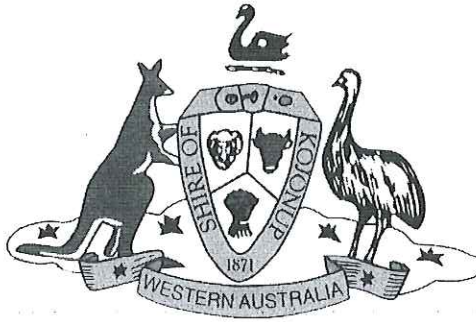


# SHIRE OF KOJONUP



## Council Agenda

*18<sup>th</sup> March 2014*

**TO: THE SHIRE PRESIDENT AND COUNCILLORS**

NOTICE is given that a meeting of the Council will be held in Council Chambers, Administration Building Albany Highway, Kojonup on Tuesday 18<sup>th</sup> March 2014 commencing at 3:00pm.

Qualified Persons Advice etc.

I certify that with respect to all advice, information or recommendation provided to the Council in or with this agenda:

- i. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii. Where any advice is directly given by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Your attendance is respectfully requested.

**RICK MITCHELL-COLLINS  
CHIEF EXECUTIVE OFFICER**

*13* March 2014

**SHIRE OF KOJONUP****AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 18<sup>th</sup> March 2014****TABLE OF CONTENTS**

<b>1</b>	<b>DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS</b>	<b>3</b>
<b>2</b>	<b>ATTENDANCE &amp; APOLOGIES</b>	<b>3</b>
<b>3</b>	<b>SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE</b>	<b>3</b>
<b>4</b>	<b>PUBLIC QUESTION TIME</b>	<b>4</b>
<b>5</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>4</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES</b>	<b>4</b>
<b>7</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>4</b>
<b>8</b>	<b>PETITIONS, DEPUTATIONS &amp; PRESENTATIONS</b>	<b>5</b>
<b>9</b>	<b>DECLARATIONS OF INTEREST</b>	<b>5</b>
<b>10</b>	<b>CORPORATE SERVICES REPORTS</b>	<b>6</b>
10.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY	6
10.2	MONTHLY PAYMENTS LISTING	8
<b>11</b>	<b>WORKS &amp; ENGINEERING REPORTS</b>	<b>10</b>
11.1	SPECIAL CONDITIONS FOR MATTHEWS TRANSPORT DEPOT, KOJONUP	10
11.2	FORRESTER & KESTON VALE – ROAD NAME CHANGE	13
<b>12</b>	<b>COMMUNITY &amp; REGULATORY SERVICES REPORTS</b>	<b>17</b>
12.1	PROPOSED REVIEW OF THE SHIRE’S MUNICIPAL HERITAGE INVENTORY	17
13.2	DEPARTMENT OF SPORT & RECREATION FUNDING (NETBALL COURTS RESURFACING)	23
<b>13</b>	<b>EXECUTIVE &amp; GOVERNANCE REPORTS</b>	<b>31</b>
13.1	2014 MAV FUTURE OF LOCAL GOVERNMENT SUMMIT – ATTENDANCE	31
13.2	COMPLIANCE AUDIT RETURN 2013	37
13.3	ANNUAL REPORT AND MEETING OF ELECTORS – 2012/2013	47
13.4	BEQUEST FROM GEORGE CHURCH	49
13.5	GSDC VARIATION 2 ROYALTIES FOR REGIONS GREAT SOUTHERN REGIONAL	52
	GRANTS SCHEME ROUND 2 – KOJONUP MAIN STREET RENEWAL STRATEGY &	52
	DEVELOPMENT PLAN	52
<b>14</b>	<b>COMMITTEES OF COUNCIL</b>	<b>54</b>
14.1	AUDIT COMMITTEE	54
14.2	AUDIT COMMITTEE – REVIEW OF MEMBERSHIP	55
14.3	KODJA PLACE ADVISORY COMMITTEE	57
<b>15</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>58</b>
15.1	NOTICE OF MOTION – CR FRANK PRITCHARD	58
<b>16</b>	<b>NEW BUSINESS</b>	<b>60</b>
<b>17</b>	<b>CONFIDENTIAL REPORTS</b>	<b>61</b>
17.1	LOT 200 TUNNEY ROAD	61
17.2	STRATEGIC PLANNING – MAIN STREET PROJECT	61
<b>18</b>	<b>NEXT MEETING</b>	<b>63</b>
<b>19</b>	<b>CLOSURE</b>	<b>63</b>
<b>20</b>	<b>ATTACHMENTS (SEPARATE)</b>	<b>63</b>

## A G E N D A

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

The Shire President shall declare the meeting open and alert the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meetings attention to the disclaimer below:

*Disclaimer*

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

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

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

### **2 ATTENDANCE & APOLOGIES**

Cr Ronnie Fleay	Shire President
Cr Robert H. Sexton	Deputy Shire President
Cr Jane Trethowan	
Cr John Benn	
Cr Ian Pedler	
Cr Jill Mathwin	
Cr Frank Pritchard	
Cr Ned Radford	

Mr Rick Mitchell-Collins	Chief Executive Officer
Mr Anthony Middleton	Manager of Corporate Services
Mr Mort Wignall	Manager of Regulatory & Community Services
Miss Dominique Hodge	Personal Assistant to the CEO
Ms Joanne Macri	Community Services Officer

#### **APOLOGIES**

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

Nil

**4      PUBLIC QUESTION TIME**

**5      APPLICATIONS FOR LEAVE OF ABSENCE**

**6      CONFIRMATION OF MINUTES**

ORDINARY MEETING 11<sup>th</sup> February 2014

COUNCIL DECISION

/14      Moved Cr \_\_\_\_\_, seconded Cr \_\_\_\_\_ that the Minutes of the Ordinary Meeting of Council held on 11<sup>th</sup> February 2014 be confirmed as a true record.

CARRIED/LOST      /

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

**8      PETITIONS, DEPUTATIONS & PRESENTATIONS**

**9      DECLARATIONS OF INTEREST**

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

**AUTHOR:** Anthony Middleton – Manager of Corporate Services

**DATE:** Monday, 10 February 2014

**FILE NO:** FM.FNR.2

**ATTACHMENT:** 10.1 Monthly Statement of Financial Activity

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

The purpose of this report is to note the Monthly Financial Statements for the period ending 28 February 2014.

**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.

**COMMENTS**

The attached Statement of Financial Activity for the period 1<sup>st</sup> July 2013 to 28<sup>th</sup> February 2014 represents eight (8) months, or 66.6% of the year.

**CONSULTATION**

Nil.

**STATUTORY ENVIRONMENT**

Financial Management Regulation 34 sets out the basic information which must be included in the monthly reports to Council.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

Community Strategic Plan 2013-23 Focus Area 1 - Being Well Governed

Draft Corporate Business Plan 2013-17

Strategy 1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations

Strategy 1.1.4 Maintain robust systems and controls

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the monthly financial statements for the period 1<sup>st</sup> July 2013 to 28th February 2014, as attached, be noted.**

/14      Moved Cr      , seconded Cr

CARRIED/LOST /

## 10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Brodie Hueppauff – Finance Officer  
DATE: Monday, 10 March 2014  
FILE NO: FM.AUT.1  
**ATTACHMENT:** 10.2 Monthly Payment Listing 01/2/2014 – 28/2/2014

### **DECLARATION OF INTEREST**

Nil

### **SUMMARY**

To receive the list of payments that were made from 1<sup>st</sup> February 2014 to 28<sup>th</sup> February 2014.

### **BACKGROUND**

Not applicable.

### **COMMENT**

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

### **CONSULTATION**

No consultation was required.

### **STATUTORY ENVIRONMENT**

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

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

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

### **POLICY IMPLICATIONS**

Council's Policy 2.5 provides authorisations and restrictions relative to purchasing commitments.

### **FINANCIAL IMPLICATIONS**

All payments made in line with Council Policy.

### **STRATEGIC IMPLICATIONS**

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

### **VOTING REQUIREMENTS**

Simple Majority





## **11 WORKS & ENGINEERING REPORTS**

### **11.1 SPECIAL CONDITIONS FOR MATTHEWS TRANSPORT DEPOT, KOJONUP**

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer  
DATE: Monday, 10 March 2014  
FILE NO: LP.PLN.11  
**ATTACHMENT: Nil**

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

To consider Council undertaking base preparation works to assist in dust mitigation measures.

#### **BACKGROUND**

Matthews Transport has made good progress towards implementing the special conditions imposed through the scheme amendment completed for the site in March 2012, particularly in respect to the completed landscaping. Correspondence was forwarded to Mr Matthews containing the following:

“Whilst Council appreciates this summer has been prolonged with little rain/strong winds coupled with an above average harvest which has impacted on the use of the transport depot by creating additional movements and therefore dust and noise etc., the situation needs to be urgently addressed so that solutions are in place for next summer.

Council now seeks your responses to the following request:

- Incorporating blue metal or similar materials into the pavement to further assist reduce the impact of dust blowing from the site. The present use of sprinklers to suppress dust is not achieving the desired result and Council still receives complaints from time to time from local residents. The use of the blue metal/granite material is expected to provide a short/medium-term solution until the pavement areas can be sealed or similar.”

Mr Matthews upon receiving correspondence dated 20 February 2014 indicated by telephone a willingness to seal the entrance off Albany Highway including a turning strip within the Depot as Stage One of an overall dust suppression program; however he would need Council assistance with pad preparation.

The Manager of Works & Services recently met with Mr Matthews to discuss the area required to be treated in Stage 1 works and to obtain quotes for a 40mm hot mix seal.

Mr Matthews identified an area of 10metres x 146metres from the Albany Highway and a further internal area of 620metres by 30metres for Stage 1.

Quoted cost for 40mm hot mix = \$85,000 Cost of Council preparing the pad utilising existing material but accepting no liability for the pads engineering integrity =\$10,000.

Mr Matthews wishes to undertake the \$85,000 works ASAP while the warm weather persists and requests that Council as part of its strategic objective to retain and boost economic activity agrees to contribute by way of Council Plant, Equipment and Labour the preparation of the pad base in readiness for sealing via hot mix.

#### **COMMENT**

Given the ongoing concerns from neighbouring residents regarding dust and Mr Matthews preparedness to outlay \$85,000 on hot mix seal; provision of Council Plant, Equipment and Labour is supported only on the express condition that any failures to the pad are borne by Mr Matthews

with no recourse against Council now or in the future. Ideally the 3,400m<sup>2</sup> area should be adequately engineered otherwise Mr Matthews is effectively allocating funds for an outcome which is not guaranteed to last. Do it once! Do it properly!

Mr Matthews has been advised of Councils desire for the works to be adequately engineered. Council should not commence any works until Council receives written indemnity from Matthews Transport regarding base preparation and engineering integrity.

## **CONSULTATION**

Council Briefing Session – 4 March 2014 via CEO Report

Mr Neville Matthews

Planner – Phil Shephard, Manager of Works & Services - Craig McVee

## **STATUTORY ENVIRONMENT**

Shire of Kojonup Town Planning Scheme No.3

## **POLICY IMPLICATIONS**

Compliance with special provisions of original Scheme Amendment March 2012

Policy 3.2 Development Incentives – Building & Planning Fees & Rates states:

### **“Objective**

To provide incentives to landowners to undertake new development within the Shire of Kojonup.

### **Policy**

This policy is a general statement of the Council in its desire to encourage economic development and employment opportunities to both new and existing industries with the Shire of Kojonup.

That Council may offer up to a two (2) year rate free period of for new commercial/industrial businesses established within the Shire.

That Council may offer a 50% concession on building licenses and planning application fees for new commercial and industrial constructions excluding additions/renovations, carried out within the Shire.

Consideration to be given to all applications based on their benefit to the local economy, employment and impact on the Councils Annual Budget position.”

**N.B:** Policy needs to be reviewed to cater for similar circumstances as existing policy specifically states that the policy is “**a general statement of the Council in its desire to encourage economic development and employment opportunities to both new and existing industries with the Shire of Kojonup.**”

## **FINANCIAL IMPLICATIONS**

Economic Development Reserve has a budget closing balance at 30 June 2014 of \$91,455.

## **STRATEGIC IMPLICATIONS**

Draft Corporate Business Plan 2013-2017

Strategy 1.8.1 – Building local economic capacity to generate wealth and provide a variety of local employment opportunities

Strategy 1.8.1.2 – Draft a local economic development policy focussed to create employment opportunities that attract and retain population in Kojonup.

## **VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

**That the CEO advise Matthews Transport:-**

- 1. That Council is prepared to commit plant, equipment and labour up to a value of \$10,000 for base preparation of approximately 3,400m<sup>2</sup> at Matthews Transport Depot on the express condition that Matthews Transport indemnify the Shire of Kojonup in writing that any failures to the pad are borne by Mr Matthews with no recourse against Council now or in the future regarding engineering integrity; and**
- 2. That the above offer does not constitute a precedence for Council undertaking further base preparation works for future stages at the Matthews Transport Depot as each stage will be dealt with independently on its merits and in accordance with any Council Policy regarding development incentives or assistance.**
- 3. That the 2013/2014 budget be amended by funding point 1 above from the Economic Development Reserve account.**

**COUNCIL DECISION**

/14 Moved Cr

, seconded Cr

CARRIED/LOST

/

**11.2 FORRESTER & KESTON VALE – ROAD NAME CHANGE**

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer  
DATE: Wednesday, 12 March 2014  
FILE NO: RO.ROA.051 & RO.ROA.052  
**ATTACHMENT:** 11.2.1 Highlighted Map of Roads showing option 1  
11.2.2 Highlighted Map of Roads showing option 2

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To consider appropriate signage of Forrester Road and Keston Vale Road.

**BACKGROUND**

At its meeting held on 11 February 2014 the Council resolved that:

1. The request from Rob and Jen Warburton to change the name of a portion of Forrester Road and Keston Vale Road to Keston Vale Road be refused; and
2. All submitters be notified in writing of the decision.

**COMMENT**

For the benefit of visitors, heavy haulage, fire and emergency services to the Forrester / Keston Vale Road area officers feel more appropriate signage is required.

**CONSULTATION**

All submitters were notified in writing of the above resolution and asked to give consideration to appropriate signage with comment received from two parties.

Signage options include:-

**Option 1**

Sign posting the intersection of Tone Road and Forrester Road as “**Forrester Road – East**”

A “Forrester Road – East” sign would also be erected at Kilgreggan Intersection.

Signposting the intersection of Moberup Road and Forrester Road as “**Forrester Road – South**”

A “Forrester Road – South” sign could be erected at Keston Vale Road Intersection.

**Option 2**

Sign posting the intersection of Tone Road and Forrester Road as “**Forrester/Keston Vale Road**”

Sign posting the intersection of Moberup Road and Keston Vale Road as “**Keston Vale/Forrester Road**”

A “**Forrester Road South**” sign erected at the Forrester and Moberup Road intersections.

**STATUTORY REQUIREMENTS**

The Land Administration Act 1997 applies to this item.

**POLICY IMPLICATIONS**

There are no known policy implications.

**FINANCIAL IMPLICATIONS**

There are only minor financial implications for this report.

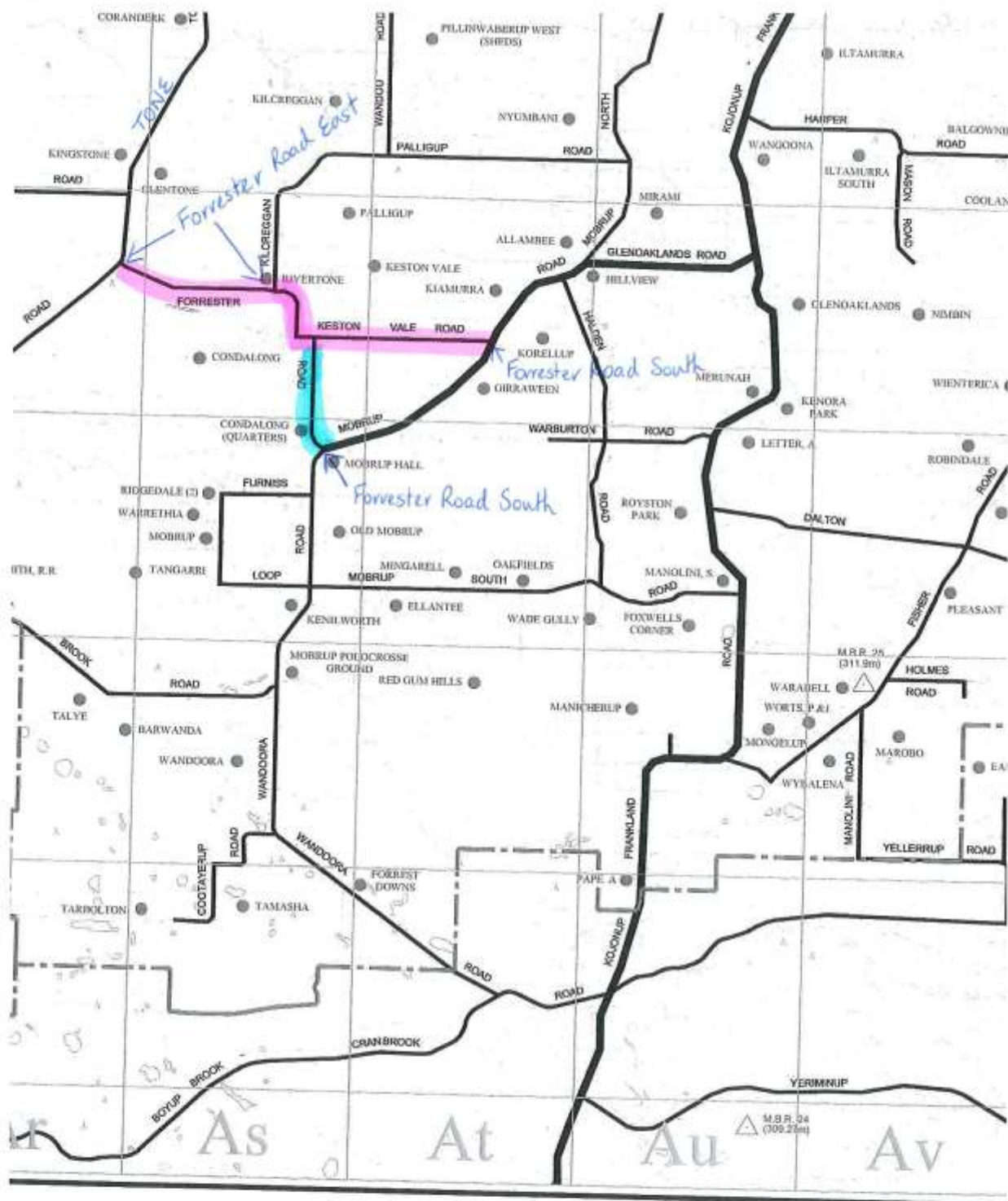
**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**VOTING REQUIREMENTS**

Simple Majority





KOJONUP

**LEGEND:**

- SEALED ROADS: ————
- FORMED ROADS: ————
- VEHICULAR TRACKS: - - - - -
- RAILWAY RESERVE: + + + + +
- HOMESTEADS: ●

Dorrington (shd) Dover Court BA 134q Glenos Goparria 134s 134s Jindera Kojonup Vale 134r Men Hill 134s





## 12 **COMMUNITY & REGULATORY SERVICES REPORTS**

### 12.1 PROPOSED REVIEW OF THE SHIRE'S MUNICIPAL HERITAGE INVENTORY

AUTHOR: Phil Shephard – Town Planner  
DATE: Friday, 21 February 2014  
FILE NO: LP.PRG.1  
ATTACHMENT: [12.1.1 MHI Place List](#)  
[12.1.2 MHI Review List](#)

#### **DECLARATION OF INTEREST**

Nil.

#### **SUMMARY**

To consider undertaking a review of the Shire's Municipal Heritage Inventory (MHI) and allocating budget funds in the 2014/2015 budget.

#### **BACKGROUND**

The Shire's existing MHI was completed in August 1997 by O'Brien Planning Consultants. The Inventory lists 56 places in the district included for their cultural heritage values (see attached list). The MHI also includes 33 places recommended for review/reconsideration and 28 historic sites as having historical significance but where there is little or no physical evidence of the places.

The preparation and review of MHI's is controlled through s.45 of the *Heritage of Western Australia Act 1990* as follows:

***45. Local government to compile etc. inventory of buildings with cultural heritage significance***

- (1) A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be —*
  - (a) updated annually; and*
  - (b) reviewed every 4 years after compilation.*
- (3) A local government shall provide the Council with a copy of the inventory compiled pursuant to this section.*
- (4) A local government shall ensure that the inventory required by this section is compiled with proper public consultation.*

Staff has updated some parts of the existing MHI; however a full review has not been undertaken since its initial completion.

#### **COMMENTS**

In accordance with the requirements of the *Heritage of Western Australia Act 1990* it is recommended that Council undertake a review of the MHI.

Staff would recommend the review process include:

- Creation of a project steering group comprising locals/groups with an interest in heritage to guide the consultant/process;
- Appointment of a suitably qualified/experienced heritage consultant to undertake the review of the MHI in accordance with State Heritage Office guidelines;
- Undertake consultation on the draft reviewed MHI with the landowners/public; and
- Finalise MHI and provide a copy to the State Heritage Office.

The review of the MHI should include digitising of the text/pictures, inclusion of management categories, undertaking site visits/updating descriptions and consideration of the nominated review places.

Initial estimates of costs to complete the review which include consultant costs, site visits/digitising/new descriptions etc., project steering group costs, consultation, printing etc. are estimated at between \$40-50,000. Staff recommends that Council consider including these funds in next year's budget to enable the review to be completed and ensure the Shire maintains compliance with the requirements of the *Heritage of Western Australia Act 1990*.

In addition, the completion of the MHI review would also assist Council in preparing the Heritage List required for the new local planning scheme currently under development.

#### **CONSULTATION**

Nil.

#### **STATUTORY ENVIRONMENT**

*Heritage of Western Australia Act 1990* – sets out the requirements for Council's to prepare and maintain local heritage inventories.

#### **POLICY IMPLICATIONS**

Nil.

#### **FINANCIAL IMPLICATIONS**

The adoption of this recommendation may have a financial impact on the future Council budget of between \$40-50,000.

Staff is seeking advice on any financial assistance available through the State Heritage Office towards the MHI review costs.

#### **STRATEGIC IMPLICATIONS**

Nil.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION**

- 1) That Council include for consideration in the 2014/15 budget funds of a maximum of \$50,000 towards the review of the Shire's existing Municipal Heritage Inventory.
- 2) That staff identify opportunities any financial assistance available through the State Heritage Office towards the MHI review costs prior to the budget submission.

#### **COUNCIL DECISION**

/14 Moved Cr

, seconded Cr

CARRIED/LOST

/

## SHIRE OF KOJONUP MUNICIPAL HERITAGE INVENTORY

### Place List

NOS	NAMES	ADDRESS
1	Bailyes Mill	Cnr Forsythe St and Murby Pl, Kojonup
2	Balgarup	Albany Hwy South, Kojonup
3	Barracks	Barracks Pl, Kojonup
4	Battistessa Dairy (Grandad Elverd's House)	Spring St, Kojonup
5	Bilney's House	173 Albany Hwy, Kojonup
6	Boscabel Hall	Boscabel Rd, Boscabel
7	Carlecatup Railway Bridge	Old Kojonup - Broomehill Rd
8	Cartwright's House	8 McHenry St, Kojonup
9	Catholic Church	Katanning Rd, Kojonup
10	Cheap Foods	116 Albany Hwy, Kojonup
11	Dentist Clinic and House	'Chetwynd House', Albany Hwy, Kojonup
12	Doreenup Homestead	Katanning Rd, Kojonup
13	Doreenup Shearing Shed	Katanning Rd, Kojonup
14	Drive - In	John St, Kojonup
15	Elverd's Cottage	Soldier Rd, Kojonup
16	Farrar Dam	Donnybrook Rd, Kojonup
17	Furniss Homestead	Furniss Loop, Moberup
18	Glen Lossie Homestead	Albany Hwy, Kojonup
19	Government Dam - Jingalup	Frankland Rd, Kojonup
20	Hollywood - Cherry Tree Pool	Cherry Tree Pool
21	Jingalup Golf Club	Jingalup Rd, Jingalup
22(a)	Old Ongerup	Donnybrook Rd, Kojonup
22(b)	Jones Homestead - Wembley Park	Donnybrook Rd, Kojonup
23	Kojonup Post Office	104 Albany Hwy, Kojonup
24	Kojonup Railway Station	Benn Pde, Kojonup
25	Korrinup	Broomehill Rd, Kojonup
26	Marinoni's House	Marinoni Rd (off Collie Rd), Changerup
27	Marribank	Mission Rd, Kojonup
28	Masonic Lodge	15-17 Gordon St, Kojonup
29	Memorial Hall Kojonup	97 Albany Hwy, Kojonup
30	Moberup Hall	Moberup Rd, Moberup
31	Muradup Catholic Church	Cnr Blackwood Rd/Heggarty St, Muradup
32	Muradup Hall	Piesse St, Muradup
33	Namarillup Well	Albany Hwy, Kojonup
34	Narlingup Tank	Donnybrook Rd, Narlingup
35	Old Church of England	Pensioner Rd, Kojonup
36	Old Post and Telegraph House -	126 Albany Highway, Kojonup
37	Old Post Office	18-20 Spring St, Kojonup
38	Old School - Kojonup	Cnr Pensioner and Spring Sts, Kojonup
39	Police Station House	125 Albany Hwy, Kojonup
40	Quin Quin	23 Honner Rd, Kojonup
41	Riverdale Shearing Shed	Riverdale Rd, Muradup
42	Royal Hotel	81 Albany Hwy, Kojonup
43	RSL Hall and Memorial	Cnr Spencer St and Albany Hwy, Kojonup
44	Shire Administration Centre	93-95 Albany Hwy, Kojonup

Page 2

45	Showgrounds	Donnybrook Rd, Kojonup
46	Spring Precinct	Cnr Spring St and Thorn Pl, Kojonup
47	St Bernard's Convent	10 Katanning Rd, Kojonup
48	St Mary's Anglican Church	Cnr Albany and Spring St, Kojonup
49	Stables - Kojonup Inn	2 Pensioner Rd, Kojonup
50	Treasure's House	152 Albany Hwy, Kojonup
51	van Zuilecom Grave	Railway Reserve, off Broomhill Rd and Korrinup Rd
52	War Memorial Jingalup	Reserve, Jingalup Rd
53	War Memorial Muradup	Donnybrook Rd, Muradup
54	Warkelup	Broomhill Rd (5km from Kojonup)
55	Women's Club	Albany Hwy, Kojonup
56	Yeenyellup	Frankland Rd (9km from Donnybrook turnoff)

## SHIRE OF KOJONUP MUNICIPAL HERITAGE INVENTORY

### Review List *(to be researched or reconsidered at a later date)*

The following places were considered during the process of compiling the Inventory list, but have not been included at this stage for the following reasons:

- insufficient information available at this stage;
- the consultants and local residents who assisted with the process did not consider that they had the same heritage significance as the places on the Inventory list;
- the budget for the project was based on full documentation for 60 places

**These places will be considered again when the Inventory is reviewed in 4 years.**

NO	NAME	ADDRESS
R1	Arts and Crafts Shop	Albany Highway
R2	Asthma Opportunity Shop	94 Albany Hwy, Kojonup
R3	Bankwest	112 Albany Hwy, Kojonup
R4	Cavanagh House	Stock Rd or 12 McLeod Rd, Kojonup
R5	Changerup Hall	Collie/Dunkan Rd, Changerup
R6	Charity Well	
R7	Cornwall House	70 Albany Hwy, Kojonup
R8	Half Moon Farm	Kojonup/Donnybrook Rd, Kojonup
R9	Hallam's House	155 Albany Hwy, Kojonup
R10	Harris' Garage	96-98 Albany Hwy, Kojonup
R11	Hart's House	76 Pensioner Rd, Kojonup
R12	Headmaster's House	Spring St, Kojonup
R13	Kojonup Cemetery	Soldier Rd, Kojonup
R14	Kojonup Co-op	113 Albany Hwy, Kojonup
R15	Kojonup Newsagency	119 Albany Hwy, Kojonup
R16	Lebeaters	149 Albany Hwy, Kojonup
R17	Little Ongerup	Donnybrook Rd, Kojonup
R18	Maybenup	Albany Hwy, Kojonup
R19	Muradup Cemetery	Kojonup/Donnybrook Rd, Muradup
R20	Mosses Bakery	128 Albany Hwy, Kojonup
R21	Mrs Murby's House	Church Ave, Kojonup
R22	Mudbrick Cottage	Horner St, Kojonup
R23	Muradup National Park	Blackwood Rd, Muradup
R24	Muradup Post Office (now residence)	Station St, Muradup
R25	Newton's House	80 - 84 Newstead Rd, Kojonup
R26	Old Houses - Muradup	Station St, Muradup

Page 4

R27	Rockhole and Soak - Wanerup	
R28	Shop fronts	108A & 108B Albany Highway
R29	Signalling Posts	Showgrounds
R30	Smart's House	1 Albany Hwy, Kojonup
R31	Thornbury's	5 Spencer St, Kojonup
R32	Tunney's 100 Acre	Map 41C/P40 - Tunney Rd, Kojonup
R33	Uniting Church Kojonup	Spencer St, Kojonup

### 13.2 DEPARTMENT OF SPORT & RECREATION FUNDING (NETBALL COURTS RESURFACING)

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer  
DATE: Monday, 10 March 2014  
FILE NO: GS.PRG.16  
ATTACHMENT: 13.2 Letter from Kojonup Netball Association Inc. received 10 March 2014

#### DECLARATION OF INTEREST

Nil

#### SUMMARY

To consider temporary options in relation to the Kojonup Netball Association Inc. until the Sports Precinct Master Plan is developed and recommendations actioned.

#### BACKGROUND

Prior to my commencement, Council lodged a CSRFF (Community Sporting & Recreation Facilities Fund) application with the Department of Sport & Recreation (DSR) for funding assistance to resurface the Netball Courts given their deterioration and risk to users. The Courts are also used for social basketball, although it seems more like a gathering point to relieve boredom by sections of the community. Car parking borders have progressively been damaged and there is only minimal fencing between the courts and Bowling Club that effectively tries to minimise balls rolling down the embankment.

A double gate is located south of the relocatable club rooms which may be a convenience access for vehicles off Blackwood Road or alternative access for the School.

Council in lodging the funding application indicated a desire to use Techlay's modular tile product Courtflex over a more traditional surface which was subsequently queried by DSR.

#### WHY?

- *Courtflex has been chosen as a permanent surface not a temporary surface. However, a key feature of this product is the ability to lift and relocate the 'tiles' to a new location if necessary;*
- *Courtflex has in-built expansion and contraction capabilities thus eliminating cracking and buckling;*
- *Courtflex has been chosen as it is independent of the surface upon which it is laid i.e. any further degradation to the existing surface will not affect Courtflex and should that degradation become an issue in the future and need repair, Courtflex can be lifted, the repair done and Courtflex re-laid. A far cheaper option than continued repairs using acrylic;*
- *Courtflex has a superior 10 year warranty/acrylic does not;*
- *Courtflex is an all-weather self-draining surface whereas acrylic is not;*
- *For existing courts that have issues with pooling (due to subsidence) and cracking, the use of Courtflex eliminates this where acrylic may not. Further cracking or pooling may continue and therefore acrylics would need to be repaired again and again;*
- *Courtflex provides a superior ROI (Return on Investment) as a retro-fit solution for courts with existing issues such as cracking and pooling;*
- *Courtflex has a lower surface temperature than acrylic/asphalt/concrete. Up to 30-50% cooler to play on;*
- *Courtflex is far superior to acrylic/asphalt/concrete as it is a fully independent surface with built in cushioning characteristics. Support structure: Each tile is supported by 196 cross posts which provide a stable base as well as vertical flex. The original concept was co-produced with Orthopaedic Surgeons so, from a community level, this is designed to provide cushioning yet allow for true bounce for both younger and older players alike. Along with being an all-weather surface, this will assist people of all ages to play harder for longer.*

DSR in October 2013 approved an allocation of \$30,000 towards the resurfacing of the Netball Courts subject to more information being supplied on Techlay's modular tile as the grant was conditional on DSR approving the surface type to be used. Up to this stage the Kojonup Netball Association Inc. had raised \$20,000 towards the resurfacing project. A fantastic effort!

#### **COMMENT**

Following the Council Elections in October 2013 and the compliance issues at the Sports Complex, Council quite rightly wished to review the entire Sports Precinct Area in order to develop a Master Plan that provided a clearer and achievable strategic direction and explored co-location, multi-use and future development opportunities.

**DSR will provide funding up to \$25,000 to assist in the development of the Master Plan however the \$30,000 grant towards the Netball Court Resurfacing Project has to be relinquished. Once the Master Plan is completed and adopted following extensive community consultation DSR will only then consider new applications from Council and the community.**

DSR support Council's decision to develop a Master Plan but in doing so realise that Council's CSRFF \$30,000 application for Netball Court Resurfacing has effectively "put the cart before the horse!"

Lauren Thompson - President of Kojonup Netball Association Inc. has spoken with Chris Thompson, Manager of Great Southern DSR and our Community Services Team seeking verification that DSR and Council have discussed relinquishing the CSRFF Grant until the Master Plan is completed and adopted.

**It is acknowledged that Council prior to the Local Government Elections in October 2013 had made prior commitments to the Kojonup Netball Association Inc. and it would be frustrating to the Kojonup Netball Association Inc. to once again have the court resurfacing deferred, as it is for Council, but it is essential that the Master Plan precedes any further large capital expenditure outlay.**

**At this point in time it is essential to ascertain what options are available to Council and the Kojonup Netball Association Inc. until the recommendations of the Master Plan are actioned over the next few years.**

#### **Options!**

1. Undertake remedial repairs to existing court surface, hoops, fence etc. to mitigate potential risks to users at no cost to Kojonup Netball Association Inc. This would require Eastern end courts to be condemned and surface removed, remaining 2 Courts closest to existing Kojonup Netball Association Inc. club house to be fenced to similar height of existing fence between courts and Bowling Club, Locked gate access to Netball Courts, Lighting box to be within fenced area, seating and courts inspected each week to ensure safety/maintenance compliance. (Cost estimate \$8-10,000)





Bulky and damaged back boards



Fence in need of repairs/replacing



The Two Eastern end Netball Courts are a High Trip Risk and not fit for safe use



Club House is transportable. No segregation of vehicles/pedestrians and unlimited access for potential vandals.

2. Explore opportunity for Kojonup Netball Association Inc. to use Tennis Courts at Kojonup Tennis/Golf Club incorporating line marking, relocation of the transportable Kojonup Netball Association Inc. club house, potential playground area, upgraded entrance off Blackwood Road. If the Kojonup Netball Association Inc. amenable to proposal, ascertain Tennis Club and Golf Club receptiveness with appropriate Budget provision/User Agreements/Insurances etc. being coordinated by Council.  
(Cost estimate \$12-15,000)



Secure, well lit area with Golf Club House/parking in background

3. Progress with Option 1 but explore opportunity for Kojonup Netball Association Inc. to utilise facilities at Kojonup District High School (KDHS) subject to agreement being reached on user agreements, insurance, line marking etc. between Education Department, KDHS P&C/Principal, Kojonup Netball Association Inc. and Council.  
(Cost estimate \$2 -5,000)
4. Relinquish grant back to DSR, ignore outcomes of Master Plan and Council proceed with original plan to resurface existing courts using \$20,000 contribution from Kojonup Netball Association Inc.  
Not a feasible option at this time!

### CONSULTATION

Ongoing consultation with the Kojonup Netball Association Inc. has occurred to ascertain which option has merit recognising the need to develop a Master Plan and provide long term surety. Correspondence received from the Kojonup Netball Association Inc. following the initial meeting with the Kojonup Netball Association Inc. President – Lauren Thompson is attached.

The Kojonup Netball Association Inc. prefers Option 3 for the reasons stated in their correspondence which has officer support.

The CEO and Community Services Team have consulted with the Presidents of the Tennis Club and Golf Club and undertaken a sight inspection of the KDHS with Principal – Di Clayton and Registrar Jen Malady to ascertain receptiveness to temporary relocation options, use of KDHS external basketball courts and undercover areas as well as support for the development of a Master Plan.

I cannot stress strongly enough that Council/Officers had not made any prior commitment on the above options but it was crucial to provide the Tennis Club, Golf Club and KDHS a “heads up” of possibilities and to receive initial feedback in order to progress discussions with the Kojonup Netball Association Inc.

At the same time staff encouraged the school, clubs and community to take an active interest in the consultation phase of the Master Plan to ensure **ALL** issues, concerns; options etc. are on the table for consideration.

#### **STATUTORY ENVIRONMENT**

Disability Access and Inclusion Plan Provisions (DAIP) Outcome #2 – People with disability have the same opportunities as other people to access the buildings and facilities of the Shire of Kojonup. Community Sporting and Recreation Facilities Fund (CSRFF) Department of Sport & Recreation.

#### **POLICY IMPLICATIONS**

User Agreements/MOU's/Trade-offs/Fees & Charges  
Community Funding Program/Social Inclusion

#### **FINANCIAL IMPLICATIONS**

DSR in relinquishing the grant requires Council to lodge a completely new application.  
Risk Management/Governance/Integrated Strategic Planning.  
Project Planning, Asset Management.  
Resource Management, Infrastructure Planning.

#### **STRATEGIC IMPLICATIONS**

##### **Community Strategic Plan 2013-23**

- “Staying Active and Entertained” Commitment Register – Prepare a master plan for the Kojonup recreation precinct.

##### **Draft Corporate Plan 2013 -17**

- Strategies 1.1.1 - To expand the way Council communicates with the community and ensure appropriate response times.
- Strategy 1.1.2 - Maintain a structured forward planning process in accordance with legislation and community aspirations.
- Strategy 1.2.4 - Providing community support and development.
- Strategies 1.5.2.2 to 1.5.2.4 – Staying active and entertained.

#### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That Council authorises the CEO and Community Services Team to consult with Kojonup District High School and Kojonup Netball Association Inc. to firm up proposal, user agreements, MOU's, budget provision and works schedule for Option 3 as follows:-**

- 1. Undertake remedial repairs to existing court surface, hoops, fence etc. to mitigate potential risks to users at no cost to the Kojonup Netball Association Inc. This would require Eastern end courts to be condemned and surface removed, remaining 2 Courts closest to existing Kojonup Netball Association Inc. club house to be fenced to similar height of existing fence between courts and Bowling Club, locked gate access to Netball Courts, lighting box to be within fenced area, seating and courts inspected each week to ensure safety/maintenance compliance.  
(Cost estimate \$8-10,000)**
- 2. Explore opportunity for Kojonup Netball Association Inc. to utilise facilities at Kojonup District High School (KDHS) subject to agreement being reached on user requirements, insurance, line marking etc. between Education Department, KDHS P&C/Principal, Kojonup Netball Association Inc. and Council.  
(Cost estimate \$2-5,000)**

**COUNCIL DECISION**

/14 Moved Cr

, seconded Cr

CARRIED/LOST

/



10 MAR 2014

ICR15487

**Kojonup Netball Association Inc.**  
**PO Box 15**  
**KOJONUP WA 6395**

Dear Shire Of Kojonup

To Whom it may concern,

SHIRE OF KOJONUP				
FILE:	G.S. PRG. 16			
CEO ✓	EC or HC	NFA	MCS	MRCs cc
RGR	SFO	WM	CDPO	PR
NISM	SHM	PLAN	Community cc	

I am writing on behalf of the Kojonup Netball Club in regards to the recent issues regarding the resurfacing of our netball courts.

Discussions have been had with the CEO of the shire about the possible co-operation with the tennis club to be able to utilise their courts for our upcoming netball season. Our committee held a meeting on this matter on the 4th of march and have concluded that relocating out of town is not the option we would prefer.

We would prefer to make use of our current netball courts, we understand that the far 2 end courts are condemned unsafe for use, but the first 2 are still safe for use. Our first preference is to make use of the two safe courts remaining on the condition that prior to commencing our netball season they are barricaded with pine posts, backboards are removed, the fence is fixed, seating is put in, and the courts are maintained on a weekly basis before training on Thursdays. As this option would leave us 2 courts short, we would like to suggest that the net-set-go kids ranging from 5-10 years old could use the K.D.H.S. area for training. Keeping netball in town and in the one place we feel is much more convenient for the parents and keeps all the kids together.

As a club we hope you understand our frustration in regards to yet another set back in the re-surfacing of the netball courts as we have been in this position a number of times before. In regards to the master plan we ask that we are kept in consultation every step of the way. We would also like to have

as much input as possible with anything netball related on the master plan.

We believe it would be beneficial for the CEO of the shire to learn more about our successful club, so we would like to invite him to our next general meeting being held at 6pm on the 20th march 2014 at our club rooms. Please contact myself on the number provided below if the CEO will be in attendance.

With Thanks,

Lauren Thomson  
President of the Netball Club  
Contact: 0417777395



### 13 **EXECUTIVE & GOVERNANCE REPORTS**

#### 13.1 2014 MAV FUTURE OF LOCAL GOVERNMENT SUMMIT – ATTENDANCE

AUTHOR: Rick Mitchell-Collins - Chief Executive Officer  
DATE: Wednesday, 5 March 2014  
FILE NO: GO.CLR.5  
**ATTACHMENT: 13.1 Conference Program**

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

The purpose of this report is to recommend the attendance of the Shire President at the Municipal Association of Victoria (MAV), 2014 Future of Local Government Summit in Melbourne, 21 and 22 May 2014.

#### **BACKGROUND**

The Municipal Association of Victoria's 2013 Future of Local Government was held on 22 and 23 May 2013 and attended on behalf of the Southern Link VROC by Cr Jane Trethowan.

A Communique sent through following the 2013 Summit (short version) wrote:

*'In the face of the transformational change impacting on society, local government needs to address the challenge of this change by significantly increased sector-wide planning and collaboration. Every Council needs to be involved in this process.'*

Feedback from Summit attendees (e-voting) identified:

- 87% believe the world is in a period of fundamental change,
- 8% agree the LG sector is in control of its own destiny,
- 80% agree LG can do more to be in control of its own destiny,
- 10% believe Councils are well set up to address the challenges of the future,
- 76% believe LG will need to transform itself to be relevant in the future,
- 60% agree to transform itself effectively LG will need an agreed sector-wide game plan,
- 87% agree LG will be stronger if it forms a closer partnership with the community,
- 67% agree LG needs to improve its leadership capacity to cope with the challenges of the future,
- 25% agree that currently the Council plan demonstrates how the Council will transform itself in the future,
- 72% agree funding for LG is likely to reduce (in real terms) in the future.'

#### **COMMENT**

A further quotation from the 2013 Future of Local Government Summit Communique:

*'The three top priorities for the Future of Local Government Program are:*

- *Building change capacity and readiness (36% feedback from summit attendees),*
- *Preparing strategies for the future (25%),*
- *Developing leaders and potential leaders (20%).'*

If authorised to attend, the Shire president will provide Council with a report on the Summit and any supporting documentation that is provided through the Summit.

#### **CONSULTATION**

Shire President & CEO

**STATUTORY ENVIRONMENT**

Elected Member – Continued Professional Development

**POLICY IMPLICATIONS**

There are no Policy implications.

**FINANCIAL IMPLICATIONS**

Registration to the Summit is \$594.00.

Air Travel costs will be approximately \$600.00.

Accommodation costs will be approximately \$570.00.

**STRATEGIC IMPLICATIONS**

Community Strategic Plan 2013 – 23 – Being Well Governed

Draft Corporate Business Plan 2013- 2017 Strategy 1.1.5 –Develop and maintain Councillors skills

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the Shire President be authorised to attend the Municipal Association of Victoria 2014 Future of Local Government Summit to be held in Melbourne on 21 and 22 May 2014.**

**COUNCIL DECISION**

/14      Moved Cr                      , seconded Cr

CARRIED/LOST              /



# 10TH ANNIVERSARY NATIONAL SUMMIT!

## The Future of Local Government

.....is full of opportunity  
(the train has left the station!)

**May 21-22, 2014**  
Rydges Melbourne, 186 Exhibition Street

**THE CHALLENGE:**  
There must be a better way, so let's decide on it and make it happen

Too much of this: 

We need to articulate what the future of LG looks like or others will do it for us

and not enough of this: 



**The choice is simple: will we take the**

**THE LOW ROAD**  
BUSINESS AS USUAL

- G3 x funding silos = inefficiency galore
- Most things done 560 different ways
- Community expectations not met
- LG costs rising rapidly
- Many Councils not sustainable: '2 speed LG' (metro vs rural)
- Not addressing the strategic challenges of change
- Perception LG delivers poor value for money, focussed on regulation
- Growing scope of LG activities
- Ad hoc collaboration
- LG reactive and too busy
- Imposed amalgamation is the 'quick fix'
- Loss of local identity

= an unsustainable future

OR

**THE HIGH ROAD**  
SUSTAINABLE COUNCILS

- Service transformations for communities: 24x7
- Core services identified
- Local priorities funded
- Place-based funding (untied)
- More support for those Councils in greatest need
- New infrastructure funding model
- Regional structure to share services and collaborate, where advantageous: do more with less
- LG pursues real collaboration and efficiency
- Protect local democracy & strengthen local say
- Facilitating adaptive community cultures
- Better relationships with other levels of Govt
- Councils of the Future Program (opt-in)
- Create the capacity to move to the new economy

= value added Councils of the Future, connecting governments and leading community change

**Summit Highlight:** A Commission of Inquiry into 'Rewiring Public Services to Improve Community Outcomes: there must be a better way'.

This event is excitedly brought to you by the Municipal Association of Victoria



### Also, what every LG leader needs to know:

- How to deliver the High Road: a draft blueprint for transformation
- Councils doing great things: transformative case studies (with WOW)
- Next steps: this needs to be discussed at your Council table
- Tools for the Future to support the journey

Who should attend?  
Anyone who wants to make a difference



## WEDNESDAY, MAY 21

9am WELCOME, BILL MCARTHUR, MAV PRESIDENT

9.10am 'THE 10 YEAR FUTURE OF LOCAL GOVERNMENT JOURNEY, AN OVERVIEW', (MAV)

10TH ANNIVERSARY NATIONAL SUMMIT!

9.35am 'The Challenges Facing Local Government', Dr Felicity-ann Lewis, President, Australian Local Government Association (ALGA). The president of the Australian Local Government Association (ALGA) and the Mayor City of Marion, Dr Felicity-ann Lewis, was named as South Australia's Australian of the Year for 2014. While Dr Lewis is best known outside the state for her tireless campaigning and lobbying on behalf of local government and community issues across Australia, the state award has also recognised her substantial contribution to the reconciliation movement and settlement of migrants and refugees. Dr Lewis has served as the Mayor of Marion for nearly 14 years and was also the head of the South Australian Local Government Association prior to her election as ALGA President.

10.05am 'Is there a future for LG?', Jeff Kennett, former Premier of Victoria. Jeff Kennett was Premier of Victoria between 1992 and 1999. He was the President of Hawthorn Football Club from 2005 - 2011. He is the founding Chairman of beyondblue, a national depression initiative. During his term as Premier, the number of Councils in Victoria was reduced from 210 to 78.

10.50am MORNING TEA

11.20am 'Rewiring Public Services, Rejuvenating Democracy', Paul Raynes, Program Director, Local Government Association (UK). Rewiring Public Services is an ambitious campaign, developed by the UK Local Government Association, which provides much-needed solutions as to how to deliver public services within an ever-tightening fiscal environment. The objective of the campaign is to lobby for a radical transformation of the way local government works and its relationship with other levels of government. Following several months of discussions with LGA members in early 2013, a list of key propositions has been drawn up that the LGA wants to see adopted in full or in part within party manifestos and implemented by whoever forms the next Government in 2015. Rewiring Public Services has been discussed and debated in the media and in Parliament. It's time to have the debate or discussion in the most important place of all, your council. Paul Raynes is Programme Director at the Local Government Association, with particular responsibility for economic issues, culture, and local democracy. He led LGA campaigns on place-based budgets, regional economic devolution, local democracy, and quango accountability. He joined the LGA in 2006 from Essex County Council, where he founded the Strategic Policy Unit. A former Treasury official who headed the private office of three cabinet ministers in the 1990s, Paul also worked in the British Embassy in Paris on the lead-up to the introduction of the euro, and as a financial editorial-writer.

12.15pm 'The Importance of Innovation in Local Government', Dave Barry, CEO, Alpine Shire Council. Dave Barry is a strong believer in innovation and its ability to deliver improved outcomes for Councils and communities. He has been involved in several award-winning local government initiatives which have been recognised at the national level. Dave has been instrumental in utilising technology to be the enabler to achieve significant efficiency improvements. An Irishman, Mr Barry graduated in Galway with a degree in electronic engineering before emigrating to Australia in 2003.

12.50pm LUNCH

1.45pm 'Amalgamations or?', Graham Sansom, Adjunct Professor, UTS Centre for Local Government, NSW. Graham Sansom is an Adjunct Professor at the University of Technology, Sydney. Until recently he was Director of the UTS Centre for Local Government and also the Australian Centre of Excellence for Local Government. From 1994-98 he was CEO of the Australian Local Government Association. Graham has many years experience in local and State Government, having held senior positions with local Councils, a regional organisation of Councils, and State agencies in New South Wales and Western Australia. From 2009-11 Graham served on the steering committee of the Australian Council of Local Government, and in 2011 he was a member of the Commonwealth's Expert Panel on constitutional recognition of local government. Graham also has extensive international experience. Until last year he was a board member of the Commonwealth Local Government Forum, and edited the Commonwealth Journal of Local Governance. He has undertaken a wide range of local government development projects in Asia, South Africa and the Pacific. In the last two years he has chaired NSW Independent LG Review Panel and been a member of the South Australian LGA Local Excellence Expert Panel.

2.30pm Good Practice Case Studies: Local Government leading the way

1. GovCloud (Qld.), Jock O'Keefe
  2. The Swift Library Consortium, Kevin Rusbridge
  3. Patchwork, Dominic Campbell (FutureGov)
  4. The Office of the Future, Di Ashton, Cardinia Council
  5. Community Planning, Louisa White, Golden Plains Shire Council
  6. Place-based strategies to tackle disadvantage, Sharon Fraser, Central Goldfields Shire Council
- Councils in the Cloud: one system
  - Cloud system > user benefits
  - Cloud system > win for all
  - Smarter activity-based working
  - Listening to the community
  - Small Councils can deliver

TBA AFTERNOON TEA

4.20pm Local Government in the Cloud in an open, contestable framework, Peter Barnett, Telstra. The MAV has entered into a strategic partnership with Telstra to build an open, contestable cloud platform that will provide Councils with an open choice from a range of products. It is non-transactional in nature and given the movement of society into the cloud, this has real implications for all Councils. The local government sector has real choices as to how it moves into cloud technology: what is the preferred roadmap?

4.45pm Key messages from day 1

5pm Informal networking session

6pm CLOSE





THURSDAY, MAY 22

**9am 'Councils leading the way in the UK', Dominic Campbell, FutureGov (UK)**

Dominic Campbell is a digital government specialist and social innovator with a background in government policy, communications and technology-led change. He is an experienced organisational change agent with senior management experience in implementing successful change initiatives within the local government sector, with a primary interest in emerging uses of new media and "social" strategies to deliver public service transformation and social innovation. Having spent five years in Local Government in London, Dominic established FutureGov in early 2008. A team of 20, FutureGov supports government – particularly local government – in the UK, Europe and the United States to better understand new media and draw on social technology-based strategies and tools in the areas of business improvement and improved citizen engagement. Dominic will describe how Council collaboration and technology are converging in the UK.

**9.40am 'Local Government Reform in New South Wales', Donna Galvin, Executive Manager, The Wellington, Blayney Cabonne (WBC) Strategic Alliance.**

The Councils of Wellington, Blayney and Cabonne, in the outback of New South Wales, originally formed their Strategic Alliance in 2003 as an alternative model for local government reform. In 2005 Central Tablelands Water joined the Alliance. The Alliance is a voluntary cooperative arrangement between the member councils for the purpose of sharing resources and identifying efficiencies. The WBC Strategic Alliance has demonstrated how four Councils collaborating together can overcome the path of 'imposed amalgamation'. From small beginnings to now designing a shared service entity, Donna Galvin will describe how real Council collaboration can win out and protect local identity in an environment where there are now strong moves to amalgamations and regional government. But does the WBC Alliance have enough size and scale for shared services in the future?

**10.20am MORNING TEA****10.45am The Commission of Inquiry into 'Rewiring Public Services to improve Community Outcomes: There Must Be a Better Way'.**

To discuss the Future of Local Government in context we really need to review the efficiency and effectiveness of current public sector services and ask if they are delivering the outcomes required by Australian communities in a rapidly changing world. Is there a better way? To process these issues, the The Commission of Inquiry will hear evidence and produce recommendations.

**The Commissioners are:**

- Professor Graham Sansom, former Chair of the NSW Independent LG Review Panel and a member of the South Australian LGA Local Excellence Expert Panel
- Peter Johnstone, former Council CEO (Boroondara and Moreland)
- Phil Shanahan, former Council CEO (several)
- Rebecca McKenzie, current Council CEO (Mitchell)
- Tracey Slatter, current Council CEO (Port Phillip and formerly Colac Otway)
- Paul Raynes (Program Director, UK Local Government Association)
- Donna Galvin, The Wellington, Blayney Cabonne (WBC) Strategic Alliance

**The Commission will:**

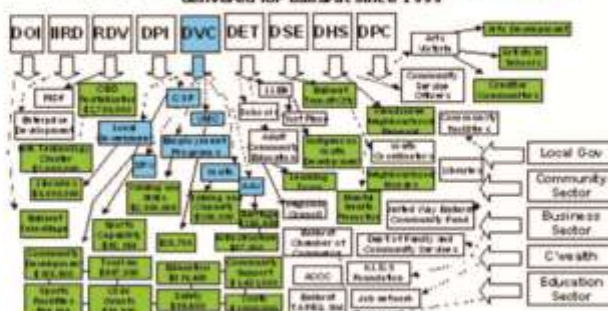
- receive a number of submissions from expert local government sources
- receive input from Summit participants
- identify key issues
- identify strategic options and make recommendations for the local government sector in the future

The present system of government, as typified in the schematic below, is not delivering the outcomes required. There must be a better way. The task of the Commission is to find it and identify the role of local government.

Government of Victoria  
Office of the Chief Information Officer

**Policy decisions lack spatial awareness**

Illustrative example of % of community strengthening resources delivered for Ballarat since 1999

**12.30pm LUNCH****1.15pm Commission of Inquiry: strategic options and recommendations to be discussed at all Councils****2.30pm Next steps (involving your Council) and Tools for the Future****3.15pm CLOSE**

**COST:**

\$594 (including GST) No single day registrations are available.

**TO REGISTER:**

For online registration and conference details go to [www.mav.asn.au/events](http://www.mav.asn.au/events) (click on 'upcoming events' and scroll down to May 21).

**QUERIES:**

[jhennessy@mav.asn.au](mailto:jhennessy@mav.asn.au)

**NOTE:**

Program subject to change.

**ACCOMMODATION:****Suggest:**

**Mercure Hotel,**  
13 Spring Street, Melbourne.

Toll free: 1800 813442.

or

**Rydges Melbourne,**  
186 Exhibition Street  
(03 96620511)



To keep track of the Future of Local Government news items,  
please Google 'YouTube Future of Local Government'

<http://www.youtube.com/channel/UCmGdUeRCiGY7TyDZZaXw39A>



**10TH ANNIVERSARY  
NATIONAL SUMMIT!**

## 13.2 COMPLIANCE AUDIT RETURN 2013

AUTHOR: Anthony Middleton – Manager of Corporate Services  
DATE: Friday, 7 March 2014  
FILE NO: CM.REP.1  
**ATTACHMENT: 13.2 Compliance Audit Return 2013**

### DECLARATION OF INTEREST

Nil

### SUMMARY

The purpose of this report is to adopt the Compliance Audit Return for 2013.

### BACKGROUND

Local Government (Audit) Regulation 14 requires a local government to carry out a compliance audit for each calendar year.

### COMMENTS

The completion of the Compliance Audit Return is mandatory for each local government. The return has been completed following a review of processes and documentation for each activity / area in which compliance is being assessed against the Local Government Act 1995 and its associated regulations. The return is to be adopted by the Council and submitted to the Department of Local Government and Communities by 31 March each year.

A recent change to Regulation 14 requires that the local government's Audit Committee now review the return and report the results of that review to the Council prior to adoption and submission to the Department.

The Audit Committee reviewed the Compliance Audit Return at its meeting held on the 11<sup>th</sup> February 2013. The Audit Committee resolved as follows:

**'That:**

- 1. The Compliance Audit Return for 2013 as attached be adopted; and**
- 2. The Audit Committee provide a report to the Council in accordance with Regulation 14(3A) of the Local Government Audit Regulations 1996 recommending adoption of the Compliance Audit Return as attached.'**

### CONSULTATION

The Senior Management Team and Audit Committee.

### STATUTORY ENVIRONMENT

The Local Government Audit Regulations 1996, Regulation 14 states:

- "(1) a local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) the local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —
  - (a) presented to the council at a meeting of the council; and
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted."

### POLICY IMPLICATIONS

There are no policy implications for this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**STRATEGIC IMPLICATIONS**

Community Strategic Plan 2013/2023 Focus Area 1 - Being Well Governed

Draft Corporate Business Plan 2013-17

Strategy 1.1.4 Maintain robust systems and controls

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That:**

- 1. The recommendation from the Audit Committee be noted; and**
- 2. The Compliance Audit Return for 2013, as attached, be adopted.**

**COUNCIL DECISION**

/14      Moved Cr                      , seconded Cr

CARRIED/LOST                      /



Department of Local Government and Communities - Compliance Audit Return

Government of Western Australia  
Department of Local Government and Communities**Kojonup - Compliance Audit Return 2013****Certified Copy of Return**

Please submit a signed copy to the Director General of the Department of Local Government and Communities together with a copy of section of relevant minutes.

<b>Commercial Enterprises by Local Governments</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2013.	N/A		Anthony Middleton
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2013.	N/A		Anthony Middleton
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2013.	N/A		Anthony Middleton
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2013.	N/A		Anthony Middleton
5	s3.59(5)	Did the Council, during 2013, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Anthony Middleton

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A	No Committees had delegated authority	Anthony Middleton
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Anthony Middleton
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Anthony Middleton
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Anthony Middleton
5	s5.18	Has Council reviewed delegations to its committees in the 2012/2013 financial year.	Yes		Anthony Middleton
6	s5.42(1), 5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Anthony Middleton
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Anthony Middleton
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Anthony Middleton
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Anthony Middleton
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Anthony Middleton
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Anthony Middleton
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2012/2013 financial year.	Yes		Anthony Middleton
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Anthony Middleton
Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	No	On one occasion in December 2013, a member remained present but did not participate in the debate or vote.	Anthony Middleton
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Anthony Middleton



Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Anthony Middleton
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	No		Anthony Middleton
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Anthony Middleton
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2013.	Yes		Anthony Middleton
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2013.	No	Definition of a designated employee and who should fill out return has been reviewed by Senior Management to capture a greater scope of staff members.	Anthony Middleton
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Anthony Middleton
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Anthony Middleton
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Anthony Middleton
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Anthony Middleton
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Anthony Middleton
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Anthony Middleton

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Anthony Middleton
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Anthony Middleton
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Anthony Middleton

**Disposal of Property**

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes		Anthony Middleton
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	Yes		Anthony Middleton

**Elections**

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		Anthony Middleton

**Finance**

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Anthony Middleton
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Anthony Middleton
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Anthony Middleton

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
4	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Anthony Middleton
5	s7.3, 7.5(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	N/A	No appointment made in 2013	Anthony Middleton
6	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2013 received by the local government within 30 days of completion of the audit.	Yes		Anthony Middleton
7	s7.9(1)	Was the Auditor's report for 2012/2013 received by the local government by 31 December 2013.	Yes		Anthony Middleton
8	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Anthony Middleton
9	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Anthony Middleton
10	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Anthony Middleton
11	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Anthony Middleton
12	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Anthony Middleton
13	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Anthony Middleton
14	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Anthony Middleton
15	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Anthony Middleton

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes		Anthony Middleton
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		Anthony Middleton
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		Anthony Middleton
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes	The Council through their HR Consultant complied with this requirement	Anthony Middleton
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Anthony Middleton
Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A		Anthony Middleton
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Anthony Middleton
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Anthony Middleton
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Anthony Middleton
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Anthony Middleton
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		Anthony Middleton



Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Anthony Middleton
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A		Anthony Middleton
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Anthony Middleton
4	F&G Reg 14, 15 & 16	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Anthony Middleton
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Anthony Middleton
6	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Anthony Middleton
7	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Anthony Middleton
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Anthony Middleton
9	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Anthony Middleton
10	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes		Anthony Middleton
11	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A		Anthony Middleton

Department of Local Government and Communities - Compliance Audit Return



Government of Western Australia  
Department of Local Government and Communities

No	Reference	Question	Response	Comments	Respondent
12	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes		Anthony Middleton
13	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes		Anthony Middleton
14	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Anthony Middleton
15	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less.	Yes		Anthony Middleton

I certify this Compliance Audit return has been adopted by Council at its meeting on \_\_\_\_\_

\_\_\_\_\_  
Signed Mayor / President, Kojonup

\_\_\_\_\_  
Signed CEO, Kojonup

**13.3 ANNUAL REPORT AND MEETING OF ELECTORS – 2012/2013**

AUTHOR: Anthony Middleton – Manager of Corporate Services  
DATE: Thursday, 6 March 2014  
FILE NO: FM.AUD.2 & FM.FNR.1  
**ATTACHMENT: 13.3 Annual Report 2012/2013**

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

The purpose of this report is to accept the 2012/2013 Annual Report, incorporating the Annual Financial Report and Audit report, and to set a date for the annual meeting of electors.

**BACKGROUND**

Each local government is to prepare an annual report for each financial year. The report is a record of the Shire's activities for the financial year and is part of the accountability principles established for local government.

**COMMENTS**

The Annual Financial Report, Audit Report and Management Letter has been considered by the Audit Committee. The Audit Report forms part of the Annual Report and the management letter is provided as additional information to the Committee for transparency. The Audit Committee resolved at its meeting held on 11 February 2014 as follows:

**'That:**

- 1. The Audit Letter and Observations for the year ended 30<sup>th</sup> June 2013 as attached to Item 11.2 of this agenda, be accepted;**
- 2. The Annual Financial Report, incorporating the Auditors Report, for the year ended 30<sup>th</sup> June 2013 be accepted, and recommended to the Council for adoption; and**
- 3. The Manager of Corporate Services prepare a progress report on the 'observation' items raised in the Audit letter for the next meeting of the Audit Committee.'**

The Annual elector's meeting must be held within 56 days of accepting the annual 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 2 April and 13 May 2013. It is recommended that the date for the Annual meeting of Electors be set for Tuesday, 15 April 2014 to coincide with the Council Meeting date.

**CONSULTATION**

Audit Committee has adopted the Annual Financial Statement and Audit Report.

**STATUTORY ENVIRONMENT**

Section 5.26 to 5.33; 5.53 & 5.54 - Local Government Act 1995

Regulation 51(2) of the Local Government (Financial Management) Regulations 1996

**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 2013. The recommendation does not in itself have a financial implication.

**STRATEGIC IMPLICATIONS**

Community Strategic Plan 2013-23 Focus Area 1 - Being Well Governed

Draft Corporate Business Plan 2013-17

Strategy 1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations

Strategy 1.1.4 Maintain robust systems and controls

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That**

- 1. The Council adopts the 2012/2013 Annual Report, including the Annual Financial Report, as attached; and**
- 2. The Annual Meeting of Electors be held on Tuesday 15 April 2014 in the Lesser Hall, Kojonup, commencing at 7:00pm.**

**COUNCIL DECISION**

/14      Moved Cr                      , seconded Cr

CARRIED/LOST              /



### 13.4 BEQUEST FROM GEORGE CHURCH

AUTHOR: Rick Mitchell-Collins - Chief Executive Officer  
DATE: Monday, 10 March 2014  
FILE NO: FM.SPN.2  
**ATTACHMENT:** Nil

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

To publicly acknowledge receipt of the bequest from George Church towards any future medical centre.

#### **BACKGROUND**

Glenys Russell on behalf of Mr Church sent an email to the Shire President and CEO as follows:

“On 22 Feb 2014, at 11:33 am, "Kojonup Visitors Centre" wrote:

*Hi Ronnie & Rick, Last night George asked if I would contact you and ask if it was possible he would like to see you both he is sorting out his affairs and would like to make a bequest to the Medical Centre. . . . George's mum was on the Hospital Board for many years including the opening of the old hospital and he has some photos at the hospital of all the community trucks at the Top Pub for lunch while carting wood to the hospital. George was on the Hospital Board for many years 17 as President during that time the opening of the new Hospital and of course Tricia came here nursing at the Hospital in the 50's so the medical area seems very fitting to have a bequest in the Church name. The Church family have long associations with the Hospital and George and Tricia had discussed the thought of making a bequest to the Medical Centre when it was being discussed earlier last year. . . If you can discuss a time suitable to you both and let me know I will arrange it with him. Cheers Glenys”*

The Shire President, Glenys Russell and the CEO met with Mr Church on Monday, 24 February at 11.00am where he expressed a desire to pledge \$350,000 to be used on a new Medical Centre as he could not think of a better way of serving more people of Kojonup.

Glenys handed the CEO an envelope on Wednesday, 26 February 2014 which contained a cheque for \$350,000. The cheque was banked on 27 February 2014 with express instructions to the Manager of Corporate Services that the funds be shown in a special reserve together with any interest accrued.

#### **COMMENT**

What a wonderful gesture by Mr Church which is gratefully received, however in accepting the bequest Mr Church, Council and the Community need to ensure there is explicit documentation which defines “Medical Centre” to meet the clear intent of the bequest. The bequest will be a permanent legacy and a catalyst in leveraging support for the development of an Aged Care/Health and Medical Services and Infrastructure Development Plan and ultimately the realisation of a new Medical Centre which contains or is designed to contain facilities not only for a practitioner or practitioners but also for ancillary services such as chemist, pathologist, radiologist etc. ordinarily associated in the prevention, investigation or treatment of physical or mental injuries or ailments in accordance with the Planning Scheme provisions below:-.

The Shire of Kojonup Town Planning Scheme No.3 contains the following definitions:

**Medical Centre** – means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretations of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.

**N.B:** There is no specific definition of Consulting Rooms within Kojonup's existing Town Planning Scheme No.3.

The Kojonup Schemes "catch all" definition of Medical Centre using the term "interpretations of consulting rooms" infers/includes reference to ancillary services which are separately listed by other Councils under the definition of Consulting Rooms. Use of the words "but also" provides flexibility for uses rather than prescriptive definitions as the description allows provision for advances in health and well-being in the future. Mr Church's bequest then serves more people of Kojonup in accordance with his wishes.

**Medical Clinic** – means premises in which facilities are provided for two or more of the following: a medical practitioner, a dental practitioner, physiotherapist, chiropractor, and masseur.

***Albany Definition of Consulting Rooms*** - means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors and persons ordinarily associated with a practitioner, in the prevention, investigation or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.

***Plantagenet Definition of Consulting Rooms*** - means a building or part of a building (other than a hospital) used in the practice of his profession by a legally qualified medical practitioner, dentist or chiropractor, or by a physiotherapist, a masseur or a person ordinarily associated with a medical practitioner in investigation or treatment of physical mental injuries or ailments;

***Katanning definition of Consulting Rooms:*** means a building (other than a hospital or medical centre) used by practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors or persons ordinarily associated with a practitioner in the prevention or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination of professions or practices.

The Shire President and the CEO met Mr Church on Thursday, 6 March 2014 to ascertain Mr Church's acceptance of the definition and also to ascertain if the bequest should be public knowledge as there may be other community members who may wish to donate to the special reserve fund.

Mr Church was pleased with the flexibility of the Schemes definition and also had no objection to his bequest being publicly known; hence this agenda item is tabled in open session.



**CONSULTATION**

Council Briefing Session – 4 March 2014

**STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996 & Section 6.11 of the Local Government Act 1995.

**POLICY IMPLICATIONS**

Council Decision 164/13 still relevant and being progressively actioned.

**STRATEGIC IMPLICATIONS**

Draft Corporate Business Plan 2013-2017

Strategy 1.6.1 Ensure and promote adequate health services available in Kojonup.

Strategy 1.6.1.4 Undertake a feasibility study to confirm the financial viability and anticipated use of a Medical Centre in Kojonup.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

1. That Council on behalf of the Kojonup Community sincerely thank Mr George Church for donating \$350,000 specifically towards a new Medical Centre for Kojonup and Council will be forever grateful for George and Tricia's generosity.
2. That Council establish a G & P Church Medical Centre Special Reserve Fund with Interest accrued on the Principal until Council has secured sufficient funds from other stakeholders to ensure the Medical Centre becomes reality.
3. The G & P Church Medical Centre Special Reserve Fund be established for the purpose of constructing a medical centre as defined within Shire of Kojonup's existing Town Planning Scheme No. 3.
4. The G & P Church Bequest become the catalyst in leveraging support and obtaining commitments from other key stakeholders such as the State Government for the development of an Aged Care/Health and Medical Services and Infrastructure Development Plan and ultimately the realisation of a new Medical Centre which contains or is designed to contain facilities not only for a practitioner or practitioners but also for ancillary services such as chemist, pathologist, radiologist etc. ordinarily associated in the prevention, investigation or treatment of physical or mental injuries or ailments.

**COUNCIL DECISION**

/14 Moved Cr , seconded Cr

CARRIED/LOST /

13.5 GSDC VARIATION 2 ROYALTIES FOR REGIONS GREAT SOUTHERN REGIONAL GRANTS SCHEME ROUND 2 – KOJONUP MAIN STREET RENEWAL STRATEGY & DEVELOPMENT PLAN

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer  
 DATE: Monday, 10 March 2014  
 FILENO: GS.PRG.22  
 ATTACHMENT: Nil

**DECLARATION OF INTEREST**

Nil

**BACKGROUND**

Council at its meeting held 17 December 2013 Decision 202/13 called Expressions of Interest (EOI) with 13 submissions received by the close on 6 February 2014. Management assessed each submission against the following criteria in order to short list 4 consultants for second interview.

1. Relevant experience in similar Main Street Planning Projects
2. Understanding of Project outcomes
3. Key Personnel and tasks
4. Proposed methodology/community engagement/visits
5. Referees
6. Cost

**Score Explanation:**

**Relevant Experience in similar Main Street Planning Projects (out of 15)**

- Demonstrated experience in preparation of projects/plans for similar regional town rates higher than urban design or metropolitan planning experience/projects and exposure;
- Demonstrated experience in working with LG planning strategies/schemes rates higher than limited experience;
- Local experience rates higher;
- Demonstrated project management (for future stages) experience rates higher;
- Success in identifying and preparing grant funding applications rates higher.

**Understanding of Project Outcomes (Realistic, measured and achievable approach to improve visual amenity and other stated requirements, safety, linkages, rejuvenate shopfronts etc.) (out of 15)**

- Very good and good understanding of project outcomes shown in submission rates higher than poor understanding or only generalised information provided.

**Key Personnel/Tasks (out of 15)**

- Key personnel qualifications and demonstrated skills rates higher than limited experience in similar projects;
- Key personnel input/tasks identified in submission rates higher than limited input;
- Demonstrated use of required disciplines (engineering, architect/design, heritage, planning) rates higher than limited skills/qualifications.

**Proposed Methodology & Meetings/Visits (out of 15)**

- Clear and defined methodology rates higher;
- Number of site visits rates higher;
- Approach of consultation with community/Council rates higher;
- Detailed timelines within a timeframe of 12 – 26 weeks rate higher than shorter/longer timeframes.

**Referees (out of 15)**

- Providing referees rates higher.

**Cost (out of 25)**

- Within budget estimate rates higher than lower or higher estimates;
- Inclusion of additional information requirements such as specialist studies rate lower.

**COMMENT**

Site visits were undertaken by Councillors and the CEO on 25 February 2014 together with a presentation from a short listed consultant on 24 February 2014. The submission from Hames Sharley was recommended as the preferred EOI at the Briefing Session held 4 March 2014.

Following formal endorsement by Council correspondence will be forwarded to the Great Southern Regional Development Commission in accordance with the Regional Grants Scheme Round 2 Agreement.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That Council endorse the acceptance of Hames Sharley Expression of Interest for the Kojonup Main Street Renewal Strategy and Development Plan for an amount of \$48,400 excluding GST.**

**COUNCIL DECISION**

/14 Moved Cr , seconded Cr

CARRIED/LOST /



## 14.2 AUDIT COMMITTEE – REVIEW OF MEMBERSHIP

AUTHOR: Anthony Middleton – Manager of Corporate Services  
DATE: Friday, 7 March 2014  
FILE NO: GO.CNM.9  
**ATTACHMENT: Nil**

### DECLARATION OF INTEREST

Nil

### SUMMARY

The purpose of this report is to review the membership of the Audit Committee with a view to:

1. Decrease the number of elected members on the Committee; and
2. Increase the number of community members on the Committee.

### BACKGROUND

At its meeting held on 19 November 2013, the Council resolved (motion 172/13):

**‘That the Audit Committee consist of all eight (8) Councillors and Mr David Prasser-Jones (Independent Community Member).’**

### COMMENTS

Following elected member training conducted by the Australian Institute of Company Directors, and discussions held at Council briefing sessions, it is felt that the following changes be made to the Audit Committee structure:

- The Shire President and Deputy Shire President be excluded from the Committee to increase the Committee’s independence and increase the relevance of the Committee reporting back to the Council;
- Reduce the number of elected members on the Committee thereby increasing the accountability and relevance of each individual elected member on the Committee; and
- Increase the number of community members on the committee to improve specific skill sets and openness of the Committee.

It is recommended that the Committee be amended to a membership of seven (7), thus keeping it at a workable size. It felt that four (4) elected members and three (3) community members is the ideal ratio within this membership of seven, considering that the Act provides that the Audit Committee shall comprise of a majority of elected members

### CONSULTATION

Council briefing sessions and the Chief Executive Officer.

### STATUTORY ENVIRONMENT

The Audit Committee is established under section 7.1 of the Local Government Act.

### POLICY IMPLICATIONS

There are no policy implications for this report.

### FINANCIAL IMPLICATIONS

There are no financial implications for the report.

### STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-23 Focus Area 1 - Being Well Governed

Draft Corporate Business Plan 2013-17

Strategy 1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations

Strategy 1.1.4 Maintain robust systems and controls

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION****That:**

- 1. The composition of the Audit Committee be amended to a total membership of seven (7), comprising four (4) elected members and three (3) community member positions;**
- 2. Expressions of interest for the two remaining community member positions be advertised in the Kojonup News, clearly indicating that appointments will be made on an appropriate skills basis; and**
- 3. A report be prepared for the April 2014 meeting of Council to appoint the members to the Audit Committee.**

**COUNCIL DECISION**

/14 Moved Cr , seconded Cr

CARRIED/LOST /



14.3 KODJA PLACE ADVISORY COMMITTEE

**OFFICER RECOMMENDATION**

**That the attached unconfirmed minutes of the Kodja Place Advisory Committee held Thursday 20<sup>th</sup> February 2014 be received by Council.**

**COUNCIL DECISION**

/14 Moved Cr , seconded Cr

CARRIED/LOST /

**15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****15.1 NOTICE OF MOTION – CR FRANK PRITCHARD****CEO COMMENT**

A notice of motion has been received from Cr Pritchard following discussion at the Council Briefing Session held 4 March 2014 seeking financial assistance of \$1,500 to Western Australia Explorers Diaries Project Inc. (WAEDP) for the publication of John Septimus Roe's exploration diaries, 1829-1849.

**Cr Pritchard states in supporting material:-**

**“... all Shire Councils connected in some way to the work of John Septimus Roe, have been approached, seeking financial support for the publication of Roe's exploration diaries, 1829-1849.**

A similar letter was received by the Kojonup Historical Society and discussed at their meeting on the 3<sup>rd</sup> February 2014. The Historical Society is dependent on the Shire for finance and as I was present, it was resolved that: “Cr. Pritchard refers the matter to Council for funding consideration”.

I will give my views! The Western Australian Explorers Diaries Project Inc. was formalised by an agreement between the Dept. of Land Admin. (DOLA), now Landgate, and Hesperian Press, in March 2001. Its aim is to collate and reproduce all diaries, reports, letters and other documents relating to expeditions of discovery in Western Australia from European settlement until Federation.

It is a “not for profit” organisation registered as a tax deductible gift recipient. Surplus funds from sales, if any, are set aside to assist with future publications. The publications are intended to serve as primary sources for historical researchers as well as interest for the general reader. Further explanations can be found on pages xxiv/xxvii, of Vol. 1.

As the State's first Surveyor General, Roe's principal role was to organise exploration as directed by Gov. Stirling, through the Colonial Secretary, Peter Broun. He did undertake explorations himself, and on his 1835 King George Sound (Albany) to York expedition, he traversed country 23kms to the east of Kojonup, naming Scamper Creek, located to the north of the junction of the Broomehill Road and the Old Broomehill Road.

Roe was meticulous in the work of recording explorer's correspondence, examining Field Books and diaries, before forwarding details to the Col. Secretary. The Col. Secretary then made reports to the Governor, who released information to the public to encourage settlement of the State.

Kojonup was mentioned by A. Hillman, on 16<sup>th</sup> March 1840, when he commented that there are 30 to 40,000 acres of land on the right bank of the Balgarup, “available for sheep farming”.

W.N. Clark, in March 1840, referred to the Balgarup to Mandalup area, describing pasture, sufficient “to feed the whole of the sheep, now in the colony”.

I have, myself, spent many hours of research at the State Records Office, seeking information about the first owners of Kojonup Location 2, and can appreciate the efforts of WAEDP volunteers in transcribing the various records into a format, suitable for publication. During my work with Michael Lance, Gnowangerup, retracing parts of Roe's 1835 exploration, along a section of the Pallinup River, we formed an opinion that some Historical aspects could

**appeal as sights, for tourism. . . I consider Roe contributed significantly to the very early settlement of Kojonup.”**

Council does not possess a policy or criteria specific to the WAEDP request and therefore this request is being dealt with on historical merit relative to Kojonup.

Options available to Council:-

1. Thank Cr Pritchard for his motion and resolve not to donate towards the WAEDP publication.
2. Donate up to \$500 towards the WAEDP publication as a one-off contribution in recognition of the historical importance of the diaries.
3. Donate \$1,500 towards the WAEDP publication subject to Council receiving formal recognition in the book as a sponsor or alternatively the book launch occur at Kojonup to ensure Kojonup is duly recognised.

#### **MOTION**

**That Council donate \$500 to the Western Australia Explorers Diaries Project Inc., for the publication of John Septimus Roe’s exploration diaries 1829-1849.**

#### **COUNCIL DECISION**

/14      Moved Cr Pritchard, seconded Cr

CARRIED/LOST

/

**16      NEW BUSINESS**

(of an urgent nature, introduced by a decision of the meeting).

**17      CONFIDENTIAL REPORTS**

- 17.1    LOT 200 TUNNEY ROAD  
17.2    STRATEGIC PLANNING – MAIN STREET PROJECT

AUTHOR:                Rick Mitchell-Collins – Chief Executive Officer  
DATE:                    Tuesday, 11 March 2014  
FILE NO:                CP.MTC.5 & A7229  
**ATTACHMENT:**        17.1 Confidential Report  
                              17.2 Confidential Report

**SUMMARY**

The purpose of the report is to determine if the land should be rezoned Rural Residential allowing the landowner to sell the land.

The purpose of the report is to gauge Council's interest in making an offer to purchase 133-135 Albany Highway, Kojonup which is presently leased to the Men's Shed until August 2014 for \$5,200 per annum conditional upon vacant possession should the property be sold.

**STATUTORY REQUIREMENTS**

Section 5.23(2) of the Local Government Act 1995 permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
  - (i) a trade secret; or
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
  - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
  - (ii) endanger the security of the local government's property; or
  - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting, and the reason for the decision to be recorded in the minutes.

**VOTING REQUIREMENTS**

Simple Majority



**18     NEXT MEETING**

Tuesday, 15<sup>th</sup> April 2014 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 ..... pm.

**20     ATTACHMENTS (SEPARATE)**

- Item 10.1     Monthly Statement of Financial Activity
- Item 10.2     Monthly Payment Listing 01/2/2014 – 28/2/2014
- Item 13.3     Annual Report 2012/2013
- Item 14.1     Unconfirmed Audit Committee Minutes – Tuesday 11<sup>th</sup> February 2014
- Item 14.3     Unconfirmed Kodja Place Advisory Committee Minutes – Thursday 20<sup>th</sup> February 2014
- Item 17.1     Confidential Report
- Item 17.2     Confidential Report