council due to poor workmanship.</p> <p>Criticism from residents due to inconsistent streetscape plan and colours.</p>			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Bilney

Seconded Cr F Webb

That Council approves a request from Parminder Singh and Kellie Jane Bowey to re-surface the pavers between the shop fronts and kerbing at 122 and 124 Albany Highway, Kojonup using the products the proponents have proposed, as a one off trial, dependent on the following conditions if approved:

- a) the contractor engaged to undertake the pavement re-surfacing is suitably qualified, experienced and insured, and completes the Shire of Kojonup's (Shire) Work Health and Safety documentation requirements for contractors;
- b) the contractor must obtain any permission required from Main Roads WA if encroaching on the Albany Highway road surface (signage etc) and provide the Shire with written proof of this permission;
- c) the contractor must obtain permission from the neighbouring landowners if there is to be any encroachment on a neighbour's property, as a result of any part of the re-surfacing process, and provide the Shire with written proof of this permission;
- d) that the proponent is advised that this action is at the proponents' total cost but the Shire may change the streetscape at any stage with no compensation to the proponents for their expense;
- e) that the sealed surface does not have foot traffic for a minimum time of 24 hours as per manufacturer recommendation;
- f) that the proponent is advised that, if the product does not meet standards or specifications (at the Shire's discretion), the Shire may require the proponents to pay any cost of rectification: and
- g) that an additional coat of sealer incorporating Dulux Avista Slip Reducing Additive Powder be added to the concrete sealer to ensure higher slip resistance.

AMENDMENT TO THE MOTION

50/23 Moved Cr Wieringa

Seconded Cr Gale

That the following point be added to the motion:

- h) that a final non-contrasting colour choice is to be delegated to the Chief Executive Officer after consultation with the Applicants and Councillors.

CARRIED 8/0

THE AMENDMENT BECAME PART OF THE MOTION AND WAS PUT

51/23 Moved Cr Bilney

Seconded Cr F Webb

That Council approves a request from Parminder Singh and Kellie Jane Bowey to re-surface the pavers between the shop fronts and kerbing at 122 and 124 Albany Highway, Kojonup using the products the proponents have proposed, as a one off trial, dependent on the following conditions if approved:

- a) the contractor engaged to undertake the pavement re-surfacing is suitably qualified, experienced and insured, and completes the Shire of Kojonup's (Shire) Work Health and Safety documentation requirements for contractors;
- b) the contractor must obtain any permission required from Main Roads WA if encroaching on the Albany Highway road surface (signage etc) and provide the Shire with written proof of this permission;
- c) the contractor must obtain permission from the neighbouring landowners if there is to be any encroachment on a neighbour's property, as a result of any part of the re-surfacing process, and provide the Shire with written proof of this permission;
- d) that the proponent is advised that this action is at the proponents' total cost but the Shire may change the streetscape at any stage with no compensation to the proponents for their expense;
- e) that the sealed surface does not have foot traffic for a minimum time of 24 hours as per manufacturer recommendation;
- f) that the proponent is advised that, if the product does not meet standards or specifications (at the Shire's discretion), the Shire may require the proponents to pay any cost of rectification: and
- g) that an additional coat of sealer incorporating Dulux Avista Slip Reducing Additive Powder be added to the concrete sealer to ensure higher slip resistance.
- h) that a final non-contrasting colour choice is delegated to the Chief Executive Officer after consultation with the applicants and councillors.

CARRIED 7/0

Reason for change to Officer Recommendation: to delegate choice of pavement re-surface colour to the Chief Executive Officer.

Cr Singh re-entered the meeting at 3.13pm.

9.2 KEY PILLAR 2 – 'CONNECTED' REPORTS
Nil

9.3 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

9.3.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY MARCH 2023

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Friday, 14 April 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.1.1 – Monthly Financial Statements 1 to 31 March 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 March 2023.

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 2022 to 31 March 2023 represents nine (9) months, or 75% of the year.

The following items are worthy of noting:

- Closing surplus position of \$654,812.
- Capital expenditure achieved 56.8% of budgeted projects.
- Cash holdings of \$6.19m of which \$3.79m is held in cash backed reserve accounts and \$2.40m is unrestricted cash.

- Rates debtors outstanding equate to 9% of total rates raised for 2022/2023. The final instalment was due on 22 March 2023.
- Page 11 of the statements detail material variations comparing year to date (amended) budgets to year to date actuals 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 of Kojonup. The recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

52/23 Moved Cr Gale

Seconded Cr Singh

That the monthly financial statements for the period ending 31 March 2023, as attached, be noted.

CARRIED 8/0

9.3.2 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY
APRIL 2023

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Tuesday, 9 May 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.2.1 – Monthly Financial Statements 1 to 30 April 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 30 April 2023.

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 2022 to 30 April 2023 represents ten (10) months, or 83% of the year.

The following items are worthy of noting:

- Closing surplus position of \$84,315.
- Capital expenditure achieved 61.7% of budgeted projects.
- Cash holdings of \$5.55m of which \$3.80m is held in cash backed reserve accounts and \$1.75m is unrestricted cash.
- Rates debtors outstanding equate to 8% of total rates raised for 2022/2023.
- Page 11 of the statements detail major variations comparing year to date (amended) budgets to year to date actuals 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 of Kojonup. The recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

53/23 Moved Cr Egerton-Warburton Seconded Cr Wieringa
That the monthly financial statements for the period ending 30 April 2023, as attached, be noted.

CARRIED 8/0

9.3.3 MONTHLY PAYMENTS LISTINGS – MARCH 2023 AND APRIL 2023

AUTHOR	Tonya Pearce - Finance Officer
DATE	Friday, 5 May 2023
FILE NO	FM.AUT.1
ATTACHMENT	9.3.3.1 – Monthly Payments Listing 1 to 31 March 2023 9.3.3.2 – Monthly Payments Listing 1 to 30 April 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
Key Pillar	Community Outcomes	Corporate Actions
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 months of March 2023 and April 2023.

BACKGROUND

Nil

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 Chief Executive Officer prior to the meeting.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

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

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

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

All payments are 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

54/23 Moved Cr Wieringa

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 March 2023		TO – 30 April 2023
Municipal Cheques		
	14356-14358	\$33,404.48
EFTs	31717 - 31948	\$1,381,926.54
Direct Debits		\$256,498.62
Total		\$1,671,829.64

be received.

CARRIED 8/0

9.3.4 RESERVE ACCOUNT APPROPRIATENESS REVIEW 2022/2023 - COMMUNITY FEEDBACK

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Friday, 5 May 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.4.1 – Community Response - David McFall – 4 April 2023 9.3.4.2 – Community Response - Adele Scarfone, Sue O’Halloran and Chris Lewis – 8 May 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider public submissions received on the Reserves Appropriateness decision made by Council on 28 February 2023 and then, taking into consideration the public comments received, edit and adopt the annual review of appropriateness of each Reserve Account in accordance with Council Policy, and the motion that was moved by Council in 2022 expanding the scope of the review.

BACKGROUND

The Council resolved, at its Special Council Meeting held on 28 February 2023:

“That:

The annual review undertaken addressing the appropriateness of all reserve accounts’ purposes, financial sustainability, suitability of current balances, and deficiencies for the funding of asset management and future projects as identified in forward plans be received;

The Council advertises the proposed recommended changes, as presented, in accordance with section 6.11 of the Local Government Act 1995 Reserve Accounts and including the following changes:

- 1. the Community Grant Scheme Reserve be renamed the Memorial Hall - Theatrical Infrastructure Reserve with nil change to the Terms of Reference; and*
- 2. the Plant and Equipment Reserve be renamed the Emergency Plant Repair and Replacement Reserve with the Terms of Reference to include repairs and funds being capped at \$250,000 with any surplus returned to the Shire of Kojonup Municipal Fund; and*

If nil public submissions are received the Council authorises the Chief Executive Officer to action the changes in the 2022/23 budget review; and that the 2023/2024 draft budget include the streamlined and reduced number of reserves as recommended."

Previously Council had resolved, at its Ordinary Meeting held on 29 November 2022 that a review of the Reserves should be conducted and presented to its February 2023 meeting:

"That Council defers the presentation of the following information to its 7 February 2023 Ordinary Meeting:

A report on how the reserve accounts operation could be enhanced in respect to the following, but not to the exclusion of other issues that appear during the process:

- Council motions regarding contributions.*
- Timing of cash movements.*
- Monthly reporting of account balances.*
- Detail provided in budgeting of reserve account transfers.*
- The concept of saving for plant and equipment purchases versus borrowing the capital required at the time of purchase."*

Council Policy 2.1.8 – 'Financial Governance' has a section relating to reserve accounts, which states as follows:

"In addition to grant funding, the Shire's reserve accounts are one of the primary funding sources for major projects and will be prioritised in the annual budget.

Cash reserves are to be established and maintained to accumulate funds for the following purposes:

- 1. To smooth funding allocations over future years;*
- 2. To offset liabilities in respect of previously earned employee entitlements to the extent they require an outflow of funds not allocated in the annual budget;*
- 3. To meet statutory obligations;*
- 4. To fund renewal of existing physical/built assets;*

5. *To fund future strategic initiatives and the provision of new services and facilities to future residents;*
6. *To buffer against unpredictable events;*
7. *To hold unspent grants and contributions; and*
8. *Other purposes as determined by the Council from time to time.*

When preparing the annual budget each year, consideration will be given to establishing reserve accounts for major projects as contained within the Community Strategic Plan.

The Manager of Corporate and Community Services will conduct an annual review for the Council addressing the appropriateness of each reserve account purpose, suitability of current balances, and deficiencies for the funding of future projects as identified in adopted forward plans.

Specifically, the following goals are set for individual reserve account balances:

- *Employee Leave – As a minimum, the level of this reserve should meet both:*
- *The EBA sick leave liability (clause 29); and*
- *The current portion of the long service leave liability for staff with seven (7) years or more service. This funding goal is to be implemented over several financial years up to 2021/2022 to manage the financial impact.*
- *Day Care Building Maintenance – 100% of annual rent paid by the tenant is deposited into this account;*
- *Springhaven Building Upgrade & Renewal - This reserve receives 100% of interest earned from the 'Springhaven Lodge' (bonds paid by residents) reserve account;*
- *Low Income Housing - All operating profit/(loss) is to be transferred to/(from) this reserve in accordance with the joint venture agreement with the Department of Housing;*
- *Independent Living Units - Operating profits from Loton Close & Soldier Road units are transferred to this reserve;*
- *Landfill Waste Management - 10% of total rubbish & recycle bin charges are to be allocated to this reserve annually;*
- *Energy Efficiency - 50% of any savings resulting from expenditure of this reserve account is to be transferred back into the reserve;*
- *Saleyards - The profit or loss from annual operations of the Saleyards to be transferred to this account.*
- *Netball Court Resurfacing Reserve – a \$3,500 annual contribution will be made to this reserve to make provision for the resurfacing of the acrylic surface at the end of its useful life.”*

COMMENT

The Shire of Kojonup received public feedback from several different parties related to the decision of 28 February 2023 and its impact on the Natural Resource Management Reserve (NRM Reserve) only.

Two lots of feedback were received via email (attached), one at the Community Meeting held 21 March 2023, and one by presentation to the Chief Executive Officer in person (Kath Mathwin).

All Community feedback was similar in that the NRM Reserve:

1. is important to the sustainability of Kojonup Shire resources;
2. it was created from monies associated with previous Landcare funds; and
3. the foundation amount should be retained in reserve.

Based on the feedback and historical nature of the NRM Reserve, Shire Officers are recommending the Council keep the current amount in the reserve and, over the next 12 months, seek input from the NRM Committee on the sustainability and use of the NRM Reserve.

No other feedback was received by the community on other specific reserves.

Summary

It is recommended to adopt the appropriateness review recommendations in full with changes to the recommendation retaining the NRM reserve, until it can be considered further.

The following section gives explicit recommendations on each of the reserves and their use.

Appropriateness of Existing Reserve Account Balances:

The following table shows reserve account balances as at 30 June 2021 and (budgeted) 30 June 2022 and a commentary on the appropriateness of these balances in conjunction with major projects planned in *Smart Implementation*. Recommendations within the table are made based on the following key:

- X - Close Reserve
- 🔴 - More funds required
- 🟢 - Currents funds are appropriate;
- 🟡 - Funds are surplus to needs of the account; and
- ? – Needs further intervention to be relevant

Recommendations have also been colour coded using a traffic light system.

	Name of Reserve	Actual Balance 30 June 2022	Budgeted Balance 30 June 2023	Officers Comment	This Year's Rec.
1.	Employee Leave	\$ 235,650	\$ 245,886	Policy 2.1.8 has set a plan to increase the level of this reserve in accordance with a set formula of minimum balance. This reserve is a priority. The reserve needs to grow at a higher escalation as the current employee benefit provisions is circa \$731,667. Recommendation: Continue to increase the balance of the reserve over time and actively manage leave accruals. Review in 2023/24 budget considerations.	↑ 2
2.	Shire Office/Library Building Upgrade & Renewal	\$ 1,007	\$1,008	Close this reserve due to lack of free cash to fund any meaningful investment. Will need to look at other revenue sources if and when this is required. Recommendation: Close and transfer funds to Municipal Account.	x
3.	Bushfire Communications	\$ 89,346	\$ 89	Close this Reserve as the Tower project commences this financial year. Recommendation: Close and transfer funds to Municipal Account and use as per terms of reference.	x
4.	Community Grant Scheme	\$ 9,745	\$9,755	This reserve account is currently holding funds set aside for the Kojonup Theatrical Society (KTS - \$6,000) and a Council donation to the KTS (\$3,000). Recommendation: Implement last year's recommendation to change the name of this reserve account in the to "Memorial Hall – Theatrical Infrastructure" and maintain.	✓
5.	Day Care Building Maintenance	\$ 14,766	\$ 7,781	As Wanslea take over the day to day lease and minor maintenance close this account. Recommendation: Close and transfer funds to Municipal Account as per terms of reference and use funds to undertake the required maintenance on the asset to baseline the building for lease with Wanslea.	x

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6.	Spencer Street Youth Precinct	\$ 31,270	\$11,301	This reserve needs discussion by Council aligned to its commitment to the Youth precinct project being the construction of a new skate park, pump track and youth centre and therefore increased amounts of funding need to be allocated to this reserve. Recommendation: Close and transfer funds to Municipal Account for planning and design as per terms of reference, dependent on the Council's decision for the Youth Precinct.	X
7.	Springhaven Building Upgrade & Renewal	\$2,165	\$ 4,362	With decisions pending on Springhaven and whilst this reserve has been nearly fully drawn down in recent years it is timely to close it. The Council can always reinstate this reserve in future if circumstances change. Recommendation: Close and transfer balance of funds to Municipal Account.	X
8.	Springhaven Equipment	\$ 16,503	\$ 6,520	With decisions pending on Springhaven and whilst this reserve has been nearly fully drawn down in recent years it is timely to close it. The Council can always reinstate this reserve in future if circumstances change. Recommendation: Close and transfer balance of funds to Municipal Account to fund the current Springhaven need for new equipment. Use as per terms of reference.	X
9.	Low Income Housing	\$ 83,483	\$ 85,066	This reserve 'operates' the Jean Sullivan joint venture housing, i.e. profit from rent transferred to reserve to fund major maintenance. Rental amounts are set by the State. Recommendation: Retain	✓
10.	Independent Living Units	\$ 158,168	\$ 139,533	This reserve was nearly fully withdrawn with the construction of new ILU's. Rental returns will rapidly improve the reserve over time, importantly from an asset replacement perspective in the long term. Recommendation: Retain	✓
11.	Benn Parade Multi-Facility	\$ 14,301	\$ 14	Provide a new facility for Kojonup Community Men's Shed, Kojonup Tourist Railway and possibly other community groups. This is a major imminent project where construction is expected in the first half of 2023. Recommendation: Transfer the current funds to Municipal in preparation of construction as per terms of reference. Close reserve.	X

12.	Townscape	\$ 49,801	\$ 50	The scope of future works is currently being defined and need reserve funds to fund design and assess costings. Total project over numerous financial years will be multiple millions. Recommendation: Transfer the current funds to Municipal in preparation of design and costings required as per terms of reference. Close reserve.	X
13.	Landfill Waste Management	\$ 80,047	\$ 56,597	Current operations and improvement required in waste management highlights that this will be an area of future expenditure needs. Post closure management expenses need to be saved for the duration of the operation of a facility to ensure appropriate funding of required works following closure. From 1 July 2018, the reserve definition was updated to include 10% of rubbish bin charges being allocated to this account. Recommendation: Change the Policy to remove Council's obligation to fund this from 10% of waste charges. Retain and fund as free cashflow allows.	✓
14.	Energy Efficiency	\$0	\$0	Installation of solar array at the Works Depot achieved major energy savings identified and closure of this reserve. Recommendation: Close and Change Policy to reflect the closure.	X
15.	Natural Resource Management	\$ 97,430	\$ 74,363	NRM needs a deeper review. Recommendation: Retain pending a future Council and NRM committee review.	✓
16.	RSL Hall Building Renewal	\$ 10,301	\$ 10,311	The scope of any future works in this precinct needs to be defined, or indeed if this building is to be retained. Strategic direction required. Recommendation: Transfer the current funds to Municipal. Close reserve.	X
17.	Memorial & Lesser Hall Upgrade & Renewal	\$ 7,146	\$ 7,153	Very important community asset that has large asset renewal backlog. Grant funding in the previous 2 years has seen in excess of \$350,000 expended on a new roof, brick repairs, front room repairs and new storage thereby greatly reducing the immediate need for renewal funding. Recommendation: Transfer funds to Municipal account and Close reserve. Fund as required from Year On Year (YOY) Budget. Use remaining funds to finish front rooms.	X

18.	Sporting Complex Building Upgrade & Renewal	\$ 1,080	\$ 1,081	Very important community asset that has substantial upgrade requirements to meet user needs. Kitchen upgrade (including cool room) and building extension for storage/office space, swimming pool club rooms and deck extension are all identified future projects. Recommendation: Merge all sporting Complex reserves into one reserve for ease of administration.	?
19.	Sporting Facility	\$ 62,737	\$ 20,622	Major expenditure 2020 - 2022 will meet the immediate demands for facility upgrades. Possible parking/kerbing/footpath upgrades are all identified future projects. Recommendation: Merge all sporting Complex reserves into one reserve for ease of administration.	?
20.	Netball Court Resurfacing	\$ 1,007	\$ 4,508	This reserve required under grant funding agreement signed in 2020 for Netball Court Reconstruction project. Reserve requirements approximately \$35,000 each ten (10) year. Recommendation: Merge all sporting Complex reserves into one reserve and maintain escalation into reserve.	?
21.	Playground & Parks	\$ 20,027	\$ 10,047	Asset renewal and upgrade reserve established in 2020/2021. Recommendation: Transfer funds to Municipal account and Close reserve due to cashflow constraints. Fund as required from YOY Budget. Current use required to co fund Apex Park playground maintenance and fixtures.	X
22.	The Spring	\$ 16,018	\$34	A new reserve created in 2020/2021 financial year to provide improvements at The Spring in line with an adopted Master Plan. This is a major imminent project where construction is expected to be staged over the coming years. Project funding has high probability from external grant sources, however, matching funds will be required by the Shire Recommendation: Transfer the current funds to Municipal in preparation of design and costings required. Close reserve as the timeframe will not match the required funding requirements due to current cashflow constraints.	X

23.	Trails Network Construction	\$ 6,009	\$15	<p>A new reserve created in 2020/2021 financial year to implement the Shire's Trails Master Plan. Grant funding and Shire contribution for the Town Walk Trail in 2021/2022 is a major start, combined with staff resources to achieve planning and land tenure requirements defined under the plan results in funding being more of a medium term priority. External project grant funding probability is considered low. Recommendation: Transfer the current funds to Municipal in preparation of design and construction required on Town Walk Trail. Close reserve as the timeframe will not match the required funding requirements due to current cashflow constraints. Fund construction from YOY budget.</p>	X
24.	Swimming Pool	\$ 40,469	\$ 40,509	<p>This asset will require upgraded drainage (wet decks) in the short term and possible full asset replacement in the medium to long term future and therefore major funds are required. \$40,000 was spent in 2018/2019 to repaint the pool as a vital maintenance item. Total upgrade project into the future will be multiple millions. Recommendation: Merge all sporting Complex reserves into one reserve.</p>	?
25.	Economic Development	\$ 88,507	\$ 24,596	<p>Council consideration is to fund new economic programs in the new SCP will require funding over time. Recommendation: Transfer the current funds to Municipal in preparation of design and costings required for new Hub as per the new Strategic Community Plan and other initiatives. Close reserve as the timeframe will not match the required funding requirements due to current cashflow constraints. Fund development from YOY budget.</p>	X

26.	Land Acquisition and Development	\$ 37,289	\$ 326	Given the shortage in available residential and industrial land, and the opportunities to develop land in John Street, Soldier Road and Thornbury Close, substantially more funds are required in this area. However, it is noted that developments could be funded by loans and this reserve utilized to deposit sale proceeds and meet loan repayments. Recommendation: Transfer the current funds to Municipal. Close reserve as timeframe will not match the required funding requirements due to cashflow constraints. Fund any land development from YOY budget or borrowings.	X
27.	Saleyards	\$ 39,555	\$ 29,985	Future of the Saleyards currently under review by the Council Recommendation: Transfer the current funds to Municipal. Close reserve as not required.	X
28.	The Kodja Place Building Upgrade & Renewal	\$ 17,628	\$ 7,646	Relatively new building that has minimal renewal issues at present, with the exception of the rammed earth walls. Recommendation: Merge all Kodja Place Building reserves into one reserve.	?
29.	The Kodja Place Master Plan Implementation	\$0	\$10,000	Slowly increase the balance of this reserve to implement recommendations contained within the plan, noting that many of the recommendations are very low cost initiatives. Recommendation: Merge all Kodja Place Building reserves into one reserve.	?
30.	Plant Replacement	\$582,448	\$ 379,978	Recommendation: Retain and change terms of reference. Council to consider changing this to Plant Emergency or unbudgeted Repairs and cap the amount to \$250,000.	✓
31.	Works Depot Building Upgrade & Renewal	\$ 1,006	\$1,007	Major operational building cluster that requires upgrade and renewal. Recommendation: Transfer the current funds to Municipal in preparation for depot master plan creation. Close reserve as timeframe will not match the required funding requirements due to cashflow constraints. Fund any Depot plan from YOY budget.	X
32.	Kodja Place Tourist Precinct	\$10,007	\$17		
	Shire Held Funds	\$1,824,916	\$1,180,160		
33.	Springhaven Lodge Bonds	\$ 2,195,000	\$ 2,195,000	This reserves operates as a trust fund for resident bonds held (Not the property of the Shire). Recommendation: Retain - Regulatory	✓
	Total Reserves	\$ 4,019,916	\$ 3,375,160		

Recommendations

Based on the commentary above, it is recommended that the 2022/2023 budget review streamlines and consolidates the number of reserves to those projects/expenditure that are relevant, regulated, create high value to the Community, and, most importantly, achievable to raise the required funds in the planned timeframe.

The Council should consider self-funding plant and equipment and analysing the best option of lease versus buy at the time of the purchase of all major plant or equipment.

In reviewing the 2023/24 budget and the current 2022/23 budget review, include the following decisions to reserve accounts:

Reserves to Close and Discontinue

Energy Efficiency
Land Acquisition and Development
Springhaven Equipment
Saleyards
Shire Office/Library Building Upgrade & Renewal
Day Care Building Maintenance
Economic Development
Townscape
Springhaven Building Upgrade & Renewal
Bushfire Communications
Spencer Street Youth Precinct
The Spring
Trails Network Construction
Benn Parade Multi-Facility
Playgrounds & Parks
Memorial & Lesser Hall Upgrade & Renewal
RSL Hall Building Renewal

Some of these reserves' objectives are already being met by current budget elements or grants. Springhaven equipment is a good example where required items are budgeted.

Reserves to Merge

Sporting Complex Building Upgrade & Renewal
Swimming Pool
Sporting Facility
Netball Court Resurfacing

New Name

Sporting Complex – P&E, Upgrades & Renewal

Reserves to Manage

The Kodja Place Master Plan Implementation
The Kodja Place Building Upgrade & Renewal

New Name

Kodja Place Renewal & Upgrades

Effectively reducing the administration of six similarly created reserves down to two.

Memorial Hall – Theatrical Infrastructure – change from Community Grant Scheme and implement last year's recommendation to change the name of this reserve account to "Memorial Hall – Theatrical Infrastructure" and maintain.

Reserves to Retain

Employee Leave
Springhaven Lodge (Bonds)
Sports Complex P&E Upgrade & Renewal (Newly Merged Reserve)
Independent Living Units
Plant Replacement
Landfill Waste Management
Low Income Housing
The Kodja Place P&E, Upgrade & Renewal (Newly Merged Reserve)
Natural Resource Management
Memorial Hall – Theatrical Infrastructure

A number of key regulated reserves must be retained.

Points for Consideration:

The table above highlights the following evolving issues for the Shire's reserve accounts:

- a) When excluding Springhaven Bonds, the estimated balance of reserves is immaterial as a percentage of revenue. This may appear that our savings are diminished, which is a true statement when comparing to our budgeted capital expenditure; however, the reserves are only of any use if the Shire can sustain financial escalation of funds.
- b) At the moment sustainable cashflow management is a higher priority for the Shire than increasing reserves.
- c) Over the next two financial periods the Council has important financial decisions to make due to the current debt levels compared to revenue, and the cost base of the Shire which together diminish the free cash in the organisation to put aside.
- d) In the very short term cost management, debt reduction and financial performance should be the Shire's priority at the expense of new projects and activity in the community.

- e) Future expenditure requirements for existing assets such as the Kevin O'Halloran Memorial Swimming Pool is material but should not be funded unless we have the right co-funding mechanism in place, which includes our own ability to either borrow sustainably or fund from our own generated revenue.

Additional/New Reserve Accounts

It is not recommended that any new reserve accounts be created as part of this review.

CONSULTATION

30 day Community Consultation

Senior Administration Officer

Senior Finance Officer

STATUTORY REQUIREMENTS

Council will be required to advertise the changes to the Community as per section 6.11 of the *Local Government Act 1995* which legislates reserve accounts and states:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
 - (a) changes* the purpose of a reserve account; or
 - (b) uses* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.

** Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

POLICY IMPLICATIONS

This report has been completed in accordance with Council Policy 2.1.8 – 'Financial Governance' - as outlined in the background of this report.

FINANCIAL IMPLICATIONS

The changes to the reserves will have an immediate positive effect on cashflow and will lower cost of administration by processing a large number of reserves that are effectively redundant due to their immaterial value, but it will reduce the Shire's reserve cash at bank and ability to use funds for future projects.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1 – Asset Sustainability Practices	-Inadequate financial management and planning (capital renewal plan) - Insufficient budget to maintain or replace assets	Asset replacement schedule Reserves management	Nil
Risk rating – Adequate			
IMPLICATIONS			
Maintaining a suitable forward planning process that is intrinsically linked to long term financial planning minimises many risks, including those associated with the funding of major projects or the provision of essential equipment and infrastructure.			

ASSET MANAGEMENT IMPLICATIONS

Reserve accounts can be a major funding source for projects and a very important financial tool in managing the finances of the Shire day-to-day and, therefore, this review ensures the relevance to the needs and, importantly, the financial position of the Shire.

It must be noted reserves created by the Shire specifically address the Shire's most important assets as identified in the Building Assessment Framework. As such, Councillors should consider that changing the intention of reserves may have a corresponding effect on asset renewal. However, it is the Author's opinion that sustainable cash-flow and reduction of debt now outweighs the impact on those assets.

The ability to fund future major upgrades, renewal and replacement of assets as identified in the asset management plan will be an operational issue to be managed accordingly.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

55/23 Moved Cr Egerton-Warburton

Seconded Cr F Webb

That, having received and considered formal Community feedback as per s. 6.11 of the *Local Government Act 1995* (Reserve Accounts):

1. The annual review undertaken by the Council at the formal Council meeting on 28 February 2023 addressing the appropriateness of all reserve accounts' purposes, financial sustainability, suitability of current balances, and deficiencies for the funding of asset management, be adopted, as presented, including the following changes:
 - a. the Community Grant Scheme Reserve be renamed the Memorial Hall - Theatrical Infrastructure Reserve with nil change to the Terms of Reference; and,
 - b. the Plant and Equipment Reserve be renamed the Emergency Plant Repair and Replacement Reserve with the Terms of Reference to include repairs and funds being capped at \$250,000 with any surplus returned to the Shire of Kojonup Municipal Fund; and,
 - c. the NRM Reserve be retained with its current terms of reference; and
2. Council authorises the Chief Executive Officer to action the changes in the 2022/23 budget review and that the 2023/2024 draft budget include the streamlined and reduced number of reserves as recommended.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.5 UNCONFIRMED MINUTES OF AN AUDIT AND RISK COMMITTEE MEETING HELD 2 MAY 2023
LOCAL EMERGENCY MANAGEMENT COMMITTEE REQUEST

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Tuesday, 9 May 2023
FILE NO	GO.CNM.96
ATTACHMENT(S)	9.3.5.1– Unconfirmed minutes of an Audit and Risk Committee Meeting held 2 May 2023

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management	3.4.2 – Act with sound long term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the unconfirmed minutes of an Audit and Risk Committee (Committee) meeting held 2 May 2023 and to consider an action to be requested of the Local Emergency Management Committee (LEMC) as recommended by the Committee.

BACKGROUND

The Audit and Risk Committee is established under Section 71A of the *Local Government Act 1995* ensuring transparency in the Shire of Kojonup’s financial management and decision making process. The Audit and Risk Committee was established with defined terms of reference and a membership consisting of six (6) committee members being four (4) Councillors and two (2) Community Members.

COMMENT

This item is for Council to receive the minutes of its Audit and Risk Committee meeting held 2 May 2023 and to deliberate on that Committee’s recommendation for an action to be requested of the LEMC.

Any matters requiring action by Council are contained elsewhere in this Agenda.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Sections 7.1A to 7.1C of the *Local Government Act 1995*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirement's	3 rd party adverse findings against Shire	Audit and Risk Committee	4 Meetings held per annum
<i>Risk rating: Low</i>			
IMPLICATIONS			
As per s.7.1A of the <i>Local Government Act 1995</i> , a local government is to establish an audit and risk committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION/COUNCIL DECISION

56/23 Moved Cr Gale

Seconded Cr P Webb

That Council:

1. receives the unconfirmed minutes of an Audit and Risk Committee meeting held 2 May 2023; and
2. encourages the Local Emergency Management Committee to approach the Shires of Denmark and Jerramungup to share their ideas and advice on community recovery following those Shires' recent bush fire disasters.

CARRIED 8/0

9.3.6 ANNUAL FINANCIAL REPORT 2021/2022 AND GENERAL MEETING OF ELECTORS

AUTHOR	Jill Johnson – Senior Finance Officer
DATE	Wednesday, 26 April 2023
FILE NO	FM.AUD.2/FM.FNR.1
ATTACHMENT(S)	9.3.6.1 - Annual Financial Report 2021/2022 9.3.6.2 - Auditor's Management Letter

STRATEGIC/CORPORATE IMPLICATIONS		
"Smart Possibilities – Kojonup 2027+"		"Smart Implementation – Kojonup 2021 +"
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the 2021/2022 Annual Financial Report, incorporating the Auditor's Management Letter.

BACKGROUND

Each local government is to prepare an annual report for each financial year. The report is a record of the Shire of Kojonup's (Shire) activities for the financial year and is an integral part of the accountability principles established for local governments in Western Australia.

This item has been recommended to Council following consideration by the Audit and Risk Committee at its meeting held 2 May 2023 (see unconfirmed minutes of that meeting at attachment 9.3.5.1).

COMMENT

The Audit Report and Annual Financial Report both form part of the Annual Report which will be considered by the Council at its 20 June 2023 Ordinary Meeting. The Auditor's Management Letter is provided as additional information to the Committee and Council for transparency and full disclosure.

The Annual Electors Meeting must be held within 56 days of accepting the Annual Financial Report, with appropriate time being allowed after adoption to give notice of the meeting, say 14 days. This effectively means that the Annual Electors Meeting needs to be held between 20 June 2023 and 8 August 2023. In previous years, the Annual Electors Meeting has been held in the evening following the Council Ordinary Meeting so it is, therefore, recommended that the meeting be held on Tuesday, 25 July 2023. It is also proposed to hold the meeting at the Sporting Complex.

The Annual Electors Meeting will be publicised in the Great Southern Herald, on the Shire website and Shire Facebook page as soon as possible after the date is set, and in the next available Kojonup News and Shire E-News.

Significant Matters Raised:

Nil

Moderate Matters Raised:

Contained within the 2021/2022 Audit Report were three matters identified as minor by the Auditor. These matters raised by the Auditor were as follows:

1. Review of Payroll Processing and Reporting
2. General Journal Review
3. Purchasing Policy – Tenders

Minor Matters Raised:

Contained within the 2021/2022 Audit Report were two matters identified as minor by the Auditor. These matters raised by the Auditor were as follows:

1. Pool Receipts Reconciliation
2. Related Party Declarations

The Asset Renewal Funding Ratio was not reported.

The Asset Renewal Funding Ratio for the year ended 30 June 2022 has not been included in the financial report as required by regulation 50(1)(c) of the Local Government (Financial Management) Regulations 1996.

CONSULTATION

Auditors – Lincolns Accountants, Albany
The Office of the Auditor General

STATUTORY REQUIREMENTS

Section 5.26 to 5.33; 5.53 & 5.54 of the *Local Government Act 1995*

Regulation 50(1) (c) of the Local Government (Financial Management) Regulations 1996

Section 4 of the Local Government (COVID-19 Response) Order 2020

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

This item reports on the financial position of the Shire as at 30 June 2022. 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

Absolute Majority

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION

That:

- 1) the 2021/2022 Annual Financial Report be adopted;
- 2) the Chief Executive Officer forward a copy of this Audit and Risk Committee and the Council agenda items to the Minister for Local Government and places them on the Shire of Kojonup website in accordance with Section 7.12A (Duties of local government with respect to audits) of the *Local Government Act 1995*; and
- 3) That Council conducts its Annual Electors Meeting for the 2021/2022 financial year on 25 July 2023.

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION/COUNCIL DECISION

57/23 Moved Cr Gale

Seconded Cr Egerton-Warburton

That:

- 1) the 2021/2022 Annual Financial Report be adopted;
- 2) the Chief Executive Officer forward a copy of this Audit and Risk Committee and the Council agenda items to the Minister for Local Government and places them on the Shire of Kojonup website in accordance with Section 7.12A (Duties of local government with respect to audits) of the *Local Government Act 1995*; and
- 3) That Council conducts its Annual Electors Meeting for the 2021/2022 financial year on 25 July 2023 at 6.00pm at the Kojonup Sporting Complex.

CARRIED BY ABSOLUTE MAJORITY 8/0

Reason for change to Officer/Committee Recommendation: To include a time and location for the Annual Electors Meeting.

COMMITTEE RECOMMENDATION/COUNCIL DECISION

58/23 Moved Cr Gale

Seconded Cr Egerton-Warburton

That Council forwards correspondence to the Office of the Auditor General (OAG) highlighting that the timeframe of management audit response from the OAG is not enabling legislated requirements to be met by the Shire of Kojonup.

CARRIED 8/0

9.3.7 BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN – ANNUAL REVIEW

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Wednesday, 26 April 2023
FILE NO	CM.PLN.1; RM.POL.1
ATTACHMENT(S)	<p>9.3.7.1 – Business Continuity and Disaster Recovery Plan (BCDRP) September 2021 (showing changes)</p> <p>9.3.7.2 – BCDRP May 2023 (clean copy)</p> <p>UNDER SEPARATE COVER</p> <p>9.3.7.3 – BCDRP Addendum - COVID-19 Pandemic Response Plan 2021 (showing changes)</p> <p>9.3.7.4 – BCDRP Addendum – Pandemic Response Plan 2023 (clean copy)</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - 3 Performance	<p>3.1 – Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group</p> <p>3.4 – Be organised and transparent in our financial management</p>	Delivered Activity – Provision of Risk Management processes and systems

DECLARATION OF INTEREST

Nil

SUMMARY

To seek Committee comment of a reviewed and updated Business Continuity and Disaster Recovery Plan including a Pandemic Response Plan.

BACKGROUND

The Council last reviewed its Business Continuity and Disaster Recovery Plan (Plan) in September 2021.

COMMENT

A Business Continuity and Disaster Recovery Plan, including a Pandemic Response Plan, provides guidance at a time when an organisation may be under considerable duress following a disaster that has affected, or in the event of a pandemic continues for some time

to affect, the ability to provide essential or required services. Such a Plan identifies priorities and the resources required to return services in as quick and efficient manner as possible or to guide the organisation through a sustained event, aiming to minimise negative impact. Due to the upheaval that may be caused by such events, including dealing with the confusion that may accompany them, a well thought out Plan containing current, up to date information is a vital resource.

Changes to the existing Plan are tracked and shown in red font in the first and third attachments.

This item has been recommended to Council following consideration by the Audit and Risk Committee at its meeting held 2 May 2023 (see unconfirmed minutes of that meeting at attachment 9.3.5.1).

CONSULTATION

Chief Executive Officer
Manager Works and Services
Manager Regulatory Services
Manager Springhaven Lodge
Regulatory Services Administration Officer

STATUTORY REQUIREMENTS

Local Government Act (1995): s 5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

POLICY IMPLICATIONS

The Plan is completed in accordance with Council's Risk Management Policy 2.3.5 and Business Continuity Policy 2.3.6.

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

The Plan represents part of the Shire's Risk Management documentation. It is vital, from a business continuity and disaster recovery perspective, that details within such a Plan are as current as possible and regular reviews are undertaken.

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION/COUNCIL DECISION

59/23 Moved Cr Gale

Seconded Cr Wieringa

That the updated Business Continuity and Disaster Recovery Plan April 2023, including the Pandemic Response Plan 2023, as presented, be adopted.

CARRIED 8/0

9.4 KEY PILLAR 5 – ‘PROSPERITY’ REPORTS

9.5 KEY PILLAR 5 – ‘DIGITAL’ REPORTS

Nil

10 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

60/23 Moved Cr Bilney

Seconded Cr Singh

That Cr Gale, Cr P Webb and Cr F Webb be granted a Leave of Absence for Council’s June 2023 Ordinary Meeting.

CARRIED 8/0

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 LOCAL PLANNING GUIDELINES/LOCAL LAW – DEVELOPMENT APPLICATIONS AFFECTING CURRENT AND FUTURE LAND USES; IN PARTICULAR, WIND FARM DEVELOPMENT APPLICATIONS

COUNCILLOR RECOMMENDATION

Moved Cr Bilney

That the Chief Executive Officer bring to Council for consideration, at or before the August 2023 Ordinary Meeting, a set of local planning guidelines or, if possible, local laws, for development applications which pose conflict with current and future land uses, with particular reference to wind farm development applications.

COUNCIL DECISION

61/23 Moved Cr Bilney

Seconded Cr Singh

That the Chief Executive Officer facilitate a review of Council’s Land Use Strategy, Town Planning Scheme No. 3, and Planning Policies, to achieve compliance with Planning legislation and reflect community expectations for developments which may conflict with present and future land uses, and bring recommendations to Council for consideration at the earliest possible time.

CARRIED 8/0

Reason for change to Councillor Recommendation: to clarify the documents requiring review and the purpose of the review.

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

14 MEETING CLOSED TO THE PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

Nil

7 PRESENTATIONS

7.4 DELEGATES' REPORTS

7.4.1 CR GALE – STATE GOVERNMENT BUDGET UPDATE

Cr. Kevin Gale gave a verbal update on the budget review presented by Reece Whitby MLA, with local member Rebecca Stephens, at the 2023/24 Great Southern Development Commission Budget Briefing.

Highlighted Points included:

\$2.2 Billion for Mental Health and General health services.

\$6.8 million for upgrades at Agricultural Colleges around the State including Kojonup, Mt Barker and Denmark.

15 CLOSURE

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

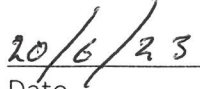
16 ATTACHMENTS (SEPARATE)

Item 6.1	6.1.1	Unconfirmed Minutes of an Ordinary Council Meeting held on 18 April 2023
Item 9.2.1	9.1.2.1	Correspondence - Parminder Singh and Kellie Jane Bowey – Pavement Resurface Request
	9.1.2.2	Slip ratings Coved Finished Concrete with Dulux Avista Water Based Sealer
	9.1.2.3	Slip ratings addendum
Item 9.3.1	9.3.1.1	Monthly Financial Report – 1 to 31 March 2023
Item 9.3.2	9.3.2.1	Monthly Financial Report – 1 to 30 April 2023
Item 9.3.3	9.3.3.1	Monthly Payments Listing 1 to 31 March 2023
	9.3.3.2	Monthly Payments Listing 1 to 30 April 2023
Item 9.3.4	9.3.4.1	Community Response - David McFall – 4 April 2023
	9.3.4.2	Community Response - Adele Scarfone, Sue O'Halloran and Chris Lewis – 8 May 2023
Item 9.3.5	9.3.5.1	Unconfirmed minutes of an Audit and Risk Committee Meeting held 2 May 2023
Item 9.3.6	9.3.6.1	Annual Financial Report 2021/2022
	9.3.6.2	Auditor's Management Letter
Item 9.3.7	9.3.7.1	Business Continuity and Disaster Recovery Plan (BCDRP) September 2021 (showing changes)
	9.3.7.2	BCDRP May 2023 (clean copy)
UNDER SEPARATE COVER		
Item 9.1.1	9.1.1.1	Proposal Application – Action Sheds
	9.1.1.2	Proposal Application – BK Thomson Electrical Service
Item 9.3.7	9.3.7.3	BCDRP Addendum - COVID-19 Pandemic Response Plan 2021 (showing changes)
	9.3.7.4	BCDRP Addendum – Pandemic Response Plan 2023 (clean copy)

Confirmed as true and correct



Presiding Member



Date