

SHIRE OF KOJONUP



Ordinary Council Meeting

MINUTES

16 February 2016

SHIRE OF KOJONUP**MINUTES FOR THE ORDINARY COUNCIL MEETING HELD ON 16 FEBRUARY 2016****TABLE OF CONTENTS**

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A G E N D A

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

The Shire President declared the meeting open at 4:00pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and drew 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 Sexton	Deputy Shire President
Cr Ned Radford	
Cr Ian Pedler	
Cr Jill Mathwin	
Cr Graeme Hobbs	
Cr Judith Warland	
Cr Frank Pritchard	
Mr Rick Mitchell-Collins	Chief Executive Officer
Mr Anthony Middleton	Manager Corporate Services
Mr Craig McVee	Manager Works & Services
Mrs Sue Northover	Manager Aged Care Services
Miss Miranda Wallace	Executive Assistant
Mr Phil Shephard	Town Planner
Mrs Michelle Dennis	Development Services Coordinator

Members of the Gallery 28

APOLOGIES

Nil

3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS, DEPUTATIONS & PRESENTATIONS

5.1 MR WILLIAM HARVEY, MRS DEBBIE KEILLOR, MRS JENNY MATTHEWS & COMMUNITY DELEGATION – GEORGE & PATRICIA CHURCH’S BEQUEST TO COUNCIL – NEW MEDICAL CENTRE

Mr Harvey:

Thanked the Council for the opportunity to speak before them and stated he wished to speak to Council regarding two issues: the first being Mr George Church’s bequest to Council of \$500,000.00 and the second being Mr Church’s request to see the money used to build a new medical centre within Kojonup.

Mr Harvey:

Tabled a copy of his prepared speech (refer page 8 of these minutes) which he then read aloud to the Meeting.

Mrs Debbie Keillor:

Stated that in conversation with Mr Church, he expressed his wish that his bequest be put in a separate bank account that Council would require an external signatory to sign off on to release the bequest from the account to Council. This was to ensure that his donation would only go towards the development of a medical centre for Kojonup.

The Shire President advised that she had numerous conversations with Mr Church and this was not discussed. The Presiding Member invited one final person to speak on behalf of the Community Delegation.

Mrs Jenny Matthews:

Read aloud to the Meeting an email from Rick Mitchell-Collins, Chief Executive Officer, dated 27 February 2014 and a letter from George Church dated 7 April 2015 (refer page 9-11 of these minutes). Mrs Matthews then thanked Council for the opportunity to speak to the Meeting.

The Presiding Member commented to the Meeting that Mr Church’s bequest is currently being held separately in a reserve account and she assured the members of the public present that Mr Church’s bequest would remain in that account and if the bequest were to be withdrawn and spent, it would only be for the purpose of funding a medical centre for Kojonup as per Mr Church’s wishes.

The Presiding Member then commented to Mr Harvey that when he contacted her three weeks ago, she responded that she would have to update her fellow Councillors regarding his concerns which she did at Council’s Briefing Session held 2 February 2016. She further responded that she would then invite him to speak at the next Briefing Session but due to WALGA training, today’s Briefing Session was cancelled and she invited Mr Harvey to speak at the Briefing Session to be held 1 March 2016.

The Presiding Member commented that Council deeply valued Mr Church’s generous bequest and there was never any intent to allow the money to be spent anywhere else other than as per Mr Church’s wish to see it spent to build a new medical centre for Kojonup.

The Presiding Member invited the Chief Executive Office, Rick Mitchell-Collins, to speak.

The Chief Executive Officer commented that he likes the passion of the Kojonup community. He took the opportunity to remind the Members of the Gallery that today's Councillors were elected by the community members of Kojonup to represent the Kojonup community. He commented that in terms of building a new medical centre as Mr Church wished, Council has a great number of other responsibilities in regards to funding and that the exceptionally large bequest had created an expectation that Council has money currently available to match. The Council does not however and would likely have to consider looking at a loan or raising rates. He took the opportunity to outline to the Meeting Council's former financial position in the first few years of the start of the 21st Century and reminded the Meeting of the Community's wishes as set out in the 2013 Community Strategic Plan. The Chief Executive Officer also outlined the history of medical services in Kojonup, the Shire's long term financial plan and asset management backlog.

The Chief Executive Officer commented that at the Council Briefing Session held 2 February 2016, Council elected to undertake a workshop with a facilitator looking at a Health Precinct within Kojonup. The workshop will take place on 11 March 2016. The Southern Inland Health Initiative (SIHI) recently announced that it has \$19 million available. Council is currently looking at the SIHI funding to determine if the Shire of Kojonup can qualify for it.

The Chief Executive Officer reiterated the Presiding Member's comment that Mr Church's bequest has been put in a reserve account so that it will not be compromised regardless of changes in Staff and Councillors. Council is in consultation with Dr Du Pree and St Luke's Practice. Council is also conscious of the Community's frustration but there is a process that we must go through.

Mr Harvey acknowledged that he and the Chief Executive Officer are moving in the same direction. He commented that he understands that the process will not be easy.

4:33pm – Cr Frank Pritchard entered the Chamber.

Mr Harvey thanked the Presiding Member for allowing him to speak to the Meeting.

Mrs Keillor commented that she felt her comments had not been noted today.
The Presiding Member relayed that she had noted her comments.

4:36pm – The Presiding Member and all members of the public departed from the Chamber.

4:39pm – The Presiding Member returned to the Chamber.

Attachment 4.1
(as tabled by Mr William Harvey)

To the Kojonup Shire Council

I would like to speak to you on two issues today. Firstly, the George Church \$500,000 legacy and secondly, the medical centre.

As a result of visiting George, especially in the last couple of years, it became very apparent to me that he and his family had a long history of support and association with our hospital and medical facilities – beginning with his mother officiating in the opening of the original hospital in 1922, his sister and his wife Trish both working at the hospital, and George himself being a member and Chairman of the Kojonup Hospital Board. In view of that long association I suggested to him that he might consider leaving a legacy to contribute to the building of a new medical centre. It didn't take very long before a donation of \$500,000 was forthcoming to make that a reality. Of course, George wanted to start building "tomorrow". As his health deteriorated he became increasingly agitated at the lack of communication and action regarding the matter. I recall vividly on one of my last visits George saying to me, "Willie, you could end up in this very bed that I'm in – what we need is a door at the eastern end of the hospital opening into a passage leading to a medical centre with a couple of resident doctors there. I'm relying on you and Robert Sexton to make sure that the money I donated is used for that purpose, and that is a purpose built medical centre adjacent to the hospital on the Walker site". With that in mind I am confident that there will be no one on this Council or in our community who would not respect the wishes of the late George Church.

My request to you is that this matter be formalised on record by your Council so that this half a million dollar legacy is quarantined to be used only for a purpose built medical centre adjacent to the hospital.

William Harvey



Glenys Russell

From: Rick Mitchell-Collins <ceo@kojonup.wa.gov.au>
Sent: Thursday, 27 February 2014 5:28 PM
To: Kojonup Visitors Centre; Cr Ronnie Fleay
Subject: RE: re George Church

Hi Glenys and Ronnie.

I am preparing a confidential report to Council following the tremendous bequest by Mr Church and seek your comments regarding a written agreement for the explicit use of the funds which will also provide Mr Church some surety.

in accepting the bequest Mr Church and Council need to ensure there is explicit documentation which defines "Medical Centre" and what eventuates should Council individually or collectively not meet the clear intent of the bequest. For example does a new Doctor's Surgery fall under the definition of Medical Centre? If not, is the bequest and interest returned to Mr Church or his estate or held indefinitely?

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.

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.

In smaller rural based communities should the above definitions be combined under a new term People Care/Health /Medical Services which encompasses the above definitions but 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.

Rick Mitchell-Collins
Chief Executive Officer
 SHIRE OF KOJONUP

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FOR RECIPIENTS EXTERNAL TO THE SHIRE OF KOJONUP

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From: Kojonup Visitors Centre [mailto:kojonupvisitors@bigpond.com]
Sent: Sunday, 23 February 2014 10:52 AM
To: Cr Ronnie Fleay; Rick Mitchell-Collins
Subject: re George Church

Hi Ronnie and Rick, Just confirming George was very pleased to hear that the date is set for Monday 24th February 11am. Cheers Glenys

G & PC Church
PO Box 50
KOJONUP WA
6395

7th April, 2015

Mrs Ronnie Fleay
Shire President
Shire of Kojonup
Albany Highway
KOJONUP WA 6395

Dear Ronnie,

Re Bequest to Kojonup Medical Centre

Further to our recent discussion I wish to confirm that I have given your suggestions for the bequest I made to the Shire for other purposes other than originally intended I have given your ideas a great deal of thought and have come to the conclusion that the money be spent as originally proposed and set out below.

I wish to see the bequest used on a proposed new Medical Centre for Kojonup. I could not think of a better way of serving more people of Kojonup.

Thank you.

George Church

George Church – Kojonup Medical Centre Bequest

The late Mr George Church was a man of great faith and vision for the future of Kojonup. So much so he generously allocated a large sum of money to the Shire of Kojonup and its people to fulfil his vision of a purpose built Medical Centre.

We are here today to ensure George's investment in a Medical Centre becomes a reality sooner rather than later.

Madam President and Councillors we wish to thank you all for granting us time to deliver our presentations at Full Council and await, in anticipation, for an invitation to preside at a briefing session at your earliest convenience.

Thank You,

A handwritten signature in black ink that reads "Jenny Matthews". The signature is written in a cursive, flowing style.

Jenny Matthews

16th February 2016

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES

ORDINARY MEETING 14 December 2015

COUNCIL DECISION

6/16 Moved Cr Mathwin, seconded Cr Pedler that the Minutes of the Ordinary Meeting of Council held on 14 December 2015 be confirmed as a true record.

CARRIED 8/0

SPECIAL MEETING 28 January 2016

COUNCIL DECISION

7/16 Moved Cr Pedler, seconded Cr Radford that the Minutes of the Special Meeting of Council held on 28 January 2016 be confirmed as a true record.

CARRIED 8/0

8 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

9 DECLARATIONS OF INTEREST

Cr Hobbs declared an interest in Item 13.1 as he is a member of the committee for the Kojonup Bowls Club and Item 13.3 because he is the husband of one of the Kodja Place Advisory Committee members.

Cr Pritchard declared an interest in Item 13.1 as he is a member of the committee for the Kojonup Bowls Club.

10 CORPORATE SERVICES REPORTS**10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (DECEMBER 2015)**

AUTHOR: Anthony Middleton – Manager Corporate Services

DATE: Tuesday, 2 February 2016

FILE NO: FM.FNR.2

ATTACHMENT: 10.1 Monthly Statement of Financial Activity – December 2015

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 December 2015.

BACKGROUND

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

COMMENT

The attached Statement of Financial Activity for the period 1 July 2015 to 31 December 2015 represent six (6) months, or 50% of the year, and as such are an ideal time to reflect and analyse prior to the mid-year budget review. The following items are worthy of noting:

- Surplus position of \$1.87m;
- Operating results:
 - 62% of budgeted operating revenue received; and
 - 56% of budgeted operating expenditure spent;
- Capital expenditure achieved 26% of budgeted projects;
- The value of outstanding rates equates to 14.6% of 2015/2016 rates raised, which includes instalments 3 & 4, previous years arrears but excludes deferred rates (refer to page 17 of the statements);
- Cash holdings of \$5.23m of which \$3.7m is held in cash backed reserve accounts;
- Page 7 & 8 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

The following capital expenditure projects have exceeded their authorized budgets:

COA	Description	Resp. Officer	Budget	YTD Actual	% of Annual Budget
C143	Newton Street Units	MRS	\$19,000	\$26,442	139%
C303	Cemetery Upgrade	CEO	\$28,000	\$28,867	103%
C261	Water Recycling /Washdown/ Standpipe Infrastructure	MRS	\$37,690	\$45,380	120%
C258	Depot	MWS	\$5,000	\$5,248	105%
C311	Site Office	MWS	\$25,000	\$35,880	144%

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

8/16 Moved Cr Mathwin, seconded Cr Sexton that the monthly financial statements for the period 1 July 2015 to 31 December 2015, as attached, be noted.

CARRIED 8/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Christine Coldwell – Finance Officer
DATE: Monday, 8 February 2016
FILE NO: FM.AUT.1
ATTACHMENT: 10.2.1 Monthly Payment Listing 01/12/2015 – 31/12/2015
10.2.2 Monthly Payment Listing 01/01/2016 – 31/01/2016

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the months of December 2015 and January 2016

BACKGROUND

Not applicable.

COMMENT

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

In accordance with the previous briefing session any comments or queries regarding the list of payments is to be directed to the Manager of Corporate Services via email prior to the meeting.

CONSULTATION

No consultation was required.

STATUTORY REQUIREMENTS

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

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

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

All payments made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

9/16 Moved Cr Sexton, seconded Cr Radford that in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:

	FROM	TO
Date	1 December 2015	31 December 2015
Municipal Cheques	13561	13597
Direct Debits		
Totalling = \$1,323,410.05		
Date	1 January 2016	31 January 2016
Municipal Cheques	13598	13609
Direct Debits	2238	2448
	DD18379	DD18413
Totalling = \$572,575.27		

be received.

CARRIED 8/0

10.3 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JANUARY 2016)

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Friday, 5 February 2016
FILE NO: FM.FNR.2
ATTACHMENT: 10.3 Monthly Statement of Financial Activity – January 2016

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 January 2015.

BACKGROUND

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

COMMENT

The attached Statement of Financial Activity for the period 1 July 2015 to 31 January 2016 represent seven (7) months, or 58% of the year. The following items are worthy of noting:

- Surplus position of \$1.48m;
- Operating results:
 - 63% of budgeted operating revenue received; and
 - 64% of budgeted operating expenditure spent;
- Capital expenditure achieved 28% of budgeted projects;
- The value of outstanding rates equates to 9.9% of 2015/2016 rates raised, which includes instalments 4, previous years arrears but excludes deferred rates (refer to page 17 of the statements);
- Cash holdings of \$5.1m of which \$3.7m is held in cash backed reserve accounts;
- Page 7 & 8 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

The following capital expenditure projects have exceeded their authorized budgets:

COA	Description	Resp. Officer	Budget	YTD Actual	% of Annual Budget
C143	Newton Street Units	MRS	\$19,000	\$26,442	139%
C303	Cemetery Upgrade	CEO	\$28,000	\$28,867	103%
C261	Water Recycling/Washdown/ Standpipe Infrastructure	MRS	\$37,690	\$45,380	120%
C258	Depot	MWS	\$5,000	\$5,248	105%
C311	Site Office	MWS	\$25,000	\$35,880	144%

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

10/16 Moved Cr Pedler, seconded Cr Radford that the monthly financial statements for the period 1 July 2015 to 31 January 2016, as attached, be noted.

CARRIED 8/0

10.4 COMPLIANCE AUDIT RETURN 2015

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Wednesday, 3 February 2016
FILE NO: CM.REP.1
ATTACHMENT: 10.4 Compliance Audit Return

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to adopt the Compliance Audit Return for 2015.

BACKGROUND

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires a local government to carry out a compliance audit for each calendar year.

COMMENT

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 met on 3 February 2016 and resolved:

'That it be recommended to the Council that the Compliance Audit Return for 2015, as attached, be adopted.'

CONSULTATION

The Senior Management Team and Audit Committee.

STATUTORY REQUIREMENTS

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/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

Maximising compliance with legislation minimizes the risks to the organization of non-compliance and any associated penalties, damage to image or reputation that may occur.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/AUDIT COMMITTEE & OFFICER RECOMMENDATION

11/16 Moved Cr Mathwin, seconded Cr Pedler that the Compliance Audit Return for 2015, as attached, be adopted.

CARRIED 8/0

10.5 ANNUAL REPORT AND MEETING OF ELECTORS – 2014/2015

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Wednesday, 3 February 2016
FILE NO: FM.AUD.2 & FM.FNR.1
ATTACHMENT: 10.5.1 Annual Report 2014/2015
10.5.2 Auditor’s Management Letter

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to accept the 2014/2015 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 an integral part of the accountability principles established for local governments in WA.

COMMENT

The Annual Financial Report, Audit Report and Management Letter was considered by the Audit Committee on 3 February 2016, who resolved as follows:

That:

- 1. It be recommended to the Council that the 2014/2015 Annual Financial Report as attached be adopted; and*
- 2. The matters raised in the Management Letter be noted and included in the Committee Status Report (item 10.1) of future Audit Committee Agendas.’*

The Audit Report and Annual Financial Report both form part of the Annual Report and is attached to this item. The Auditor’s management letter is provided as additional information to the Council for transparency and full disclosure.

The Corporate Services section of the attached Annual Report provides a summary of the key financial indicators and ratio’s for the financial performance of the Shire of Kojonup as at 30 June 2015, in easy to understand ‘traffic lights’ colour combinations.

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 1 March and 12 April 2016. It is recommended that the date for the Annual meeting of Electors be set for Tuesday, 15 March 2016 to coincide with the Council Meeting date. Alternatively, the Council may choose any other date within this timeframe.

The Annual Electors Meeting will be publicised in the Great Southern Herald, Shire website and Shire Facebook page as soon as possible after the date is set, and in the next available Kojonup News (4 March 2016).

CONSULTATION

Audit Committee, Auditors and Senior Staff.

STATUTORY REQUIREMENTS

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 2015. The recommendation does not in itself have a financial implication.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

12/16 Moved Cr Pritchard, seconded Cr Warland that:

- 1. The 2014/2015 Annual Report, including the Annual Financial Report, as attached be adopted; and**
- 2. The Annual Meeting of Electors be held on Tuesday, 15 March 2016 in the Lesser Hall, Kojonup, commencing at 7:00pm.**

CARRIED 8/0

The Chief Executive Officer took the opportunity to compliment Senior Management and Council for the compilation of the 2014/2015 Annual Report.

10.6 FINANCIAL MANAGEMENT – BUDGET REVIEW 2015/2016

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Friday, 5 February 2016
FILE NO: FM.FNR.2
ATTACHMENT: 10.6 Budget Review 2015/2016

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider a review of the Annual Budget for 2015/2016.

BACKGROUND

The Local Government (Financial Management) Regulations state that a local government must undertake a budget review annually.

Regardless of statutory requirements, conducting a budget review at least once each year is sound financial management practice. It enables the Council to analyse the financial performance of the year to date and make changes to the authorisations that it puts in place for the performance of the local government's functions.

COMMENT

The detailed budget review papers are attached to this agenda as a separate document. This budget review has been performed on a line by line basis against the December 2015 monthly financial statements, with the following considerations:

- Areas of over-expenditure as at 31 December 2015;
- Changes to external funding arrangements;
- Consistencies with other strategic directions; and
- Affordability to maintain a balanced budget.

The major items contained within the attached review document are as follows:

- Depreciation figures have changed in line with changes to the (fair) value of Infrastructure Assets during 2014/2015 (total \$692,326) (Summary page 6);
- \$20,000 has been added to the Cemetery Upgrade Account C303 (page 8) to fund expenditure already incurred. This was funded by reducing Rural Road Widening Safety C251 by \$20,000;
- Town Drainage Renewal has reduced by \$16,700 to contribute to an additional Regional Road Group project, Bitumen Reseal – Kojonup Frankland Road \$65,000 (\$40,000 regional road group grant);
- The plant replacement program has changed by a net amount of \$35,000 (reduction) – one item was removed from the plant program (Site Office) and other items have been deferred (Water Tanker) to allow additional expenditure on the forklift (\$7,000) (refer page 12);
- Additional funds have been allocated to the purchase of the site office (\$11,000) to fund a budget shortfall;
- No changes proposed to loans (page 13);
- Only minor changes to reserve account budgets (page 14);
- Insurance allocations have been completed more accurately in 2015/2016 and budgets have been updated to reflect this (no net change);

- \$8,500 allocation to account 2043 to update the Shire web site for both functionality and themed to the new Shire logo (page 19);
- \$10,000 additional to Integrated Planning Expense (account 1624) (page 20);
- Springhaven Lodge Grant – Personal Care Subsidy (account 4013) budget estimate has increased by \$108,000 to reflect year to date income received, whilst Lodge Bonds Drawn down (account 4033) has been decreased by \$13,500 (page 23);
- The budget for Landcare funds received has been created to match the actual funds received (account 5613) of \$103,652, which also has a corresponding transfer to reserve budget created (refer page 14)
- Town Planning Salaries budget (account 5842) was increased by \$16,305 to better align with actual expenditure incurred (page 25);
- An additional \$15,000 has been allocated to account 8807 – Saleyards Utilities to account for Water Corporation discharge fees that have been retrospectively charged;
- The Kodja Place figures have been revised to better reflect actual expenditure and income data, resulting in an increase in the operating deficit of \$14,000 (net of changes to depreciation) (page 30); and
- Plant and works overheads have been revised to show a reduction of \$57,816 and \$29,972 respectively (refer page 31 & 32).

It is anticipated that the Child Care Centre Construction (C299) will be finalised with up to \$100,000 under expended. It is recommended that this ‘saving’ be used to reduce the amount of loans required elsewhere in the budget (\$420,000 for the Construction of Independent Living Units), however, a separate agenda item will be prepared at a future Council Meeting to adequately consider this item.

CONSULTATION

Senior Staff have assisted in the compilation of the Budget Review Document.

STATUTORY REQUIREMENTS

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* states:

“Review of budget

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.*
- (3) *A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
**Absolute majority required.*
- (4) *Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.”*

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

The budget review recommends changes to the adopted budget and, therefore, changes the projects previously authorised by the Council. Whilst individual projects have varying financial implications, the resulting changes maintain a balanced budget. See Page 4 of the Budget Review document.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

13/16 Moved Cr Pritchard, seconded Cr Radford that the 2015/2016 Annual Budget be amended in accordance with the proposed changes in the attached 2015/2016 Budget Review document.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

10.7 AUDITOR – METHOD OF APPOINTMENT

AUTHOR: Anthony Middleton – Manager of Corporate Services
DATE: Wednesday, 3 February 2016
FILE NO: CM.TND.1
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the method of appointing an auditor for the financial year 2015/2016 and beyond.

BACKGROUND

The current contract with Russell Harrison (Lincolns Accountants and Business Advisors, Albany) expires at the conclusion of the 2014/2015 financial year audit.

COMMENT

There are several options available for the purchase of audit services, such as:

- 1) Negotiate a new contract with the existing provider;
- 2) Request quotations from a select group of providers; or
- 3) Call public tenders for the provision of audit services.

Option 1

The Staff, Council and Audit Committee, have a good working relationship with the current provider and there is no reason that this can't continue into the future with a new contract. A new contract would include the tidying up of certain areas of the contract, such as audit deadlines to fit in with new requirements for Springhaven Lodge compliance and fixing prices for additional scope work (as per the Committee's request from 4 August 2015).

Option 2

Requesting quotations from additional service providers allows the comparison of price and experience to be undertaken. The Shire has recently used Moore Stephens (previously UHY Haines Norton) for tasks such as the Financial Management Review and the preparation of our long term financial plan. Moore Stephens are local government specialists and calling quotes allows the comparison to be made with our existing auditor.

Option 3

The calling of public tenders has the same benefits of Option 2, however, casts the net wider from a supplier perspective. It should also be noted that going to tender will incur greater costs (advertising, etc.) and will be more time consuming than obtaining quotes.

It is recommended by the Officer that Option 2 be pursued.

The Audit Committee considered this item at its meeting held 3 February 2016 and resolved:

‘That it be recommended to the Council that quotations be obtained from two (2) suitable auditing firms for the conduct of the Shire of Kojonup’s Audit in accordance with the Local Government Act 1995 and other relevant legislation.’

CONSULTATION

Audit Committee

STATUTORY REQUIREMENTS

The Local Government Act 1995 and Audit Regulations provide that:

- 1. on the recommendation of the audit committee a local government is to from time to time appoint, by absolute majority, a person to be its auditor;*
- 2. the local government may appoint one or more persons as its auditor;*
- 3. the local government’s auditor is to be a person who is –*
 - a. a registered company auditor; or*
 - b. an auditor approved by the Minister;*
- 4. a person may not be appointed as a local government auditor if that person is –*
 - a. a councillor or employee of the local government;*
 - b. in debt to the local government for more than \$5,000;*
 - c. a councillor or employee of a regional local government in which the local government is a participant;*
 - d. a member of an incorporated association formed by the local government; or*
 - e. a class of persons as prescribed in the Regulations;*
- 5. an auditor is not to be appointed for more than five years; and*
- 6. the appointment of a person as an auditor is to be made by agreement in writing and is to include –*
 - a. the objectives of the audit;*
 - b. the scope of the audit;*
 - c. a plan for the audit;*
 - d. details of the remuneration and expenses to be paid to the auditor; and*
 - e. the method to be used by the local government to communicate with, and supply information to, the auditor.*

The Committee should undertake a proper selection and appointment process as part of appointing or reappointing an auditor. If reappointment is being considered, the process should include the review of key issues as in Point a. to e. above.

It is important to realise that the Act specifies that it is a named person(s) that is appointed as auditor, not the company or ‘the partners’ of the company which employs the person. Therefore, when the audit report is received it must be signed by the person(s) appointed as the auditor; it cannot be the generic signature identifying the firm.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

This item does not in itself have a financial implication. The provision of audit services is budgeted for each financial year and the extent of any change will not be known until quotes or tenders are received.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

The audit process is a primary risk minimization tool to assist with legislative compliance, accountability and standardisation amongst the industry. The choice of the right auditor and a suitable working relationship with the auditor is paramount.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/AUDIT COMMITTEE & OFFICER RECOMMENDATION

14/16 Moved Cr Sexton, seconded Cr Pedler that quotations be obtained from two (2) suitable auditing firms for the conduct of the Shire of Kojonup's Audit for a period of three (3) Financial Years in accordance with the *Local Government Act 1995* and other relevant legislation.

CARRIED 8/0

10.8 PROMOTIONAL SIGNAGE – KOJONUP AIR FIELD

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Monday, 8 February 2016
FILE NO: CP.MTC.4
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the signage at the Kojonup Air Field.

BACKGROUND

At its meeting held 18 November 2014, the Council resolved as follows:

1. *‘Council Policy 1.5, ‘Signs – Advertising at the Airport’ be repealed;*
2. *That all North facing hoardings be retained for the promotion of Kojonup or Kojonup enterprises;*
3. *A further report be prepared for the Council detailing options for the coordinated promotion of Kojonup on the Western boundary of the Kojonup Airstrip, to be implemented in 2015/2016.’*

COMMENT

At the November 2014 Council meeting, the then existing Council policy was discussed in detail. The decision quoted above changed the focus of signage at the air field from that of commercial advertising (the previous policy allowed for up to fifteen billboards) to a focus on promoting of the Kojonup Community. This change in direction coincided with the creation of a new Shire logo and the opportunity of being able to theme a series of entry signs in the colourings and design of our new logo.

It is envisaged that signage displayed at the air field, for the view of south bound traffic, themed in our new style and colours could encapsulate the following:

1. Welcome to Kojonup (people photo)
2. The Kodja Place Precinct
3. Local retail options (photo montage)
4. Barracks/Historical Society
5. Community facilities (pool, apex park, etc)
6. Message to stop and enjoy

Once the ‘theme’ of the signs are finalized, individual signs could be circulated with other seasonal options, such as local events (Kojonup Show, Wandecle) or a Christmas greeting. Consideration could also be given to lighting the signs using appropriate solar lighting.

Following the adoption of the new Shire logo in October 2015, a quotation has been received to design and supply six signs, 3.0m x 1.5m, to give an indication of costs. It is as follows:

- Design and consultation \$858
- Printing \$12,760
- TOTAL \$13,618

This quotation does not include freight or installation.

If the Council implements Kojonup promotion at the air field, notice will also need to be given to existing advertisers that the premises is no longer available for use. It is suggested that 30 June 2016 be set as the termination date for current arrangements, as it neatly fits in with current payment arrangements.

CONSULTATION

This item was been discussed in numerous briefing sessions in 2014.

STATUTORY REQUIREMENTS

Numerous legislation deals with roadside advertising, such as the Shire of Kojonup Town Planning Scheme, Road Traffic Act and CASA standards. These requirements will be considered with any developments into the future and appropriate Main Roads WA approvals sought.

POLICY IMPLICATIONS

The relevant policy was repealed in 2014. No further policy is suggested to be adopted at this stage, although guidelines for the use of each individual sign is recommended.

FINANCIAL IMPLICATIONS

Presently six billboards are commercially occupied at an annual fee of \$1,800, totalling \$10,800 per year. The recommendation would see this income foregone and additional (once off) expenditure of approximately \$20,000 incurred by the Shire of Kojonup to promote the District and local events.

New promotional signage will be owned by the Shire of Kojonup and therefore annual maintenance and eventual replacement will also be incurred. If it is assumed that the signs will have a useful life of ten (10) years, then an estimate of \$2,500 per year will be required for maintenance and replacement.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.4 - Maintain robust systems and controls.
- S2.1 - Promote Kojonup as a place to live and visit.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are presently no asset management implications for the Shire regarding this issue, however, if Shire owned promotional infrastructure is developed then additional assets, requiring maintenance and eventual replacement, will be purchased.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. It be the position of the Council that any signage on the Western boundary (Albany Highway) of the Kojonup Air field be utilised for the promotion of Kojonup and the community and not for commercial purposes;
2. All current advertisers at the Kojonup Air Field be issued with a notice of termination that their agreement with the Shire of Kojonup will expire effective 30 June 2016 and that all existing signs are to be removed on or about that date;
3. The quotation from Market Creations for the ‘design and consultation’ of new Kojonup promotional air field signage of \$858 be accepted and the designs be presented to a future Council meeting for consideration; and
4. \$20,000 be referred to the 2016/2017 draft budget process for the purchase and installation of Kojonup Promotional signage.

COUNCIL DECISION

15/16 Moved Cr Radford, seconded Cr Mathwin that:

- 1. It be the position of the Council that any signage on the Western boundary (Albany Highway) of the Kojonup Air field be utilised for the promotion of Kojonup and the community;**
- 2. All current advertisers at the Kojonup Air Field be issued with a notice of termination that their agreement with the Shire of Kojonup will expire effective 30 June 2016 and that all existing signs are to be removed on or about that date;**
- 3. The quotation from Market Creations for the ‘design and consultation’ of new Kojonup promotional air field signage of \$858 be accepted and the designs be presented to a future Council meeting for consideration; and**
- 4. \$20,000 be referred to the 2016/2017 draft budget process for the purchase and installation of Kojonup Promotional signage.**

CARRIED 8/0

REASON FOR CHANGE: For Point 1 Council wished to allow room for future allowance that advertisers could advertise at a cost to them on the reverse side of the signs.

4:56pm – Manager of Corporate Services departed from the Chamber.

11 WORKS & SERVICES REPORTS

Nil

12 **REGULATORY SERVICES REPORTS**

12.1 RETROSPECTIVE PLANNING APPROVAL FOR FUEL PRICE BOARD SIGN AT KOJONUP UNITED PETROLEUM SERVICE STATION

AUTHOR: Phil Shephard – Town Planner
DATE: Friday, 5 February 2016
FILE NO: A6510
ATTACHMENT: 12.1 Sign Plan

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider a proposal for retrospective development approval of a freestanding pylon price board sign on the above property.

There is no delegation available to staff to determine the application and it must be presented to Council for consideration. The recommendation is to grant development approval subject to conditions.

BACKGROUND

The price board pylon sign was erected without the necessary development approval being granted by the Shire and staff advised the landowner that approval was required and requested they lodge the required application.

The Shire subsequently received this planning application.

COMMENT

Proposal

The price board pylon sign is 7m in height (to top of sign) and 1.7m wide and will be internally lit. The bottom of the sign is 3.4m above ground level. The sign is constructed using an aluminium and polycarbonate sign panels as shown in the attached plans.



Image of United Petroleum price board pylon sign

Zoning and Land Use/Development

The service station is contained within the Special Use zone under Town Planning Scheme No. 3 (TPS3). Clause 3.5 Special Use zone of TPS3 advises that no person shall use any land/buildings or structure except for its special purpose, in this instance a SS = service station use/development, subject to any conditions in the Schedule II or a Town Planning Scheme Policy that affects the land.

The objectives for the Special Use zone (c.3.2.5) are:

- (a) *To provide an area where special uses can be operated under the specific control of the Council in order to maintain the safety, health and welfare of surrounding users.*
- (b) *To enable the Council to impose specific conditions to restrict the use and operation of any development that would normally not fit within the ambit of any other zone in this Scheme.*

The proposed sign is consistent with the use of the property as a service station.

Advertising Signs

Clause 5.17 of TPS3 Control of Advertising is used to control advertising signs within the Shire. In respect to sign applications, c.5.17.3 Consideration of Applications states:

Without limiting the generality of the matters which may be taken into account when making a decision upon an application for Planning Consent to erect, place or display an advertisement, the Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, the amenity of adjacent areas which may be affected and traffic safety.

Some types/forms of signs are exempt from requiring Council approval. The exemption in Clause 5.17.4 of TPS3 states:

Subject to the Provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 5.17.1, the Council's prior Planning Consent is not required in respect of those advertisements listed in Schedule VI which for the purpose of this Part are referred to as 'exempted advertisements'. The exemptions listed in Schedule VI do not apply to buildings:

- (i) *Listed by the National Trust.*
- (ii) *Listed on the Register of the National Estate.*
- (iii) *Included in Local Authority Town Planning Schemes because of their heritage or landscape value.*

Schedule VI Exempted Advertisements pursuant to Clause 5.17 of TPS3 includes the following exemptions:

<i>Land Use and/or Development Requiring Advertisement</i>	<i>Exempted Sign Type and Number (Includes the Change of Posters on Poster Signs and Applies to all Non-Illuminated Signs Unless Otherwise Stated)</i>	<i>Maximum Area of Exempted Sign</i>
<i>Shops, Showrooms and other uses appropriate to a shopping area</i>	<i>All advertisements affixed to a building below the top of the awning or, in the absence of an awning, below a line measured at 5m from the ground floor level of the building</i>	<i>n/a</i>

The proposed price board sign is not considered exempt under TPS3.

In considering the size of the sign, the Council at its 22 October 2015 meeting (Resolution 158/15) approved a new price board pylon sign for the Kojonup Hillview Service Station/Roadhouse that was 7m tall x 2m wide as Council felt the sign was in keeping with the commercial use of the property as a service station.

The proposed United Petroleum price board pylon sign will be the same height with a slightly smaller width as that price board sign approved in October 2015 and staff recommend that the sign be granted development approval as it is consistent with the other new price board pylon sign.

Retrospective development approvals

The Council can grant retrospective development approval to uses or developments (Section 164 of the *Planning and Development Act 2005* and Clause 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015*).

The proponent sought development approval upon being advised by staff that this was required. Given the prompt response from the proponent, no further action regarding the breach of TPS3 is considered necessary or recommended.

Determination of Applications

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

Matter to be Considered	Response
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The proposed sign is consistent with the aims and provisions of TPS3 for the development of service station sites in Kojonup.

(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving;	The proposed development is consistent with the orderly and proper planning of the area.
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;	The proposed sign is consistent with other fuel price board signs approved by the Council. The height, bulk and scale is consistent with other similar signs and is compatible with the sites location on Albany Highway.
(n) the amenity of the locality including the following- (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	The proposal is not expected to have a negative impact on the amenity of the locality.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;	The site of the sign is not known to be affected by any natural hazard including flood, subsidence, erosion etc. The property is within the DFES bushfire prone mapping area.
(s) the adequacy of - (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	No changes to the existing access/egress are proposed in the application.
(w) the history of the site where the development is to be located;	The site has a long history of being used as a service station.
<i>Clause 78E.(1) of the Planning and Development (Local Planning Schemes) Amendment Regulations 2015</i> In considering an application for development approval for development to which this Part applies, the local government is to have regard to the bushfire resistant construction requirements of the Building Code.	See (q) above.

Conclusion

On balance, the proposed price board pylon sign is consistent overall with those matters set out in Clause 67 and the general requirements of TPS3 and can be approved.

Alternate Options

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

1 *Not approve the proposal*

The Council can choose to refuse to approve the proposed sign, giving reasons for the refusal. If this option was chosen, the sign would have to be removed from the site.

2 *Approve the proposal*

The Council can approve the proposal, with or without conditions.

3 *Defer the proposal*

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

CONSULTATION

Nil undertaken or recommended.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

The adopted Town Planning Scheme Policy No. 3 Advertising Signs advises that any advertising sign that is not exempt under TPS3 shall be assessed in accordance with the Policy and any application that does meet these Policy requirements will be submitted to Council for consideration.

The Policy includes a Table indicating the types of permissible signs within each zone under TPS3. Roof, wall, projecting, window, pylon, on-ground, panel, product display, public information and business direction signs are permissible types of sign in the Commercial zone under the Policy. Whilst the service station is within a Special Use zone, the commercial zone is considered to provide a reasonable guide to the types of signs expected on a similar and adjoining site.

In respect to the new price board sign, the Policy advises:

When considering a proposal for any new advertising sign, Council will have regard to:

- a) *The approved land use and activities operating on the site and the need and purpose for the sign;*
- b) *The compatibility of the sign with any existing signs on the site and other approved signs for similar activities;*
- c) *Whether the sign complements or detracts from the dominant character of the surrounding landscape and the architectural style and character of the building, site or area;*
- d) *The impact of the sign on vehicular and pedestrian traffic and surrounding land uses and its size, design, location or the use of illumination or devices such as flashing or moving elements; and*

- e) *Whether rationalisation or reduction in the number of existing signs is appropriate and achievable.*

Council will not approve any advertising sign that in its opinion will have an adverse visual impact on surrounding land and buildings, streetscape and/or the overall locality.

These factors are discussed below:

Factor	Comment
<i>(Clause 5.17.3) Consideration of Applications To erect, place or display an advertisement, the Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, the amenity of adjacent areas which may be affected and traffic safety.</i>	The new price board sign is consistent with other approved service station price board signs in Kojonup and will not adversely affect the amenity of the area or traffic safety.
<i>Policy Requirements a) The approved land use and activities operating on the site and the need and purpose for the sign;</i>	The site has an approved service station/roadhouse use and activities. The price board sign is needed to comply with State legislation and displays the available fuel prices.
<i>b) The compatibility of the sign with any existing signs on the site and other approved signs for similar activities;</i>	The proposed new price board sign is considered to be a pylon type sign and is consistent with other approved service station price board signs in Kojonup.
<i>c) Whether the sign complements or detracts from the dominant character of the surrounding landscape and the architectural style and character of the building, site or area;</i>	As can be seen from the images in the report, the proposed new price board sign will be a dominate fixture at the site and when travelling past the site along Albany Highway.
<i>d) The impact of the sign on vehicular and pedestrian traffic and surrounding land uses and its size, design, location or the use of illumination or devices such as flashing or moving elements; and</i>	The proposed price board sign is located clear of the footpath/verge area and the illumination is not expected to adversely traffic/pedestrians in the area.
<i>e) Whether rationalisation or reduction in the number of existing signs is appropriate and achievable.</i>	As mentioned previously, a price board sign is required by State legislation and must display fuel prices available at the site.

In considering the weight to be applied to a Policy when considering an application, Clause 7.6.4 of TPS3 states:

A Town Planning Scheme Policy shall not bind the Council in respect of any application for planning consent but the Council shall take into account the provisions

of the Policy and objectives which the Policy was designed to achieve before making its decision.

FINANCIAL IMPLICATIONS

The adopted 2015/2016 Schedule of Fees and Charges requires application fees for retrospective approvals to be the original fee (\$147) plus, by way of penalty, twice that fee again (\$294) for a total fee of \$441.

STRATEGIC/CORPORATE IMPLICATIONS

This item is not covered in the Community Strategic Plan 2013 – 2023 or the Corporate Business Plan 2013 – 2017.

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning and services and functions. The organisational risk and proposed treatment or mitigation is summarised in the following table:

Risk Description	Risk Likelihood	Risk Consequence	Risk Classification	Risk Treatment
Council does not grant retrospective planning consent for the sign	Unlikely	Minor	Low	Manage by routine procedures, unlikely to need specific application of resources.

ASSET MANAGEMENT IMPLICATIONS

Nil applicable.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/COUNCIL RECOMMENDATION

16/16 Moved Cr Radford, seconded Cr Mathwin that Council grant retrospective development approval for the price board pylon sign on Lot 138 cnr. Albany Highway/Benn Parade, Kojonup, subject to the following conditions:

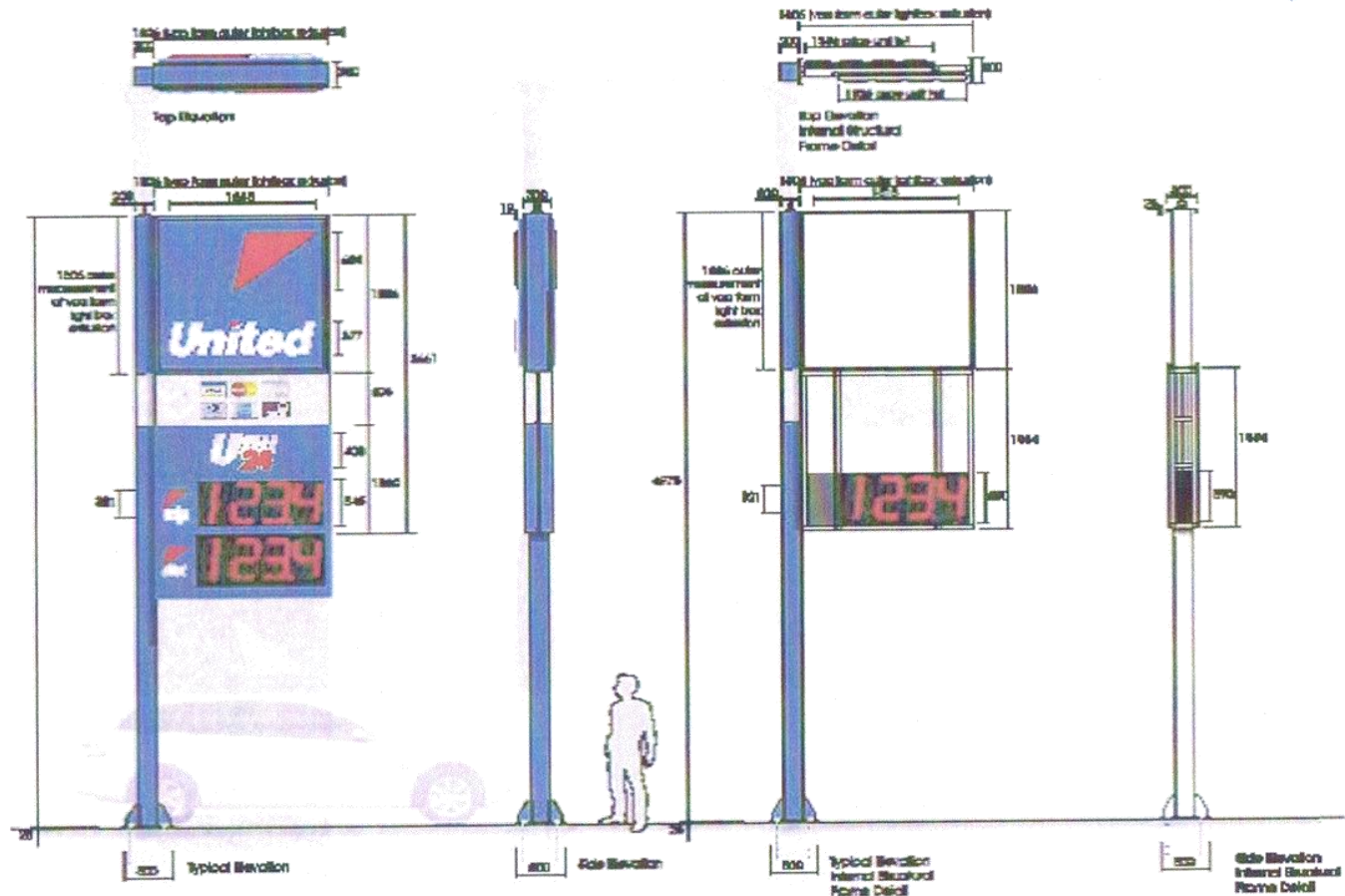
- 1) Obtain a Building Approval Certificate for the sign.**

CARRIED 8/0



7.0 mtr Pylon Sign (Illuminated) - United 24

PYLON SIGNAGE



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United Petroleum Signage and Branding Manual

Rev. 01

Date: 01-08-2019

12.2 PROPOSED REZONING OF LOT 101 SOLDIER ROAD, KOJONUP FROM RESIDENTIAL DEVELOPMENT ZONE TO SPECIAL RURAL

AUTHOR: Phil Shephard – Town Planner
DATE: Friday, 5 February 2016
FILE NO: A455
ATTACHMENT: 12.2 Application letter

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider a proposal to rezone the above property from residential development to special rural to enable the future subdivision into 4 lots of between 4 – 5 hectares.

BACKGROUND

This property has been the subject of several previous subdivision applications as described in the applicant's letter and has received conditional approval from the WA Planning Commission in the past. These approvals have not been acted on and the time limit has expired.

COMMENT

The applicant is requesting Council support to rezone the land from the Residential Development zone to the Special Rural zone for the purpose of creating 4 lots of between 4 – 5 hectares in area (the property is 19.2 hectares in area). No plan of the future subdivision has been provided with the application, although the description advises the lots would all have individual frontage to Soldier Road.

The property has been subject to several previous designs as noted in the application dating back to 2007 initially for 99 fully-serviced lots. The subsequent redesigns have sort to address the financial viability of the subdivision particularly in regard to the costs of extending the deep sewer to the lots and provision of underground power supplies.

The applicant comments:

Further to this approval, the Owner undertook detailed financial feasibility studies to accurately determine the costs and risks associated with development of the land in accordance with the approved subdivision guide plan. The results of these studies confirmed the costs associated with developing the land and extending the required infrastructure to service urban lots exceeds the revenue received from their sale. Whilst the Owner sought alternative solutions to overcome this barrier, the costs associated with extending reticulated sewerage remains prohibitive to development of urban lots.

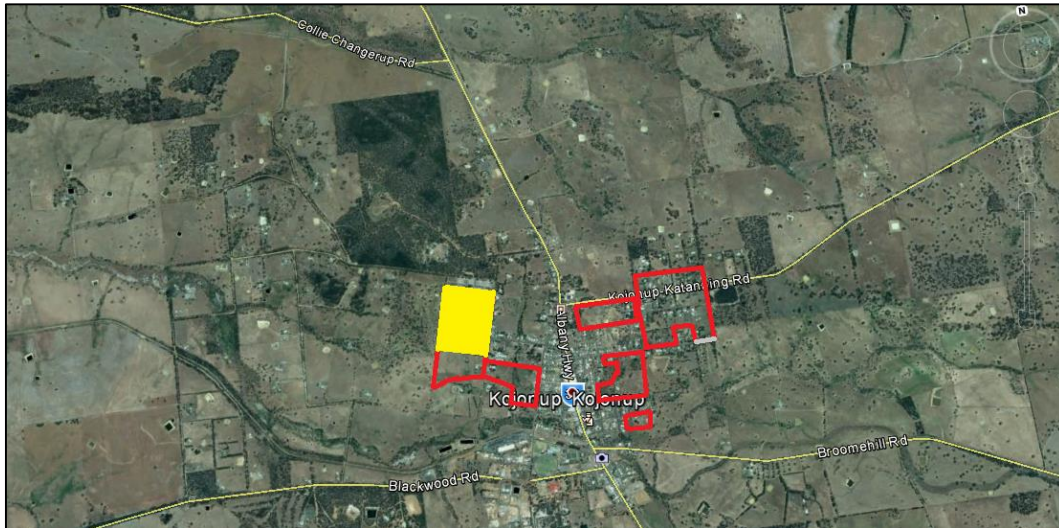
In addition, the long term low population growth experienced by the Shire of Kojonup results in insufficient demand for a subdivision of the scale(s) previously approved. Unless a major industry or investment were to come to the locality, the likelihood of a full urban subdivision progressing viably remains very low.

As advised in the application, the viability of a fully-serviced subdivision on the site has always proved difficult for the landowner to justify and they have now resigned to seeking approval for a rezoning to Special Rural that would enable the creation of 4 lots all with

frontage to Soldier Road. The applicant advises the lots would be serviced with power, water, telecommunications and on-site effluent disposal.

Existing Residential Development Areas

The existing Special Rural zoned areas in the Shire and proximity of Lot 101 Soldier Road, Kojonup are shown in the image below:



Existing Residential Development zoned areas from TPS3 bordered in red and Lot 101 shown in yellow (Image Google earth)

The existing Residential Development zone on Lot 101 Soldier Road includes the split residential density code of R10/20 on the land that would theoretically produce some 130 lots under the R10 density code and 270 lots under the R20 density code (presuming gross land area – 30% for public open space, roads and drainage purposes etc.). The rezoning of the lot to Special Rural would significantly reduce the potential lot number.

To support the proposed rezoning, the applicant provides the following comment:

The existing R10/20 zoning of the land is considered inappropriate given the low population growth experienced and forecast for the township. Furthermore, the costs associated with extending the reticulated sewer network to service the land prohibits viable development of urban lots.

There are other Residential Development zoned areas in Kojonup with 2 major ones being the land at Loton Close/Soldier Road and Kojonup-Katanning Road/Murby Place that the Shire has completed Guided Development Plans for to enable their future subdivision into residential lots (800 – 2,000m²). Through these projects the Shire is well aware of the costs involved in achieving development of the sites such as the aged persons units being constructed at Loton Close and has required funding to proceed.

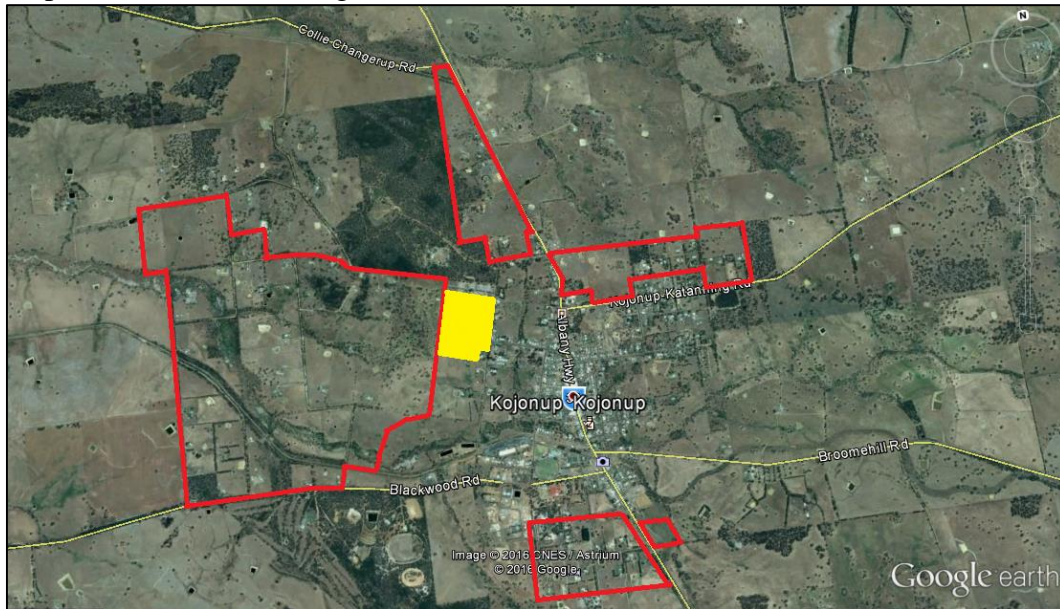
The realistic potential for these areas to deliver housing to the R10/20 density is questionable over the long-term given the costs of providing services. In terms of priority, it is expected that the Council driven projects at Loton Close/Soldier Road and Kojonup-Katanning Road/Murby Place will most likely proceed first before other land. Minus Lot 101, the other land contained within the Development zone under Town Planning Scheme No. 3 (TPS3), would be expected to cater for additional lots in the range of 800 – 2,000m² when required.

These developments, coupled with the existing properties for sale (3 vacant 1,000m² residential lots and 26 houses/land (\$125,000 – \$380,000) for sale obtained 5/2/2016 from

realestate.com.au website) will assist the Shire to provide lots for the anticipated workforce associated with local projects including the expanded piggery, new feedlot and potential abattoir as well as other smaller projects such as the recently approved egg packing/processing business in town.

Existing Special Rural Areas

The existing Special Rural zoned areas in the Shire and proximity of Lot 101 Soldier Road, Kojonup are shown in the image below:



Existing Special Rural zoned areas from TPS3 bordered in red and Lot 101 shown in yellow (Image Google earth)

The development of land (last surveyed in August 2015) within the existing Special Rural zoned areas is shown in the following table:

Special Rural Area	Existing Lots	Lots with Houses	Existing Vacant Lots
1 Kojonup North	10	7	3
2 Flanagan Road Area	16	12	4
3 Kojonup South	25	22	3
4 Kojonup West	83	23	60
Total	134	64	70

The table shows approximately 48% of the lots have been developed. A number of the lots are above the 2 hectare minimum lot size requirement and could therefore be considered as having potential for subdivision, although staff are aware of only 1 such application, for subdivision of a special rural lot being applied for in the last 8 years.

It was noted that a feature of the ownership of special rural lots in Kojonup is the majority of the lots are owned and used in tandem by landholders, generally one lot with the house and outbuildings and one lot used for rural pursuits and which effectively creates a defacto lot size of 4 hectares. It is the same with the larger lots, those around 4 hectares and above, are not subject to requests for subdivision into smaller 2 hectare lots. The data obtained from realestate.com.au revealed there are 5 special rural properties for sale all with dwellings (i.e. no vacant lots) ranging from \$165,000 - \$525,000.

The mix of lot sizes has enabled the rural pursuits to operate successfully with adjoining traditional rural enterprises and residential areas without generating land use conflicts.

The 70 vacant lots identified in the table, whilst having the potential for sale by the landowners as they are on separate titles, are expected to be kept as is for the foreseeable future and are not considered to be available on the market. The addition of 4 lots as proposed would represent a small addition to the current ‘supply’ of special rural land available identified in the table to some 74 lots.

These lots have always remained popular for the rural lifestyle it offers for people seeking a small lot of between 2 - 4ha’s with a rural aspect close to Kojonup. The land is generally capable of limited production, normally stock grazing, although the scale of the rural pursuits undertaken varies.

New Special Rural zones

The creation of additional Special Rural areas within the Shire is not contemplated by TPS3.

The Shire does not have a Local Planning Strategy at this stage and any support for the proposal from Council could be essentially vetoed if there is not corresponding support from the Department of Planning/WA Planning Commission for the rezoning to Special Rural. It is the experience of staff that creating new special rural areas without a Local Planning Strategy endorsed by the WA Planning Commission identifying the area for that type of development are generally not supported.

Given that the land is zoned for residential development, not rural, it is not clear if the WA Planning Commission will utilise *State Planning Policy 2.5 Land Use Planning in Rural Areas (SPP2.5)* which is normally used by them when considering a proposal to create a new rural living area. *Part 3.2 of the SPP2.5* advises that the policy should be applied by State and local government decision-makers when considering:

- *The preparation of regional frameworks, sub-regional strategies and local planning strategies and schemes where it may be incorporated into local planning schemes by reference;*
- *When initiating or assessing amendments to region schemes or local planning strategies and schemes; and*
- *For rural land to guide decision making for subdivisions in tandem with Development Control Policy 3.4 - Subdivision of rural land.*

The policy advises where there is no WA Planning Commission endorsed strategic or statutory planning instrument in place to guide decision making (as is the case in Kojonup), the intent and measures of this policy shall apply and shall prevail if, in the view of the Commission, an endorsed strategy is outdated and/or inconsistent with current guidelines.

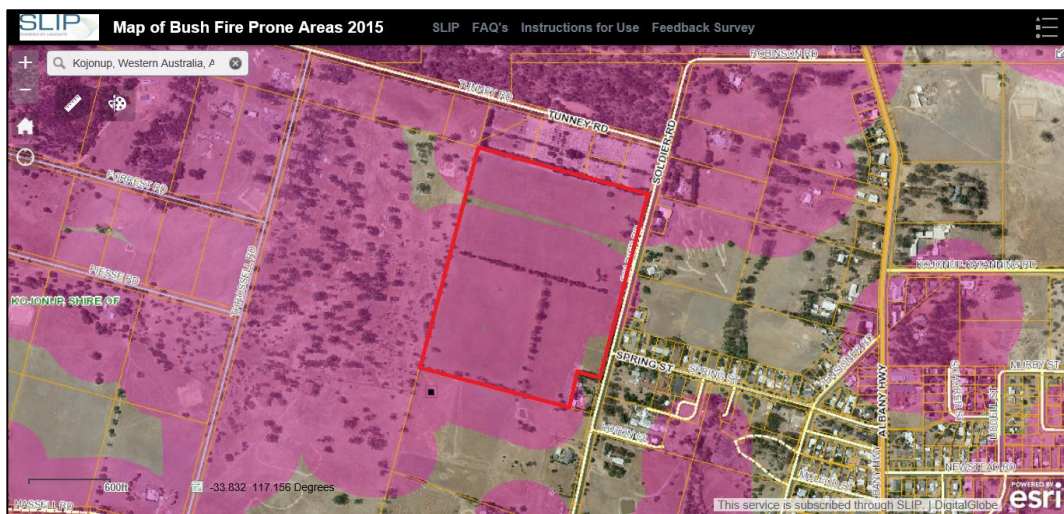
Should the rezoning proposal be supported by Council, the scheme amendment documents would need to provide sufficient justification to be ultimately acceptable to the WA Planning Commission and Minister for Planning and it may be appropriate to include details assessing the proposal against the requirements set out in Section 5.6 of SPP2.5 and include a Subdivision Guide Plan and appropriate planning controls. To negate the need to create an entirely new zone, the land could be included within the adjoining Special Rural Area No. 4 – Kojonup West, as was Lot 200 Tunney Road (TPS3 Amendment 11 gazetted 17/4/2015) at the rear of the Kojonup Cemetery.

The Council may decide that the proposal has some planning merit and rather than treat it as a scheme amendment to TPS3 it could advise the applicant that it will consider including the land within the preparation of the Shire's Local Planning Strategy and review of TPS3 for special rural use/development.

Conversely, the Council could decide to retain the present Residential Development zone and density code and reject the proposal. This would ensure the land was available for fully-serviced subdivision in the long-term acknowledging that the viability of achieving a fully-serviced urban subdivision is highly unlikely in the near future.

Department of Fire and Emergency Services (DFES) Bushfire Mapping

The property is within the DFES bushfire prone area mapping for the property (see below).



DFES Bush Fire Prone Mapping showing Lot 101 bordered in red

The development of future housing and outbuildings etc. will be subject to a hazard assessment and will need to comply with SPP 3.7 Planning in Bushfire Prone Areas and AS 3959 Construction of buildings in bushfire-prone areas. The construction of the buildings shall incorporate a bushfire protection zone of 20m-wide low fuel area around the structures. Other requirements may be applied in the Building Permit from AS3959.

Conclusion

On balance, the proposed rezoning has some planning merit, however seems to largely reflect the lack of viability or demand for the landowner to pursue a fully-serviced residential subdivision with vacant lots around 1,000m² in Kojonup currently achieving between \$34,000 - \$38,000.

The proposed rezoning and future subdivision as special rural lots would only yield 4 lots (between 4 – 5 hectares in area) which is significantly less than the number of lots envisaged under the existing Residential Development zone and density code.

The successful subdivision would provide another option for purchasers in Kojonup, given the lack of willingness for present the landowners in the special rural areas to sell their existing vacant titles.

Ultimately the decision on the whether the land can be rezoned will rest with the Department of Planning/WA Planning Commission and the application does not contain any indication of whether they support the proposal, or not.

Alternate Options

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

1 *Not support the proposed rezoning*

The Council can choose to refuse to support the proposed rezoning. If this option was chosen, the rezoning would not proceed.

2 *Support the proposed rezoning*

The Council can choose to support the proposed rezoning and include requirements for the developer to meet if desired. If this option was chosen, the applicants would be required to prepare a draft scheme amendment document for Council to consider and determine whether to proceed with the draft amendment, with or without modifications. If this is the option that Council prefers, the suggested wording of a motion is:

That Council support ‘in-principle’ the proposed rezoning of Lot 101 Soldier Road, Kojonup to Special Rural to create 4 lots (between 4 – 5 hectares in area) and require the applicant to prepare a Draft Scheme Amendment document to include the land within Special Rural Zone Area No. 4 – Kojonup West for further consideration.

3 *Defer the proposal*

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

4 *Include the rezoning proposal within the new Local Planning Scheme*

It is recommended that Council defer the proposal at this time and include it within the preparation of the Local Planning Strategy and review of TPS3. This means the proposal would not proceed until the land was included within the new scheme and approved by the WA Planning Commission/Minister for Planning.

CONSULTATION

Nil undertaken to date.

The preparation of a local planning scheme amendment requires public consultation to be completed as set out in the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*. If the amendment proceeds, it will be referred to the Environmental Protection Authority and WA Planning Commission for assessment and if approved will then advertised as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* as a complex amendment for not less than 60 days.

STATUTORY REQUIREMENTS

Planning and Development Act 2005 – Town Planning Scheme No. 3 is an operative local planning scheme under the Act. Any local planning scheme amendment must be undertaken in accordance with the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.

Planning and Development Regulations 2009 – enables Council to recoup staff costs for administering the amendment process.

POLICY IMPLICATIONS

Nil policies apply to this report.

FINANCIAL IMPLICATIONS

Should Option 2 be supported, the adopted 2015/2016 Schedule of Fees and Charges requires applicants to pay \$88p/h (no GST payable) for the Shire Planner to administer the scheme amendment process and recoup direct advertising fees.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- E2 – Building Prosperity
- N1 – Feeling Good about Living in Kojonup
- N2 – Living in a Safe Community
- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- E2.1 – Building local economic capacity to generate wealth and provide a variety of employment opportunities.
- G1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations.
- S2.1.3 – Promote Kojonup as a place to live.

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning and services and functions. The organisational risk and proposed treatment or mitigation is summarised in the following table:

Risk Description	Risk Likelihood	Risk Consequence	Risk Classification	Risk Treatment
Council does not support the proposed rezoning	Unlikely	Insignificant	Low	Manage by routine procedures, unlikely to need specific application of resources
The WAPC does not support the proposed rezoning	Possible	Insignificant	Low	Manage by routine procedures, unlikely to need specific application of resources

ASSET MANAGEMENT IMPLICATIONS

Nil applicable.

VOTING REQUIREMENTS

Simple Majority

4:57pm – Manager Corporate Services departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

17/16 Moved Cr Sexton, seconded Cr Radford that Council support ‘in-principle’ the proposed rezoning of Lot 101 Soldier Road, Kojonup to Special Rural to create 4 lots (between 4 – 5 hectares in area) and advise the applicant to prepare supporting information (including a Subdivision Guide Plan) to include the land within Special Rural Zone Area No. 4 – Kojonup West within the preparation of the Local Planning Strategy and new Local Planning Scheme.

CARRIED 8/0

Attachment 12.2



Our Ref: 20386

28 October 2015

Shire of Kojonup
ATTN: Chief Executive Officer & Planning Manager
PO Box 163
Kojonup WA 6395

Attn: Rick Mitchell-Collins & Phil Shepard

Dear Rick & Phil,

RE: Lot 101 SOLDIERS ROAD, KOJONUP

Harley Dykstra represents the owners of Lot 101 Soldiers Road, Kojonup – MTK Ventures.

The following information forms a preliminary proposal to the Shire of Kojonup relating to the land classification of the above property.

Summary of Submission

This proposal requests favourable consideration be given by the Shire of Kojonup to support rezoning of the above site from Residential (R10/20) to Special Rural to enable future subdivision of the land into four individual lots, each with their own frontage onto Soldiers Rd.

Identifying the above site as Special Rural in Town Planning Scheme No.3 (TPS3) will provide the Shire of Kojonup and WAPC, an opportunity to consider lot sizes greater than 1000m² on the site.

Furthermore, this proposal provides sound planning rationale for the land to be identified as Special Rural in the Shire of Kojonup TPS3.

Background

Prior to the current Owner acquiring the site, Harley Dykstra prepared a subdivision guide plan for the previous Owner to subdivide the site into 99 individual lots and provide associated roads and public open space (POS). This plan was approved by the Western Australian Planning Commission (WAPC) in 2007.

The current landowner (MTK Ventures) acquired the above land with the intention of developing the site to provide additional residential lots to the Kojonup town site.

Harley Dykstra were engaged in 2010 to prepare a revised subdivision guide plan for the site, in accordance with the relevant zoning. Subsequently, a development guide plan was prepared to guide subdivision of the site into 93 individual lots and provide associated roads reserves and public open space (POS). This plan was approved by the WAPC in December 2012.

Further to this approval, the Owner undertook detailed financial feasibility studies to accurately determine the costs and risks associated with development of the land in accordance with the approved subdivision guide plan. The results of these studies confirmed the costs associated with developing the land and extending the required infrastructure to service urban lots exceeds the revenue received from their sale. Whilst the Owner sought alternative solutions to overcome this barrier, the costs associated with extending reticulated sewerage remains prohibitive to development of urban lots.

In addition, the long term low population growth experienced by the Shire of Kojonup results in insufficient demand for a subdivision of the scale(s) previously approved. Unless a major industry or investment were to come to the locality, the likelihood of a full urban subdivision progressing viably remains very low.

ALBANY

116 Serpentine Road, Albany WA 6332
PO Box 5207, Albany WA 6332

T: 08 9841 7333
F: 08 9841 3643

E: albany@harleydykstra.com.au
www.harleydykstra.com.au

Albany Bunbury Busselton Kelmscott Perth

ACN 009 101 786 ABN 77 503 764 248





Subject Land Details

The site is located approximately 750 metres directly west of the Kojonup GPO, adjacent the local cemetery. Surrounding land uses include residential to the east of Soldiers Rd and rural to the south and west of the site – as illustrated on the attached plan.

The site is approximately 19.2 Hectares, relatively flat, sandy and cleared of significant remnant vegetation. The land has a frontage of approximately 500m onto Soldiers Road.

The site is vacant and doesn't accommodate any dwellings, outbuildings, dams or soaks. Some vegetation is located along the existing internal fence lines, and there are no significant features such as watercourses or wetlands located on the site.

Proposed Future Development

This proposal seeks favourable consideration be provided by the Shire of Kojonup to rezone the above site from Residential (R10/20) to Special Rural, to enable subdivision of the land into four individual lots (4-5 hectares) each with their own frontage onto Soldiers Rd. The attached plan illustrates the location and current zoning of the site in relation to the surrounding area and town site.

This proposal has clear merit and sound planning rational as outlined below:

- Rezoning the land to Special Rural will provide WAPC the ability to consider subdivision of the site into more manageable portions of approximately 4-5 hectares each. This would result in four (4) lots being created from the existing lot.
- Creating 4-5 hectare lots would provide an interim use of the land until such time that there is sufficient demand for the creation of urban lots.
- Each of the newly created lots could accommodate a single dwelling serviced with power, water, telecommunications and onsite effluent disposal - subject to approval by the Shire of Kojonup.
- Creating 4-5 hectare lots would not require an extension to the reticulated sewerage network to service the lots. Furthermore, these lots would greatly exceed the minimum required lot size of 2000m² for onsite effluent disposal prescribed under the Draft WA Country sewerage policy.
- Creating four additional lots will contribute to the Shires ratepayer base, and improve the efficiency of existing Council Services, including road maintenance and rubbish collection.

Conclusion

This proposal requests favourable consideration be given by the Shire of Kojonup to support rezoning the above site from Residential (R10/20) to Special Rural. Special Rural zoning will enable WAPC to consider subdivision of the land into four individual lots of between 4-5 hectares, each with their own frontage onto Soldiers Rd.

The existing R10/20 zoning of the land is considered inappropriate given the low population growth experienced and forecast for the township. Furthermore, the costs associated with extending the reticulated sewerage network to service the land prohibits viable development of urban lots.

There are clear advantages and sound planning rational supporting rezoning the land to Special Rural, some of which have been outlined within this letter.

We respectfully request the Shire of Kojonup provide favourable consideration for Lot 101 Soldiers Road, Kojonup be rezoned from R10/20 to Special Rural.

Yours sincerely,

David Congdon
Senior Town Planner / Land Development Consultant

Harley Dykstra Pty Ltd

E-mail: davidc@harleydykstra.com.au

Enc: Location / zoning plan

Cc: MTK Ventures

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FS 536019

13 EXECUTIVE & GOVERNANCE REPORTS

13.1 KOJONUP BOWLS CLUB – ALTERATION TO LICENSING PERMIT

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Tuesday, 5 January 2016
FILE NO: LE.LIC.3
ATTACHMENT: 13.1 Bowls Club Plan

DECLARATION OF INTEREST

Cr Pritchard & Cr Hobbs had previously declared an interest as they are members of the Kojonup Bowls Club.

SUMMARY

To seek Council approval in support of the Kojonup Bowls Club application to the Department of Racing, Gaming and Liquor to alter the existing licensed area to reflect that the Club now only uses 2 synthetic Greens not 3 Grassed Greens and therefore the area covered by the Licence has decreased.

BACKGROUND

The Kojonup Bowls Club converted 3 grassed greens to 2 synthetic greens a decade ago with the assistance of a self-supporting loan from Council. The “A” Green to the West of the Club House was decommissioned and has been used spasmodically as an over flow car park.

The Bowls Club wish to alter its license with the Department of Racing, Gaming and Liquor to more accurately reflect the two defined synthetic greens which are fenced and link to the Club House.



The Kojonup Bowls Club – Aerial View

COMMENT

Officers support such an alteration being made to the Department of Racing, Gaming and Liquor.

CONSULTATION

Myles Reid – President Kojonup Bowls Club

STATUTORY REQUIREMENTS

Liquor Control Act 1988 – Sections 68 & 77

POLICY IMPLICATIONS

There are no policy implications identified for this item.

FINANCIAL IMPLICATIONS

Filing costs with the Department of Racing, Gaming and Liquor to be met by the Kojonup Bowls Club.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- S2 – Staying Active & Entertained

Corporate Business Plan 2013 – 2017

Objectives:

- S2.2 Maintain an active, healthy and social community
- G1.1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

The need for a liquor licence is a statutory requirement for the Bowls Club and therefore should accurately reflect the area explicitly managed by the Club.

ASSET MANAGEMENT IMPLICATIONS

There are no implications identified for this item.

VOTING REQUIREMENTS

Simple Majority

5:04pm – Cr Pritchard, Cr Hobbs declared an interest as members of the committee for the Kojonup Bowls Club and left the Chamber.

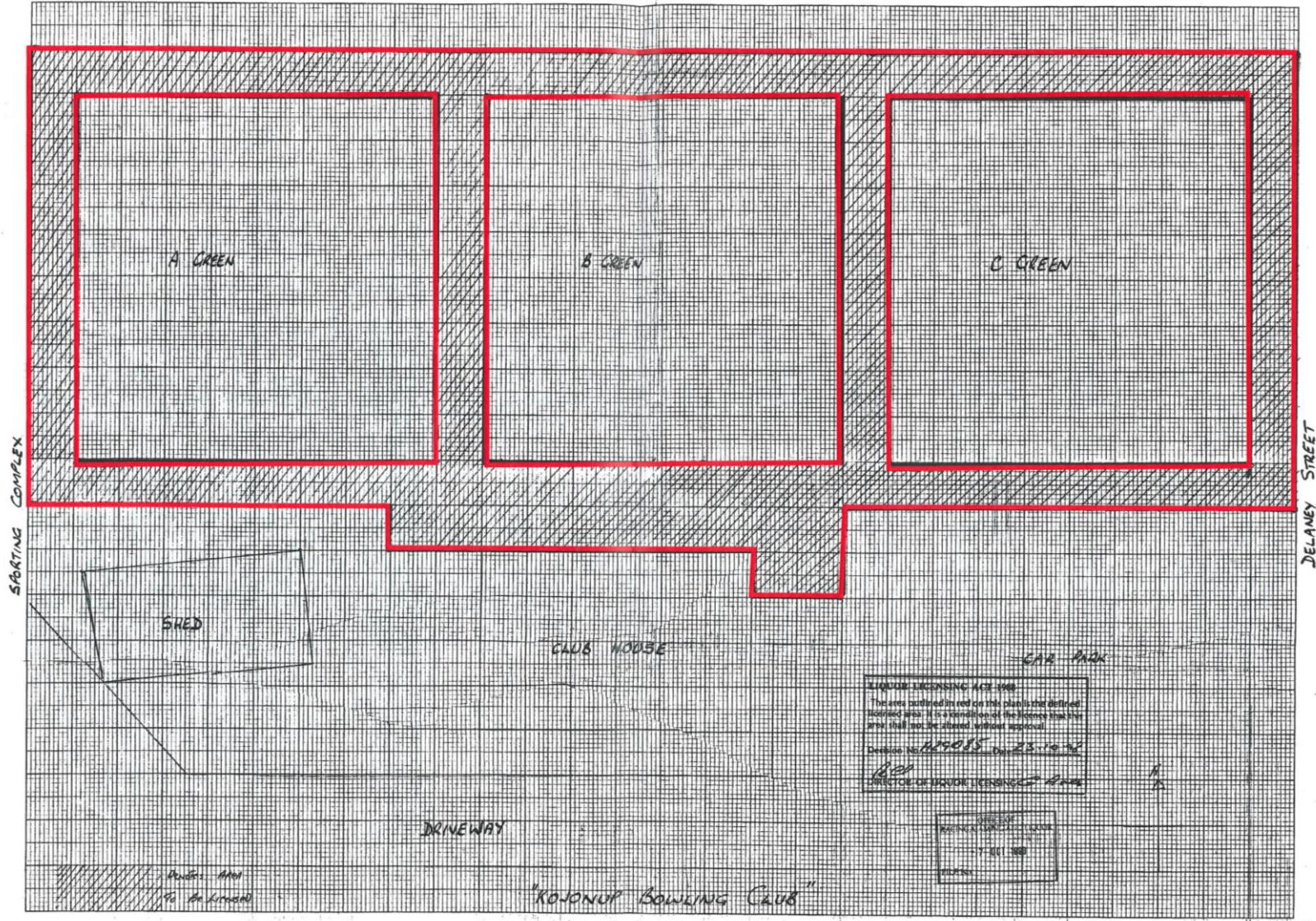
5.04pm - The Town Planner departed the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

18/16 Moved Cr Warland, seconded Cr Mathwin that Council as owner of the Sports Precinct supports the Kojonup Bowls Club application to the Department of Racing, Gaming and Liquor to alter the area presently licensed from 3 grassed greens to 2 synthetic greens which are appropriately fenced.

CARRIED 6/0

5:06pm – Cr Hobbs and Cr Pritchard returned to the Chamber.



604 1410 8102
 KOJONUP BOWLING CLUB INC
 RAILWAY PARADE
 KOJONUP WA 6395

2/2

LANDING LICENSING ACT 1998
 The area outlined in red on this plan is the defined licensed area. It is a condition of the license that this area shall not be altered without approval.
 Decision No. 115085 dt. 23-10-12
 12/1
 DIRECTOR OF MOTOR VEHICLES AND

APPROVED
 RACING & LEISURE LICENSING
 17-BUT
 10/1/13

"KOJONUP BOWLING CLUB"

ORGL 52-19



604 1410 8102
 KOJONUP BOWLING CLUB INC
 RAILWAY PARADE
 KOJONUP WA 6395

13.2 VOLUNTEER MANAGEMENT POLICY

AUTHOR: Heather Sheppard – Senior Project Officer
DATE: Tuesday, 15 December 2015
FILE NO: CM.POL.1
ATTACHMENTS: [13.2 Volunteer Management Policy](#)

DECLARATION OF INTEREST

Nil

SUMMARY

A Volunteer Management Policy is an important tool to ensure that management of volunteers across the Shire's business areas are consistent.

BACKGROUND

The Shire of Kojonup have many volunteers across a range of differing activities. Volunteers work alongside staff to deliver and enhance a diverse number of services and initiatives offered by Council. Many of these services and initiatives would not occur or would not be sustainable in the long term without the support and contribution of volunteers.

The following outlines the various categories of volunteering throughout Council which includes Springhaven Lodge, Kodja Place Precinct and the Library.

COMMENTS AND CURRENT STATUS

A Volunteer Management Handbook has been produced to provide information on the Shire's policies and procedures whilst volunteering at the various areas together with Shire supporting documentation including Volunteer Management Handbook, Employee Manual, Risk Management Plan and Business Continuity Plan.

CONSULTATION

Senior Management team
Senior Finance Officer
Senior Library Officer.

STATUTORY REQUIREMENTS

Occupational Safety and Health Act 1984
Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1.4 – Maintain robust systems and controls
- N1.4 – Providing community support and development
- S2.1 – Promote Kojonup as a place to live and visit
- S2.2 – Maintaining an active, healthy and social community.

Corporate Business Plan 2013 – 2017

Objectives:

- G1.4 – Maintain robust systems and controls
- N1.4 – Providing community support and development
- S2.1 – Promote Kojonup as a place to live and visit
- S2.2 – Maintaining an active, healthy and social community.

RISK MANAGEMENT IMPLICATIONS

The Volunteer Management Policy assists the Shire to ensure that volunteers are provided with the information necessary to ensure that they undertake duties in a safe manner and are informed of their rights and obligations.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

19/16 Moved Cr Pedler, seconded Cr Sexton that Council adopt the Volunteer Management Policy.

CARRIED 8/0

Attachment 13.2

2.3.6 VOLUNTEER MANAGEMENT POLICY

Adopted or Reviewed by Council:	/ /2015	Council Minute Reference:
Reviewer:	Manager of Corporate Services	
Local Law:		
Procedure:	P2.3.6 Volunteer Management Policy	
Delegation:		

OBJECTIVE

To provide a Volunteer Management system that integrates and coordinates the core policies processes and activities the organisation has in place for working with volunteers. It is made up of policies, procedures and work documents which control how the volunteer program is implemented from day to day.

POLICY

Volunteering promotes civic participation and encourages local people to be active, shape, contribute and make a difference to their local community. Volunteering benefits everyone including the individuals involved, the Council and the wider community.

Council is committed to utilising and valuing the skills, time, talents and energy of volunteers effectively which is supported through the provision of a comprehensive volunteer management framework in accordance with the National Standards for Volunteer Involvement 2015 (Volunteering Australia).

This policy defines the relationship between Council and its volunteers; setting out the role and responsibility of Council and outlining the rights and responsibilities of volunteers.

Volunteers working on behalf of Council will be defined as individuals who:

- provide their services of their own free will
- do not receive any monetary reward (out of pocket expenses are not regarded as monetary reward)
- benefit the community and themselves by participating in volunteer programs
- complement, but do not replace or threaten the livelihood of, paid workers in designated positions only.

LEGISLATION AND REFERENCES

Volunteers are entitled to protection through the following legislation:

Occupational Health and Safety Act 1984 (WA)

Equal Opportunity Act 1984 (WA)

This policy is to be read in conjunction with the Volunteer Management Handbook.

BACKGROUND

The Shire of Kojonup have many volunteers across a range of differing activities. Volunteers work alongside staff to deliver and enhance a diverse number of services and initiatives offered by Council. Many of these services and initiatives would not occur or would not be sustainable in the long term without the support and contribution of volunteers.

The following outlines the various categories of volunteering throughout Council:
Springhaven Lodge, Kodja Place Precinct, Library.

Community participation– Kojonup Occasional Care Centre committee, Historical Society Committee, Kojonup P & A Society,

PRINCIPLES

The following principles underpin Council’s approach to volunteering:

Council performance: Volunteers contribute to the delivery of the Council Plan

Community participation: All citizens have the right to apply to volunteer and Council will provide opportunities for members of the community to participate as volunteers in a variety of programs and Council activities

Inclusiveness: Council will ensure its programs and activities meet individual needs, are welcoming of diversity and value the strengths and abilities of all community members

Training: Volunteers will be equipped with the necessary skills and resources required to successfully fulfil the positions

Identifying strengths & meeting individual needs: Volunteers expectations, interests, availability, abilities, skills and knowledge will be taken into account when matching them with a volunteer position

Balance of paid staff and volunteers: Volunteers will complement, but not threaten the livelihood of paid workers or replace the services or roles provided by paid staff

Risk Management: Council will provide a safe working environment and address risks that affect the safety and wellbeing of volunteers.

Mutual benefit: Volunteering remains a mutually beneficial activity for the individual volunteer, the program, the community and the Council.

Volunteer Management: Volunteers will be managed in a structured, organised and professional manner in accordance with the National Standards for Volunteer Involvement 2015.

VOLUNTEER RIGHTS AND RESPONSIBILITIES

Unlike paid staff, volunteers are not covered by awards or workplace agreements. Volunteers however have rights and responsibilities which are in part defined by legislation and in recognition of the significant value that volunteers bring to Council and the community.

Volunteer Rights

To be respected and valued in the role as a volunteer;

To work in a healthy and safe environment;

To choose the type of activities they are to be involved in accordance with their skills, interests and needs;

To receive an orientation and induction to the Shire of Kojonup and individual program areas;

To have their ideas welcomed and acknowledged by their Manager and other staff;

To be able to raise any grievances or issues in accordance with the Shire’s Grievances, Investigations & Resolution Policy;

To receive reimbursement for out of pocket expenses;

To have the training, equipment and resources required to do the duties;

To have open communication between Volunteer, Manager and Council;

To be protected by insurance; and

To be actively involved in the decision making that affects them.

Responsibilities of Volunteers

Volunteers have obligations to Council and will be required to:

- Fulfil the duties as specified in their position description in accordance with relevant legislation;
- Understand and acknowledge the requirements of the Shire's Code of Conduct and relevant policies and guidelines;
- Participate in the appropriate induction and on-going training as provided;
- Operate under the direction and supervision of Council staff to achieve the objectives required;
- Maintain confidentiality regarding Council business, program information or any other sensitive, private information they come across during their volunteer duties;
- Report any unsafe working conditions / potential hazards to their Manager; and
- Report any injury/damage to themselves or a third party.

Relevance to Council Plan

Focus Area 1.1 – Being Well Governed

1.1.4 – Maintain robust systems and controls

Focus Area 1.2 – Feeling good about living in Kojonup

1.2.4 – Providing community support and development

Focus Area 1.5 – Staying active and entertained

1.5.1 – Promote Kojonup as a place to live and visit

1.5.2 – Maintaining an active, healthy and social community

Supporting Documentation

Volunteer Management Handbook

Employee Manual

Risk Management Plan

Business Continuity Plan

13.3 KODJA PLACE MASTER PLAN

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Friday, 22 January 2016
FILE NO: CP.DAC.9
ATTACHMENT: **13.3 Gibson Group Submission**

DECLARATION OF INTEREST

Cr Hobbs had previously declared an interest as he the husband of one of the Kodja Place Advisory Committee members.

SUMMARY

To seek Council consideration and approval of the following Kodja Place Advisory Committee (KPAC) recommendations passed at meeting held 21 January 2016:

- 1. The Advisory Committee advises Council of its support for the development of a Master Plan in accordance with the draft scope of work for the upgrade of The Kodja Place precinct with the aim of revitalising and enriching the visitor experience, enhancing the facility as a cross-cultural community hub and optimising its business potential.*
- 2. The Advisory Committee advises Council of its support for the Gibson Group's engagement to develop the precinct Master Plan.*
- 3. The Advisory Committee advises Council of the need for the master planning project to include the engagement of a locally-based project manager to oversee the upgrade and provide an on-ground liaison point for the Gibson Group.*

BACKGROUND

Margaret (Marg) Robertson presented the following briefing paper to the KPAC for Council's information.

“Kodja Place Precinct Upgrade – Master Planning to Address Diverse Issues and Opportunities:

This document is intended to brief the Advisory Committee on the status of discussions with the Gibson Group, in particular the proposed development of a master plan for the upgrade of The Kodja Place Precinct (TKPP). The recent Curatorial Audit largely focused on the storytelling and interpretive aspects of the Precinct; the proposed Master Plan would address the Curatorial Audit recommendations and go wider to tackle issues like visitor flow (e.g. the disjuncture between the main foyer entrance and the cafe entrance/Rose Maze access); repurposing and/or provision of additional meeting/function/office space; enhancing the Precinct's Albany Highway frontage and further development of the precinct's exterior. The intent is to maximise the opportunity to increase revenue to the attraction in order to enable the sustainability and growth of TKPP as a key international attraction and community hub.

Preamble:

The November Advisory Committee meeting accepted Sue Graham-Taylor's final Curatorial Audit report, which included a key recommendation that a consultant be asked to 'advise on a clearly defined package of multi-media for use in The Kodja Place'. The Curatorial Audit showcased some of the work of New Zealand's Gibson Group (pg. 22-23), which has international standing in the development of multi-media and interactive visitor experiences.

Sue witnessed the Gibson Group in action during the development of the National Anzac Centre in Albany and was greatly impressed.

At the November KPAC meeting, Marg Robertson reported on communications with Brett Tompkins of the Gibson Group and the committee discussed the possibility of Gibson undertaking a broader role than just multi-media advice in relation to the upgrade of The Kodja Place visitor experience. The Committee gave its support for a conference call to be held between The Kodja Place/Shire representatives and Gibson to clarify the scope of their experience and services Gibson could offer and pricing. The call took place on 10 December 2015, involving Shire Staff Rick Mitchell-Collins (Chief Executive Officer – CEO), Zahra Shirazee (Manager Community Development & Tourism – MCD&T), Craig McVee (Manager Works & Services – MW&S and Kojonup Aboriginal Corporation), Heather Sheppard (Senior Project Officer - SPO) and Marg Robertson, along with Brett Tompkins and Allan Smith of the Gibson Group and associate, Jerry Hewitt (architect).

Preliminary Scope of Work:

In preparation for the above call, Marg Robertson prepared a preliminary ‘scope of work’ to help clarify for the Gibson Group the range of issues and opportunities that might be addressed in a comprehensive plan to upgrade the precinct. The preliminary scope of work contained the following points:

1. Prepare a concept design plan for TKPP that is focused on improving and revitalising the visitor experience and enhancing the facility as a community hub by addressing the following:
 - a. Visitor flow across the precinct
 - b. Entrance location and parking
 - c. Enhancing the Albany Highway frontage of TKPP
 - d. Enclosing the precinct to maximise visitor numbers and visitor expenditure
 - e. Structural changes, e.g. the foyer/visitor centre/cafe interface and a workshop space for local Noongar artists
 - f. Functionality of the courtyard and stage
 - g. Signage
 - h. Strengthening the existing interpretive stories, displays and features (see Point 2).

2. In response to but not limited by the recommendations of the Curatorial Audit, work with The Kodja Place team to incorporate a concept design plan and upgrade of the precinct’s interpretive stories, displays and features. Draw on recommendations R2 to R26 (pp. 84-99) and specifically address recommendation R1 (p. 84):
 - a. Advise on a clearly defined package of multi-media/digital applications (see R1.1)
 - b. Undertake a review of the education program and playful learning opportunities for children (see R1.2)
 - c. Address a range of problems and issues raised in the Curatorial Audit (see R1.3).

During the conference call, the Gibson Group and Jerry Hewitt explained that they could meet all the above requirements except the review of the education program, which would require specialist knowledge of the curriculum. The MCD&T explained that there is scope to develop this in collaboration with the WA Museum (Albany). During the call other issues were raised to be factored into the upgrade, including additional function/meeting/office/storage space, the APEX Park/RSL Hall area and linkages to the Main Street Master Plan.

Jerry Hewitt and Allan Smith spoke of their experience of building tourist attractions from the ground up. They strongly recognised the importance of the business aspect of TKPP and outlined their expertise and experience that will help to meet this challenge, e.g. Jerry Hewitt can contribute to the business case by modelling visitor data to explore different scenarios. Analysis of visitor data and feedback is clearly something they feel is important to the development of the Master Plan. They recommended we seek other specialists' assistance with the business case, e.g. to assist with the economic analysis. Jerry Hewitt thought the Curatorial Audit was very well done but it needs a business focus.

The Gibson Group summarised the scope of work as developing an integrated precinct plan to build a business case that will attract funding. Phased development is likely due to the scope of the proposed upgrade.

Regarding the interpretive upgrade, Brett Tomkins commented that the inclusion of 'many voices' works well for digital media and personal stories are a very important tool. The task is largely about linking the displays and supporting and improving the core concept. Jerry Hewitt likes to create spaces that can be explored and which involve an emotional journey; 'telling a story through architecture is what Jerry Hewitt has been developing all his life' – making space or a platform for the story.

During the conference call it was agreed that Gibson Group would provide a roadmap and costings by the end of February 2016.

Order of Magnitude Costing:

Post the conference call (13 December 2015), the Gibson Group made contact again. They had assessed that \$70,000 - \$80,000 would be needed to prepare a Master Plan encompassing the tasks covered in our preliminary scope of work and conference call. The education review is outside the costing, although they would like to incorporate the findings. A site visit would be additional to the above figure. The Master Plan report, covering master concepts rather than detailed concepts, would include the following drawing sets and concept illustrations:

- Masterplan (site overview)
- Plans of individual architectural elements (cafe, courtyard, visitor centre, alterations etc)
- Axonometric (3D) of site showing massing of buildings
- Visitor flow diagram
- Visuals – say 4 x interior and 2 x exterior

The Gibson Group would then develop a digital visitor experience master plan that would include visual case studies of the type and scale of recommended display approaches

Rick Mitchell-Collins and Craig McVee addressed Council during the Briefing Session on 14 December 2015 and received a favourable response to the Gibson Group's potential engagement: if dollar for dollar funding is available from the Great Southern Development Commission (GSDC) then Council can proceed to engage Gibson, given their indicative costing is well below \$150,000 threshold for calling tenders and Council already has an allocation of \$40,000 in the 2015/2016 budget.

Clarification:

Marg Robertson sent a follow-up email to the Gibson Group and received the following clarification from Brett Tomkins (18 December 2016):

- **Goal:** the goal of the master plan is **to work towards a Business Plan/Case for funding purposes.** *“The master plan needs to concentrate on developing the core foundational requirements (concepts) to create an integrated visitor experience that makes operational and business sense. This includes the redevelopment of the exhibition space with consideration to the points raised in the curatorial report but it also needs to take into consideration all the other points raised by the team including operational practicalities, educational outcomes and business realities of how much are people prepared to pay and how many are going to come. From this we can then develop a cost estimate for the constituent elements and an implementation approach that can then be attached to an economic Business Case that has a high chance of being supported by funding bodies.”*
- **Wider Environs:** In terms of the extent to which the Master Plan would incorporate the APEX Park/RSL Hall area, as well as linkages to the Main Street Master Plan, the Gibson Group replied that *“A master plan will need to consider the wider context as well as the immediate locale of Kodja Place but we would not be going into master planning of architecture and experience design of other locales per se.”*
- **Curatorial Audit:** The Curatorial Audit recommendations, including the non-digital experiences, would be addressed as part of the master planning phase, however this would be at a high conceptual level
- **Individual Displays:** Specific attention to individual displays will be done during the detailed implementation phase further down the line
- **Children:** Although the Gibson Group cannot review the education program, they can address ‘playful learning opportunities for children’ (see Curatorial Audit recommendation 1.2, pg. 84)
- **Temperature Control:** In terms of whether better temperature control in The Kodja Place building (especially summer heat in the Storyplace) fits within the scope of work, Brett Tomkins replied *“Yes in principle: this is more for a specialised M&E Engineer (mechanical and electrical) to evaluate and specify responses to the problems ... In any event, Jerry can review the environmental issues as part of the masterplan, and recommend what may be implemented to resolve/mitigate problems but there might be a need for some 3rd party expertise from a WA consultant too.”*
- **Visitor Data:** The Gibson Group were asked for further guidance about the type of visitor data that would assist with the master planning phase, etc. and Brett Tomkins suggested:
 - Visitor segmentation: age groups, local, domestic, and international inbound split;
 - Visitor numbers for comparable attractions in the locality (as many as possible);
 - Arrival profile: numbers per hour from opening through to closing;
 - % visitation to café and garden compared to visitor centre;
 - Local tourism forecast growth for 10 years out;
 - Vox-pop questionnaire re likes/dislikes (more proactive than visitors’ book, but needs staff and questions need to be short and precise);
 - Rival attractions or venues which are in “competition” with Kodja Place; and
 - Survey of people who have not visited or will not visit. Do interviews of WA residents at Perth Malls, Probus and ask tourism operators who know the business and tourism products available. It is just as important to know why people don’t/won’t come and how that can be addressed in a master plan.

Two other issues have been flagged via email with Brett Tomkins (Gibson Group):

- **Interior and Exterior Lighting:** Both to enhance the visitor experience and reduce the running costs of The Kodja Place (e.g. replacing the remaining halogen light fittings with LEDs).
- **Rammed Earth Walls:** The structural and aesthetic condition of the walls.

In the most recent email exchange (8 January 2016), Brett Tomkins confirmed that the master plan report would include a review of the spaces across the TKPP to look at: what's working/not working/what's missing/opportunities/potential – a strengths and weaknesses analysis. This review would lead to identification of proposed changes, such as new build, adjustments to and repurposing of spaces, etc.

In the master planning phase this is all done at a very high (conceptual) level. This conceptual master plan will be backed up with good research and arguments to convince funders.

Brett Tomkins continues that the base phases for the master planning would be:

1. A site visit to TKPP involving the following:
 - Vision Statement Position - Prioritisation and Q&A (with Project Team);
 - Familiarisation - Shire, Town, CBD/Parks, Precinct, Spaces;
 - Asset Survey - Community, Collection, Commercial, Infrastructure (involves Stakeholder engagement); and
 - Wrap up and confirmation of Vision Statement.
2. Gibson Group desktop work:
 - Development of Reverse Brief - written statement of what needs to be achieved and in what order;
 - Develop Draft Proposals with options for identified spaces/zones (could be presented in a second site visit, subject to funds); and
 - Final Proposals accepted and developed into Master Plan document, including constituent requirements, development budget and project plan.

State of Play

- The CEO has forwarded correspondence to Bruce Manning (GSDC) in preparation for a meeting with them about possible funding under the Community Chest which closes 1 March 2016 or Regional Grant Scheme which closes 17 March 2016.
- The Gibson Group is developing a preliminary proposal and costings for the Shire, which it may submit to the KPAC at its meeting 21 January 2016.
- Marg Robertson is liaising with the Gibson Group regarding the revised scope of work and magnitude of cost; the request for further documentation of Gibson Group's experience and expertise to undertake the master planning for TKPP and supply of further documentation to the Gibson Group (e.g. the Main Street Master Plan & Renewal Strategy, KP Business Plan and scans of the original KP architectural plans)
- KPAC has some important tasks to undertake, including a review of The Kodja Place Business Plan, as part of contributing to the master planning and the Business Case.

Additional Background for New Advisory Committee Members and Attendees:

We were first introduced to the Gibson Group's work by James Dexter, Director Creative and Regional Development at the WA Museum in 2014. James Dexter worked closely with the Gibson Group during the development of the National ANZAC Centre and developed high regard for their skill, professionalism and use of off-the-shelf technology, which was relatively inexpensive and simple to maintain/replace. Knowing that we needed help with a

multi-media upgrade, James Dexter encouraged Brett Tomkins to call into The Kodja Place on a return trip from Albany. Margaret Robertson spoke with James Dexter in late November 2015 and he is hopeful that Gibson will be involved with future WA Museum projects. He said that Brett Tomkins often mentions that the Gibson Group can do much more than multi-media but James Dexter has not seen that side of their work. Margaret Robertson reported further on that call (documented in an email to Manager Community Development & Tourism, 27 Nov 2015) at the KPAC meeting, including the state of play regarding Australian companies. In the meantime, further documentation of the Gibson Group's experience and expertise to plan a significant upgrade of TKPP has been requested.

Draft Scope of Work – Development of a Master Plan for the Upgrade of The Kodja Place Precinct

1. Preamble

TKPP is the product and achievement of an enormous community effort that began in the mid-1990s with the idea of creating something of lasting importance to mark the turning of the century and the Centenary of Federation in 2001 (<http://kodjaplace.com.au/story/how/>). Over the years of the precinct's conceptual development, the essence of The Kodja Place, emerged through the collaboration of the local Noongar-Aboriginal and non-Aboriginal communities. What began as two centres - an Aboriginal Cultural Heritage Centre and a Historical Interpretive Centre (for local settler history) became one place with intertwining stories – 'One Story, Many Voices'. Similarly, the initial concept of a Regional Rose Garden evolved into an Australian Rose Maze with Three Womens' Stories interwoven – Noongar, English and Italian.

It is with a strong, ongoing commitment to 'One Story, Many Voices' as the essence of The Kodja Place and a desire to build on the strengths, meet the challenges and embrace the opportunities of the facility, that the KPAC and the Shire Council seek to upgrade TKPP. The aim is not only to make TKPP a key tourism attraction and economic driver for Kojonup but also a community hub and catalyst for:

- Events, gatherings, meetings and workshops;
- Capturing, producing and presenting local cross-cultural stories; and
- Documenting and storing local Noongar history.

2. Background

It is 13 years since The Kodja Place's opening in September 2002. In subsequent years the Black Cockatoo Cafe, associated parking and the courtyard stage were constructed, the Bush Pockets in the courtyard were planted and work was undertaken to create a Bush Tucker Trail. Most other aspects of TKPP are largely unchanged.

The breakdown of multi-media technology in the Storyplace gallery over several years was a catalyst for the commissioning of a Curatorial Audit of the precinct's interpretive stories, displays and features, which was submitted by Sue Graham-Taylor in November 2015. Concurrent with the audit, repairs and some upgrades of the multi-media displays were undertaken.

In the wider environs, significant developments since 2002 include the opening of the Kojonup Tourist Railway and creation of the A.W. Potts Kokoda Track Memorial in APEX Park.

A Main Street Master Plan and a Kojonup Main Street Renewal Strategy (February 2015) have been undertaken for the Shire by Hames Sharley. In February 2016 the Shire will

commence development planning of Apex Park and the RSL Hall precinct (and other nearby Council-owned buildings).

Helen Munt, Heritage and Interpretation Consultant, is progressing the future interpretation and direction for the Railway Station/Benn Parade precinct with the draft report envisaged to be completed by April 2016.

All this planning is highly relevant to The Kodja Place, which is located on the main street (Albany Highway), just across Broomehill Road from Apex Park – a highly popular stopping place for travellers and across the highway from the Kojonup Tourist Railway.

3. Purpose of the Master Plan

The Master Plan aims to point the way to how we revitalise and enrich the visitor experience, enhance the facility as a cross-cultural community hub and optimise its business potential.

The Master Plan will also serve the vital and practical purpose of being a key part of a Business Case for attracting funds to develop and implement detailed design plans.

4. Scope

4.1. The Master Plan will relate to the full Kodja Place precinct, including:

- Main foyer
- Visitor Centre and shop
- Kodj Gallery (interpretive displays)
- Storyplace (interpretive displays)
- Rose Maze & Three Women’s Stories (a garden setting for interpretive stories and features)
- Three Women’s Storylines (physical lines that start at the Albany Highway, cross the Kodj Gallery and courtyard, and continue out to the Rose Maze entrance)
- Yoondi’s Mia Mia (the heart of Jack’s Indigenous Tours)
- Bush Pockets (displays of local wildflower species in the courtyard)
- Bush Tucker Trail (east of the Rose Maze)
- Parking (for coaches/caravans, visitors, staff and volunteers)
- Undeveloped or under-utilised spaces within the precinct boundary, such as to the north of the Visitor Centre (e.g. the open drain area) and in proximity to the Rose Maze

4.2. The master planning phase will consider the Main Street Master Plan and Kojonup Main Street Renewal Strategy.

4.3. The Master Plan will foster links to other attractions, activities and services in Kojonup and the Shire, with particular regard to the attractions of Apex Park and the RSL Hall precinct, and the Kojonup Tourist Railway.

5. Works to be Undertaken by the Consultant

Noting that the Master Plan will present master concepts rather than detailed concepts:

5.1. Further develop the core requirements for The Kodja Place to be an integrated, rich and rewarding visitor and cultural experience and a vibrant community hub in a way that makes operational and business sense.

5.2. These core requirements include:

- a. Redefining visitor flow across the precinct, including:
 - i. managing visitor access to the precinct, e.g. to enable levying of entry fees and event management

- ii. re-establishing a main entrance, including addressing the disjuncture between the supposed main entrance to the foyer and the popular ‘back-door’ access to the cafe and Rose Maze
 - iii. strengthening the links and transitions between spaces to encourage visitors to experience all the attractions and services on offer at The Kodja Place precinct
 - b. Revising the precinct’s Albany Highway frontage so that it functions as a major drawcard for travellers year rounds, such as repurposing or removing the Information Bay beside the highway parking area, subject to TransWA (bus service) requirements.
 - c. Further to (b), planning for the major open drain to the north of the Visitor Centre to be covered and the area fully integrated with the precinct, e.g. in relation to traffic flow, parking and a pedestrian link between The Kodja Place and Apex Park (see the option presented in concept plan UD106 in the Main Street Master Plan).
 - d. Upgrading the precinct’s interpretive stories, displays and features in response to, but not limited by, the recommendations R1 to R26 of the Curatorial Audit (pp. 84-99).
 - e. Meeting the potential for additional attractions and features, such as digital applications, nature playground/structures (e.g. see Curatorial Audit R3.13, p.86), landscaping, night lighting, and a viewing platform (largely in relation to the Rose Maze).
 - f. Providing indoor and outdoor venues that will attract paying customers and community groups to host events/functions/meetings/workshops.
 - g. Meeting the function and spatial requirements (e.g. size, layout and storage) of the Visitor Centre and shop and the Black Cockatoo Café.
 - h. Providing adequate office space for staff and volunteers, and public workshop space for Noongar artists.
 - i. Attending to visitor comfort, including temperature control and acoustic management in indoor spaces, and provision of shelter (shade, wind protection etc) in outdoor spaces.
 - j. Making provision for marketing, directional and interpretive signage.
 - k. Where possible, helping to overcome the problems associated with the rammed earth walls (a structural engineer report is available along with other briefings).
 - l. Developing links to other attractions, activities and services in Kojonup and the Shire, including the “Spring” and heritage buildings (e.g. the Military Barracks and Elverd Cottage), and the adjacent attractions of Apex Park and the RSL Hall Precinct, and the Kojonup Tourist Railway.
- 5.3. In developing the core requirements (4.1), consider the analysis of the strengths, weaknesses and opportunities of the precinct and its diverse spaces/elements that will be undertaken by the Kodja Place Advisory Committee with community input (see 8.3).
- 5.4. In developing the core requirements (4.1), also consider the human resources required to service visitor numbers/programs, utilising volunteer and paid staff, external consultants and mentors.
- 5.5. Analyse and report on visitor data to contribute to the economic analysis.
- 5.6. Develop a cost estimate of the Master Plan’s elements and an implementation approach for inclusion in the Business Case. The implementation approach will include an outline of the steps in the upgrade of the interpretive stories, displays and features.
- 5.7. Prepare drawing sets and concept illustrations for the Master Plan report, including:
 - Masterplan (site overview)
 - Plans of individual architectural elements (cafe, courtyard, visitor centre, alterations, etc.)

- Axonometric (3D) of site showing massing of buildings
- Visitor flow diagram
- Visuals – say 4 x interior and 2 x exterior
- A digital visitor experience master plan, including visual case studies of the type and scale of recommended display approaches

6. Core master Planning Stages by Consultant

6.1. A site visit to The Kodja Place involving the following:

- Vision Statement Position - Prioritisation and Q&A (with Project Team)
- Familiarisation - Shire, Town, CBD/Parks, Precinct, Spaces
- Asset Survey - Community, Collection, Commercial, Infrastructure (involves Stakeholder engagement)
- Wrap up and confirmation of Vision Statement

6.2. Desktop work:

- Development of Reverse Brief - written statement of what needs to be achieved and in what order
- Develop Draft Proposals with options for identified spaces/zones (this could be presented in a second site visit, subject to funds)
- Final Proposals accepted and developed into a Master Plan document, including requirements of each element, development budget and project plan.

7. Out of Scope

7.1. A review of the education program at The Kodja Place, as recommended in the Curatorial Audit (R1.2, p.84), is outside this consultancy. However, the consultant will aim to include the findings of a separate education review in the Master Plan. The other component of R1.2 concerning “playful learning opportunities for children” is within the terms of this consultancy.

7.2. It is understood that the consultant will not provide any marketing and branding, financial or engineering services.

8. Support to be Provided by the Shire of Kojonup

8.1. Provide further background information about The Kodja Place precinct, including:

- the origin, context and significance of existing spaces and features
- governance, financial and human resource information .

The Shire will meet other reasonable requests for information during the course of the project.

8.2. Provide agreed (pending) visitor data.

8.3. Prepare a draft Vision in advance of the consultant’s site visit that draws on the existing statement in The Kodja Place Business Plan and Section 4.1 in the Curatorial Audit (p. 16).

8.4. Consult with the Kodja Place Advisory Committee, the Kojonup community and other stakeholders about the strengths, weaknesses and opportunities of The Kodja Place precinct and its elements, and compile the responses for consideration by the consultant.

9. Role of the Kodja Place Advisory Committee

The Kodja Place Advisory Committee is a formal committee of the Shire of Kojonup, constituted under the Local Government Act. Members of the Advisory Committee are:

- Kojonup Aboriginal Corporation – Craig McVee - Delegate
- Kodja Place Community Fund Inc. – Will Harvey – Delegate

- Kojonup Community Growth Association (formerly Kojonup Tourist Association) Ian Malane - Delegate Jill House – Proxy
- Kojonup Tourist Railway – Ned Radford - Delegate
- Community - Barbara Hobbs and Wendy Thorn - Delegates
- Rose Maze – Cathy Wright – Delegate
- Storyplace/Kodj Gallery – Margaret Robertson – Delegate
- Council – Shire President and Councillor Sexton are Delegates
- Council Officers – CEO and Manager Community Development & Tourism

The Advisory Committee’s terms of reference (2014) are to advise the Shire Council on the following requirements of The Kodja Place:

- Prioritisation of capital works within the Shire of Kojonup budget allocation
- Consider the current purpose and future planning of the precinct
- The requirements of individual stakeholders within the precinct
- Improve stakeholder communication
- Identification of opportunities and improvements to current operations
- Methods to integrate all aspects of the precinct into one seamless customer experience and a singular attraction.

10. Operating principles for the consultancy

- 10.1. Uphold the ethos of The Kodja Place as a combined Noongar and Wadjela (non-Aboriginal) facility that is part of the fabric of the local community and the result of the community’s hardwork and goodwill.
- 10.2. Be cognisant of the importance of (a) the work of community volunteers in maintaining the precinct’s attractions and services, and (b) Jack’s Indigenous Tours at The Kodja Place, as well as the potential for growth and change in the conduct of guided tours.
- 10.3. Be aware of the Kodja Place Advisory Committee’s commitment to developing an intranet site (or equivalent) for kids’ activities and a story bank, including photo galleries, short story collections, audio and video productions, Q&A sheets), with the approach to be worked out as part of the digital visitor experience master plan.
- 10.4. Strive to maximise energy efficiency and conservation across The Kodja Place precinct, including the use of passive solar design principles.
- 10.5. Strive to reduce/minimise maintenance costs associated with The Kodja Place precinct.
- 10.6. Respond promptly to emails and other communications.

11. Design Principles for the Consultancy

- 11.1. The shape of the traditional Noongar kodj, the stone axe, is the basis of the original design of The Kodja Place building (follow the link to the speech by the Chairperson of the Advisory Committee <http://kodjaplace.com.au/story/more-of-the-story/>). Any proposed structural changes will need to be consistent with this design feature.
- 11.2. Early in the development of The Kodja Place, the then Advisory Committee adopted the view expressed by the Chairperson of the Kojonup Aboriginal Corporation: there are no straight lines in nature - could this be reflected in the design of The Kodja Place.
- 11.3. A colour palette, style guide and graphic design guide (for the Kodja Gallery/Storyplace) were developed for The Kodja Place.
- 11.4. The Shire of Kojonup branding/logo has recently changed and The Kodja Place logo is to be redesigned (incorporating former logo guidelines as agreed by the Advisory Committee in November 2015)
- 11.5. The interpretive displays in the Kodj Gallery and Storyplace were conceived as ‘an ongoing community managed project with local content, sitting in a professionally designed framework’. It is our wish for this conception to continue and for the design

assessment criteria for the Kodj Gallery and Storyplace to be considered (see Curatorial Audit, p.44).”

COMMENT

The above background provided a comprehensive guide for the Gibson Group resulting in the proposal to supply professional master planning services. Of particular interest is the methodology proposed by the Gibson Group which ensures consultation and engagement with stakeholders to realise the full potential of The Kodja Place Precinct as a community hub and cultural interpretation centre that is financially sustainable, vibrant, special, generates employment and residents are proud to support.

It is also pleasing that the Master Plan recognises surrounding links with Apex Park, RSL Hall, Albany Highway and Benn Parade. This information will be valuable when Council conducts planning sessions with stakeholders regarding future use of the RSL Hall area.

Council is very fortunate that the Gibson Group (which is world recognised) is prepared to provide services to assist Kojonup enhance the physical structures and their functions as well as interpretive and exhibition experiences at the The Kodja Place Precinct which can be used to support a business case seeking funding for the detailed design and building of the proposed redevelopment whether in stages or in total.

CONSULTATION

KPAC meetings and workshops to develop The Kodja Place Strategic Plan
Main Street Master Plan Public feedback
Curatorial Audit – workshops
Council Meetings and Briefing Sessions

STATUTORY REQUIREMENTS

Local Government Act 1995

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

Building Code of Australia

Building Regulations 2012

Food Act 2008

POLICY IMPLICATIONS

Policy 2.3.4 Asset Management – Requires Council to consider the financial, economic, engineering and other practices to provide a level of service in the most cost effective manner.

FINANCIAL IMPLICATIONS

Gibson Group have quoted \$75,590 + GST + disbursements (\$12,000 + 7%) = \$75,590 + \$12,000 + \$850 = \$88,430.

They advise disbursements as follows:

Disbursements are additional and would be charged on a cost + 7% basis. Disbursements include travel, accommodation, living and any external costs such as specialist image creation and 3D printing etc. We have allowed for up to three people to travel to Kojonup for the first site visit and two for the second, which equates to approximately \$12,000 in disbursements.

Council would seek financial assistance under the Great Southern Community Chest Fund which closes 1 March 2016 for an amount of \$50,000 excluding GST with the balance \$40,000 already allocated from Council's 2015/2016 Budget. \$90,000 is not an unreasonable figure given the quality information that will be contained in the final Master Plan.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- E1 – Supporting Main Street
- E2 – Building Prosperity
- N1 – Natural & Built Environment
- S2 – Staying Active & Entertained

Corporate Business Plan 2013 – 2017

Objectives:

- E1.1.1 – Undertake a study to identify the opportunities to enhance the main street, taking into consideration current and future uses
- E2.1.3 – Identify opportunities to source funding and resources for local projects
- E2.1.4 – Support local tourism initiatives and the KTA
- N1.3 – Creating sustainable and inviting public spaces
- S2.1.4 – Preserve and promote our history and culture

RISK MANAGEMENT IMPLICATIONS

Ensure the Strategic Risk Management Checklist is completed as part of the project criteria

ASSET MANAGEMENT IMPLICATIONS

Section 12 of the Shire's Asset Management Plan provides information regarding buildings and associated structures and acknowledges that *renewal has regard to the ability to service current demands and be fit for purpose, with a significant component of renewal due to changing needs, expectations and regulations that can often render buildings obsolete and bring forward replacement discussions.*

VOTING REQUIREMENTS

Simple Majority

5:10pm - Councillor Hobbs declared an interest in this item as his wife is a member of the Kodja Place Advisory Committee and departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

20/16 Moved Cr Sexton, seconded Cr Radford that Council:

- 1. Supports the Gibson Groups engagement to develop a Master Plan in accordance with the Kodja Place Advisory Committee draft scope of work for the upgrade of The Kodja Place Precinct with the aim of revitalising and enriching the visitor experience, enhancing the facility as a cross-cultural community hub and optimising its business potential subject to:
 - a) Lodging an application by 1 March 2016 and receiving funding approval for \$50,000 excluding GST under the Great Southern Community Chest Fund; and**
 - b) Allocating an amount of \$40,000.00 from Cost Codes 8324 & 8357 as the Shire of Kojonup's contribution towards the master planning project as indicated in the 2015/2016 Annual Budget.****

CARRIED 7/0

5:17pm – Cr Hobbs returned to the Chamber.

13.4 REVIEW OF RISK MANAGEMENT PLAN UNDER SECTION 17 OF *LOCAL GOVERNMENT (AUDIT) REGULATIONS 1996*

AUTHOR: Heather Sheppard – Senior Project Officer
DATE: Sunday, 17 February 2016
FILE NO: RM.RKA.1
ATTACHMENTS: [13.4.1 Risk Management Plan - Updated](#)
[13.4.2 Risk Register](#)

DECLARATION OF INTEREST

Nil

SUMMARY

Regulation 17 of the *Local Government (Audit) Regulations 1996* requires:

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to*
 - a. *Risk management; and*
 - b. *Internal control; and*
 - c. *Legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in sub-regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

BACKGROUND

Recent changes to the *Local Government (Audit) Regulations 1996* require local government CEO's to carry out at least a biennial review of legislative compliance, internal control and risk management and present the results of the review to Council's audit committee. The audit committee is to consider the CEO's review and report the results of the review to Council. The next review is due towards the end of 2017.

While the actual review process to be undertaken by the CEO is not stipulated, some of the matters that would typically be reviewed when considering risk management, internal control and legislative compliance include:

- Reviewing whether the local government has an effective risk management system and that material operating risks to the local government are appropriately considered;
- Reviewing whether the local government has a current and effective business continuity plan (including disaster recovery) which is tested from time to time;
- Assessing the internal processes for determining and managing material operating risks in accordance with the local government's identified tolerance for risk;
- Ascertaining whether fraud risks have been identified, analysed, evaluated, and that there is an appropriate treatment plan which has been implemented and monitored;
- Ensuring the internal controls and financial management systems are in place to mitigate any financial and reputational risk in line with the WA Local Government Accounting Manual; and
- Ensure compliance with the *Local Government Act 1995* and *Regulations*.

COMMENTS

The Risk Management Plan and Policy was adopted by Council on 16 September 2014 with a Risk Management Co-ordinator appointed to manage the ongoing Risk Management

requirements. The Risk Registers are to be monitored regularly and a report provided to Senior Management team and Audit Committee every quarter.

The Risk Management Plan is due for review and has now been updated with the Monitoring and Review activities completed. Meetings with all divisional staff have been held to review and update the risk ratings within the Risk Registers. In this regard all downgraded Risks have been entered into a separate Register where these risks are to be monitored by routine procedures. The high and extreme risks have decreased significantly due to the treatment plans being completed in most instances.

The Strategic Risk Management checklist is being used by all areas for all new projects/initiatives and has become part of the process and procedure of the Shire. Risk is now included in all Position Descriptions, Agenda items and staff meetings.

At its 3 February 2016 Audit Committee Meeting, the Committee resolved as follows:

“That the Audit Committee receive the updated Risk Management Plan and Risk Registers and endorse accordingly prior to being adopted by Council.

CONSULTATION

All staff

STATUTORY REQUIREMENTS

Local Government (Audit) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.4.1 – Implement organisation wide risk management.

RISK MANAGEMENT IMPLICATIONS

This plan underpins all risk management aspects pertaining to Council.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

21/16 Moved Cr Mathwin, seconded Cr Pedler that Council adopt the updated Risk Management Plan and Risk Registers in accordance with the recommendation of the Audit Committee.

CARRIED 8/0

13.5 REVIEW OF BUSINESS CONTINUITY & DISASTER RECOVERY PLAN

AUTHOR: Heather Sheppard – Senior Project Officer
DATE: Wednesday, 3 February 2016
FILE NO: IT.PLN.1
ATTACHMENTS: 13.5 Business Continuity and Disaster Recovery Plan

DECLARATION OF INTEREST

Nil

SUMMARY

Section 17 of the Local Government (Audit) Regulations 1996 requires:

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –*
 - a. *Risk management; and*
 - b. *Internal control; and*
 - c. *Legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

BACKGROUND

Recent changes to the *Local Government (Audit) Regulations 1996* require local government CEO's to carry out at least a biennial review of legislative compliance, internal control and risk management and present the results of the review to Council's audit committee. The audit committee is to consider the CEO's review and report the results of the review to Council.

While the actual review process to be undertaken by the CEO is not stipulated, some of the matters that would typically be reviewed when considering risk management, internal control and legislative compliance include:

- Reviewing whether the local government has an effective risk management system and that material operating risks to the local government are appropriately considered;
- Reviewing whether the local government has a current and effective business continuity plan (including disaster recovery) which is tested from time to time;
- Assessing the internal processes for determining and managing material operating risks in accordance with the local government's identified tolerance for risk;
- Ascertaining whether fraud risks have been identified, analysed, evaluated, and that there is an appropriate treatment plan which has been implemented and monitored;
- Ensuring the internal controls and financial management systems are in place to mitigate any financial and reputational risk in line with the WA Local Government Accounting Manual; and
- Ensure compliance with the *Local Government Act 1995* and *Regulations*.

COMMENTS

- The Business Continuity Plan including Disaster Recovery has been presented to the Audit Committee on 3 February 2016 and was endorsed accordingly as follows:

That the Audit Committee receive the updated Business Continuity and Disaster Recovery Plan 2015 and endorse accordingly prior to being adopted by Council.

- The Plan was previously adopted by Council on 12 April 2015. As the Plan was completed in December 2014, the annual review is now due.
- The Plan has been reviewed and updated with updated details of insurance, information technology, The Kodja Place and new position titles. Also the dates of the review have been entered in the Plan.

CONSULTATION

Manager Corporate Services

IT provider

Audit Committee

STATUTORY REQUIREMENTS

Local Government (Audit) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.4.1 – Implement organisation wide risk management.

RISK MANAGEMENT IMPLICATIONS

This plan underpins all risk management aspects pertaining to Council.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

22/16 Moved Cr Mathwin, seconded Cr Pedler that Council adopt the updated Business Continuity and Disaster Recovery Plan in accordance with the recommendation of the Audit Committee.

CARRIED 8/0

13.6 REGIONAL ENVIRONMENTAL HEALTH OFFICER

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Monday, 25 January 2016
FILE NO: GR.LRL.2
ATTACHMENT: 13.6 Contract – Shire of Plantagenet

DECLARATION OF INTEREST

Nil

SUMMARY

To place before Council the notification of the signing of the contract (as a public record) the Contract for the provision of a 0.5 FTE shared Environmental Health Officer (EHO) services between the Shires of Plantagenet and Kojonup.

BACKGROUND

The Southern Link Volunteer Regional Organisation of Councils (VROC) through its ongoing resource sharing considerations has been assessing the future EHO employee requirements given the imminent transitioning to retirement of the Shire of Kojonup's, Manager of Regulatory Services and the Shire of Plantagenet's equivalent officer transitioning to retirement.

COMMENT

Succession planning is essential in order to cover the loss of intellectual knowledge, skills and experience of senior employees. Attracting and retaining qualified employees is also vital to ensure continuous improvement of the workforce and organisation and the delivery of programs, projects and systems improvements.

Specific outcomes identified within Kojonup's Workforce Plan 2014 – 2018

- Identify critical roles throughout the organisation;
- Where and when appropriate support junior level staff to develop skills and experience that will support future career progression and advancement; and
- Support innovative responses to gaps in key roles such as staged retirement, external mentoring programs and intensive training opportunities.

Small Councils such as Cranbrook, Woodanilling, West Arthur and Broomehill-Tambellup require EHO and Building Surveyor services but not on a full time basis allowing the Shires of Plantagenet and Kojonup the opportunity to resource share officers to these smaller councils whilst providing opportunities for qualified personnel to move to the district. Kojonup has identified a need to increase staff housing however the arrangement with Plantagenet enables the appointed officer to reside within the Southern Link area and travel to Kojonup.

CONSULTATION

Council Briefing Sessions and VROC CEO Meetings re Workforce Planning

STATUTORY REQUIREMENTS

Local Government Act 1995

Integrated Planning & Reporting Framework - Workforce Planning

POLICY IMPLICATIONS

2.2.12 Employee Training - To provide development opportunities to all employees as recognised in the Shire of Kojonup – Workforce Plan as the Shire is committed to the provision of employee training and professional development opportunities to ensure that employees achieve productivity aims relevant to their position.

FINANCIAL IMPLICATIONS

The total annual costs as per Schedule A of the Contract are incorporated in the 2015/2016 Annual Budget.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.3.1 Explore shared service options with neighbouring local governments to improve efficiencies
- G1.3.2 Participate as an active partner in the Southern Link VROC
- G1.3.3 Commit appropriate staff and resources to be a leader of regional planning initiatives and services

RISK MANAGEMENT IMPLICATIONS

Council make reference to its Employee Manual, Code of Conduct and OH&S requirements in respect of this position.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

23/16 Moved Cr Pritchard, seconded Cr Hobbs that Council endorse the Chief Executive Officer report for the 0.5 FTE sharing of a Regional Environmental Officer with the Shire of Plantagenet as per the tabled contract.

CARRIED 8/0

14 AGED CARE SERVICES REPORTS

Nil

15 COMMUNITY DEVELOPMENT & TOURISM REPORTS

Nil

16 **COMMITTEES OF COUNCIL**

16.1 **KODJA PLACE ADVISORY COMMITTEE – CONFIRMATION OF 19 NOVEMBER 2015 & 21 JANUARY 2016 MINUTES**

5:22pm - Cr Hobbs declared an interest as his wife is a member of the Kodja Place Advisory Committee and departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

24/16 Moved Cr Warland, seconded Cr Pedler that the attached unconfirmed minutes of the Kodja Place Advisory Committee meeting held Thursday, 19 November 2015 and 21 January 2016 be received by Council.

CARRIED 7/0

5:25pm – Cr Hobbs returned to the Chamber.

17 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18 NEW BUSINESS

Nil

19 CONFIDENTIAL REPORTS

19.1 REQUEST FOR TENDER 06/15 – FOR THE RENOVATIONS AND ALTERATIONS FOR SPRINGHAVEN FRAIL AGED LODGE

AUTHOR: Michelle Dennis – Development Services Coordinator
DATE: Thursday, 11 February 2016
FILE NO: CP.DAC.2
ATTACHMENT: 19.1 Confidential Report and Attachments

DECLARATION OF INTEREST

Nil

SUMMARY

To seek Council's consideration of tenders received for the renovations and alterations for Springhaven Frail Aged Lodge.

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

COUNCIL DECISION/OFFICER RECOMMENDATION

- 25/16 Moved Cr Sexton, seconded Cr Warland that the meeting be closed to the public in accordance with Section 5.23 (2) of the *Local Government Act 1995* to discuss:**
- (c) A contract entered into, or which may be entered into, by the Local Government which relates to a matter to be discussed at the meeting.**

CARRIED 8/0

COUNCIL DECISION/OFFICER RECOMMENDATION

- 26/16 Moved Cr Sexton, seconded Cr Mathwin that Council:**
- 1) Accept the tender from Wauters Enterprises Pty Ltd for Phase 1 works, excluding the provision of the Mallet, Bed Pan Flusher Sanitizer, for a total of \$249,595.41 (including GST).**
 - 2) Instruct the Chief Executive Officer to lodge a grant application under the Southern Inland Health Initiative Stream 6 Residential Aged Care and Dementia Investment Program to include:**
 - a) Phase 2 renovations**
 - b) Upgraded security and nurse call systems to ensure that dementia residents are able to reside at the facility**
 - c) Replacement gutters and downpipes**
 - d) Upgraded reticulation**
 - e) Upgraded parking**
 - f) Ceiling insulation**
 - 3) Instruct the Chief Executive Officer to lodge a request with the Australian Government's Department of Social Services for accessing a higher level of Accommodation Supplement for significantly refurbished residential aged care services. If successful, any additional accommodation supplement is to be quarantined into the Springhaven Building Maintenance Reserve to facilitate future upgrades to the facility.**
 - 4) That the 2015/2016 budget be amended by:**
 - a) Increasing the transfer from the Springhaven Building Maintenance Reserve account to C195 by \$42,000.00.**
 - b) Transferring \$2,637.00 from C190 to C195**

CARRIED 8/0

COUNCIL DECISION/OFFICER RECOMMENDATION

- 27/16 Moved Cr Pedler, seconded Cr Sexton that the meeting be reopened to the public.**

CARRIED 8/0

20 **NEXT MEETING**

Tuesday, 15 March 2016 commencing at 3:00pm.

21 **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 5:43pm.

22 **ATTACHMENTS (SEPARATE)**

- Item 10.1.1 Monthly Statement of Financial Activity – December 2015
- Item 10.2.1 Monthly Payment Listing 01/12/2015 – 31/12/2015
- Item 10.2.2 Monthly Payment Listing 01/01/2016 – 31/01/2016
- Item 10.3 Monthly Statement of Financial Activity – January 2016
- Item 10.4 Compliance Audit Return
- Item 10.5.1 Annual Report 2014/2015
- Item 10.5.2 Auditor’s Management Letter
- Item 10.6 Budget Review 2015/2016
- Item 13.3 Gibson Group Submission
- Item 13.4.1 Risk Management Plan - Updated
- Item 13.4.2 Risk Register
- Item 13.5 Business Continuity and Disaster Recovery Plan
- Item 13.6 Contract – Shire of Plantagenet
- Item 19.1 Confidential Report and Attachments

Presiding Member

Date