

Kojonup



SHIRE OF KOJONUP

MINUTES

Council Meeting

16 August 2016

MINUTES FOR THE COUNCIL MEETING HELD ON 16 AUGUST 2016**TABLE OF CONTENTS**

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MINUTES

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

The Shire President declared the meeting open at 3:05pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and drew the meeting's attention to the disclaimer below:

Disclaimer

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

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

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

2 **ATTENDANCE & APOLOGIES**

Cr Ronnie Fleay	Shire President
Cr Frank Pritchard	
Cr Ian Pedler	
Cr Graeme Hobbs	
Cr Ned Radford	
Cr Jill Mathwin	
Mr Rick Mitchell-Collins	Chief Executive Officer
Mr Mort Wignall	Manager Regulatory Services
Miss Miranda Wallace	Executive Assistant
Mrs Dominique Magini	Records Officer
Ms Serena Jade	Community Development Officer

APOLOGIES

Cr Judith Warland	
Mr Anthony Middleton	Manager Corporate Services

LEAVE OF ABSENCE

Cr Robert Sexton	Deputy Shire President
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3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS, DEPUTATIONS & PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

The Presiding Member announced that Cr Warland has requested a leave of absence for the 20 September 2016 Ordinary Council Meeting.

COUNCIL DECISION

107/16 Moved Cr Pritchard, seconded Cr Mathwin that Cr Warland be granted a leave of absence at Council's next ordinary meeting to be held 20 September 2016.

CARRIED 6/0

7 CONFIRMATION OF MINUTES

ORDINARY MEETING 19 JULY 2016

COUNCIL DECISION

108/16 Moved Cr Radford, seconded Cr Pedler that the Minutes of the meeting of Council held on 19 July 2016 be confirmed as a true record.

CARRIED 6/0

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

Nil.

9 **DECLARATIONS OF INTEREST**

Item 10.3

- The Presiding Member and Councillors Pedler, Mathwin, Pritchard, Hobbs and Radford applied for ‘permission to participate’ in this item under section 5.69(3)(a) of the *Local Government Act 1995* from the Department of Local Government & Communities as they may be issued with a Corporate Polo Shirt/Uniform to wear in accordance with the Policy.

Item 13.1

- Cr Ned Radford declared an ‘Impartiality’ interest as he is the President of the Kojonup Tourist Railway Inc. and as a member of the Kojonup Community Growth Association Inc.
- Cr Graeme Hobbs declared an ‘Impartiality’ interest as he is a Committee member of the Kojonup Tourist Railway Inc.

10 CORPORATE SERVICES REPORTS

10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JULY 2016)

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Monday, 8 August, 2016
FILE NO: FM.FNR.2
ATTACHMENT: 10.1 Monthly Statement of Financial Activity

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 July 2016.

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 2016 to 31 July 2016 represents just one (1) month, or 8% of the year. The following items are worthy of noting:

- Surplus position of \$3.76m;
- Operating results:
 - 33% of budgeted operating revenue received; and
 - 5% of budgeted operating expenditure spent;
- Capital expenditure achieved 1% of budgeted projects;
- As rates are not yet due, the value of outstanding rates equates to 90.4% of 2016/2017 rates raised, which includes previous years arrears but excludes deferred rates (refer to page 17 of the statements);
- Cash holdings of \$3.64m of which \$2.89m 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.

There are no capital expenditure projects that have exceeded their authorized budget.

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 IMPLICATIONSStrategic Community 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.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

109/16 Moved Cr Mathwin, seconded Cr Radford that the monthly financial statements for the period 1 July 2016 to 31 July 2016, as attached, be noted.

CARRIED 6/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Christine Coldwell – Finance Officer
DATE: Monday, 8 August 2016
FILE NO: FM.AUT.1
ATTACHMENT: 10.2 Monthly Payment Listing 01/07/2016 – 31/07/2016

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of July 2016.

BACKGROUND

Not applicable.

COMMENT

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

Any comments or queries regarding the list of payments is to be directed to the Manager of Corporate Services prior to the meeting.

CONSULTATION

No consultation was required.

STATUTORY REQUIREMENTS

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

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

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC/CORPORATE IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

110/16 Moved Cr Pedler, seconded Cr Hobbs 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	TOTAL
Date	1 July 2016	31 July 2016	
Municipal Cheques	13737	13751	\$31,112.27
EFT's	16660	16824	\$339,487.49
Direct Debits			\$406,140.64
			\$776,740.40

be received.

CARRIED 6/0

10.3 POLICY 2.2.11 – SHIRE UNIFORMS POLICY REVIEW

AUTHOR: Dominique Magini – Records Officer
DATE: Thursday, 4 August 2016
FILE NO: CM.POL.2
ATTACHMENT: [10.3.1 Existing Shire Uniforms Policy 2.2.11](#)
[10.3.2 Proposed Shire Uniforms Policy 2.2.11](#)

DECLARATION OF INTEREST

All Elected Members and Staff Members will benefit from the adoption of this Policy as they may be issued with a Corporate Polo Shirt/Uniform to wear in accordance with the Policy.

SUMMARY

The purpose of this report is to consider a review of the Shire Uniforms Policy.

BACKGROUND

Council reviewed Policy 2.2.11 at the 17 May 2015 Council Meeting – Decision 77/15. The reviewed Policy (attachment 10.3.2) now includes provision for corporate polo shirts following adoption of the new Corporate Logo at the 22 October 2015 Council Meeting – Decision 160/15, as well as clarification with respect to personal presentation, safety and free dress days in order to meet corporate policy objectives.

COMMENT

This Policy is to be read in conjunction with the All of Staff Agreement 2011.

CONSULTATION

Manager of Corporate Services
Shire of Cranbrook
Shire of Broomehill-Tambellup
Shire of Plantagenet
Shire of Augusta Margaret River
Bundaberg Regional Council

STATUTORY REQUIREMENTS

Policies have no legal status but are guidelines for staff to act on various matters without the need for continual referral to the Council. The Council may adopt, amend or waive policies under section 2.7(2)(b) of the *Local Government Act 1995*.

POLICY IMPLICATIONS

Council policies are made to facilitate:

- Consistency and equity in decision making;
- Promptness in responding to customer needs; and
- Operational efficiency.

FINANCIAL IMPLICATIONS

Provision is made in the annual budget to cover elected member expenses and employee clothing / uniforms.

STRATEGIC/CORPORATE IMPLICATIONSStrategic Community Plan 2013 – 2023

Outcomes:

- N1 – Feeling good about living in Kojonup.

Corporate Business Plan 2013 – 2017

Objectives:

- N1.4 – Providing community support and development.

RISK MANAGEMENT IMPLICATIONS

Ensuring elected members and employees are provided resources which strengthens the Shire's capacity to achieve its strategic objectives and for elected members and employees to feel valued.

ASSET MANAGEMENT PLAN IMPLICATIONS

Ability to undertake tasks and functions in an efficient and effective manner via:

- Skilled/reliable workforce; and
- Within budget and community expectations.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

The Records Officer advised the Meeting that the Department of Local Government & Communities were unable to grant 'permission to participate' for Councillors declaring an interest in an item under section 5.69(3)(a) of the Local Government Act 1995 as they required three (3) full business days to process the application. This item is thus deferred to the next Ordinary Council Meeting scheduled for Tuesday, 20 September 2016.

3:09pm – the Records Officer departed from the Chamber.

OFFICER RECOMMENDATION

That the amended Shire Uniforms Policy 2.2.11, as attached, be approved.

Attachment 10.3.1**2.2.11 SHIRE UNIFORMS**

Adopted or Reviewed by Council:	18/11/2014	Council Minute Reference:	172/14
Reviewer:	Chief Executive Officer		
Local Law:			
Procedure:	Reworking of Policy 2.2.11 Shire Corporate Staff Uniforms reviewed by Council 18/11/2014 Decision 172/14		
Delegation:			

OBJECTIVE

To financially assist employees with the provision of a corporate uniform and compliance with Occupational Safety and Health requirements while projecting a positive team orientated corporate image to persons having dealings with the Shire of Kojonup whether working indoor or outdoor.

The shire uniform is usually worn during normal office hours, attendance at conferences, seminars and workshops, representing Council at various functions and events as well as day to day operations such as road works, swimming pool, mechanical, Kodja Place, Springhaven etc.

It is also to be noted that Council wishes to develop a new shire logo which upon adoption will replace the LG clothing logo. It is the intent of Council that predominantly indoor staff at the Council Office, Springhaven and Kodja Place will be provided a corporate uniform to the value of \$1,000 in the first year and \$450 per permanent employee thereafter.

POLICY

1. THIS POLICY DOES NOT APPLY TO CASUAL EMPLOYEES UNLESS AUTHORISED BY THE CEO.
2. The Shire shall contribute \$1,000 towards the initial cost of the new Shire of Kojonup corporate wardrobe per permanent employee for the first year and a further \$450 per permanent employee each subsequent financial year subject to any amount incurred above the shires contribution being repaid by the employee by 1 July in the next financial year or a longer period if agreed between the CEO and the employee.
3. Prior to a new Shire logo being adopted, the Shire will contribute \$500 towards the initial cost of a LG style uniform for the first year and \$400 per permanent employee each subsequent year subject to any amount incurred above the Shires contribution being repaid by the employee by 1 July in the next financial year or a longer period if agreed between the CEO and the employee.
4. In the event that an employee terminates their employment with the Shire within 6 months of their initial engagement the employee will be required to refund the full contribution made by the Shire to the purchase of their uniforms.
5. The Shire of Kojonup shall supply up to three sets of work clothes per annum to each operational employee who works either in the depot crew or predominately in an outside position.
6. The respective Manager(s) in conjunction with the outdoor OSH and Consultative Committee representatives will prepare an annual work clothes schedule for depot and outdoor employees that recognise the fair wear and tear of clothes.
7. Work clothes represent shirts, trousers, vests, polo tops, jumpers, jackets and shorts. A set of work clothes consists of 6 items that are interchangeable for example 2 shirts, 2 trousers and 2 jumpers = 6 items or 2 shirts and 4 trousers = 6 items.
8. An employee will be required to pay immediately in full or via agreed deductions from fortnightly pay for any item in addition to the 6 items allocated in any one financial year.
9. The Shire's Occupational Safety and Health Committee shall make input into the types of clothing and footwear issued.

Attachment 10.3.2

2.2.11 SHIRE UNIFORMS

Adopted or Reviewed by Council: 19/5/2015

Council Minute Reference: 77/15

Reviewer: Records Officer

Local Law:

Procedure:

Delegation:

OBJECTIVE

This policy endeavours to enhance the corporate image of the Shire and its employees. The Council recognises that a corporate wardrobe promotes a:

- Professional image;
- Strong customer focus; and a
- Safe work environment.

This policy applies to elected members, all employees in all departments (permanent and casual) and Contractors at the discretion of the Chief Executive Officer.

The objectives of this policy are to:

- a) Establish guidelines for the purchasing and wearing of Shire of Kojonup corporate uniform.
- b) Outline dress standards staff are to observe when representing the Shire in a professional capacity and provide staff with clear guidelines for accepted standards of dress and appearance during work hours.
- c) Provide senior management with clear guidelines to use in monitoring and managing the standard of dress and appearance of staff in their department.

POLICYPersonal Presentation

A high standard of personal presentation is required from employees at all times whilst on duty. It is expected that items of personal hygiene are attended to daily and all clothing is clean, neatly pressed and in good condition.

The following list of non-exhaustive items of clothing are considered inappropriate corporate attire:

- Crop tops, backless and strapless tops and singlets;
- Jeans, denim skirts or shorts, and miniskirts or minishorts.

Body Art and Piercing

Tattoos that could be perceived as offensive should be discreetly covered where possible (eg tattoos of naked men/women, skulls or daggers dripping blood). This item is to be administered at the discretion of the Department Manager.

The Shire's image and that of the region can be affected by the presentation of our staff. Any form of body piercing, other than ear piercing, must be discreet and ensure a professional image is portrayed at all times.

Staff working around or on machinery, are not permitted to wear earrings that protrude or hang below the ear lobe, as they can become entangled in machinery.

Long hair must be worn up and back or in a hair net, when working in areas with machinery and other moving parts or during food preparation. Jewellery, including earrings and/or other items that have the potential to get caught in machinery must be removed whilst on duty.

Safety

It is the Supervisor's responsibility to ensure that appropriate Personal Protective Equipment (PPE) is supplied and worn by Employees. Employees who mistreat, abuse or fail to comply with Council's requirements for safety and PPE will be subject to disciplinary action.

Identification

The wearing of identification improves visibility with the public and friendliness within the work environment. Employees should wear a form of visible identification at all times.

Name Badges are a form of visual identification. 1 (one) name badge will be supplied to elected members, all employees in all departments (permanent and casual) and contractors at the discretion of the Chief Executive Officer. Name Badges must be kept in good condition and worn in a place that is visible to others. If allocated name badge is lost, damaged etc. the individual is responsible for purchasing a replacement at cost price, you may opt for this to be deducted from your Uniform Allowance.

Embroidery is another form of visual identification and may be more appropriate to outside staff.

Outside Staff Uniforms

1. The Shire of Kojonup shall supply up to 3 (three) sets of work clothes per annum to each operational employee who is based at the Works Depot or predominately in an outside position.
2. Work clothes represent footwear, shirts, trousers, vests, polo tops, jumpers, jackets and shorts. A set of work clothes consists of 6 items that are interchangeable for example 2 shirts, 2 trousers and 2 jumpers = 6 items or 2 shirts and 4 trousers = 6 items.
3. Part time and casual staff entitlements will be on a pro-rata basis based on standard hours of employment (e.g 0.5FTE is entitled to 1.5 sets).
4. An employee will be required to pay immediately in full or via agreed deductions from fortnightly pay for any item in addition to the 6 items allocated in any one financial year.
5. The Shire's Occupational Safety and Health Committee shall make input into the types of clothing and footwear issued.
6. In the event that an employee terminates their employment with the Shire within 6 months of their initial engagement the employee will be required to refund the full contribution made by the Shire to the purchase of their uniforms.

Inside Staff Uniforms

1. The Shire shall meet 50% of the initial cost of corporate wardrobe uniforms up to a maximum contribution of \$650 per employee (total expenditure \$1,300) in the first year of employment.
2. In each subsequent year of employment, the Shire shall provide \$450 uniform allowance per employee.
3. Part time and casual staff entitlements will be on a pro-rata basis based on standard hours of employment (e.g 0.5FTE is entitled to \$325 in year one and \$225 each subsequent year).
4. An employee will be required to pay immediately in full or via agreed deductions from fortnightly pay for any expenditure in addition to the allocation in points 1 and 2 above.
5. In the event that an employee terminates their employment with the Shire within 6 months of their initial engagement the employee will be required to refund the full contribution made by the Shire to the purchase of their uniforms.

Footwear

Shoes are the responsibility of individual staff members, unless negotiated with the Chief Executive Officer. It is recommended that covered shoes be worn at all times in conjunction with the corporate uniform.

As with clothing, Council expects all employees to wear shoes which meet a presentable standard for their particular work area. The following non-exhaustive list of items of footwear may be considered inappropriate corporate footwear:

- Thongs;
- Runners or sandals; and/or
- Ugg boots.

Polo Shirts

All elected members, employees and applicable contractors (at the discretion of the Chief Executive Officer) are entitled to 1 (one) corporate polo shirt. If allocated shirt is lost, damaged etc. the individual is responsible for purchasing a replacement at cost price. You may opt for this to be deducted from your uniform allowance.

Generally a corporate polo shirt will not be a day to day uniform item for staff however it can be worn on “free dress days” or at events/training days representing the Shire. The Chief Executive Officer or relevant manager may give approval to employees to incorporate the polo shirt into their uniform, where appropriate.

It is also possible that volunteers may be able to wear the corporate polo at the discretion of the Chief Executive Officer or relevant manager. This would be paid by the relevant department’s budget.

The Corporate Polo Shirt shall only be worn whilst undertaking work related activities. Consideration should be given to maintaining the image of the Shire whilst wearing the corporate polo shirt.

Dispute Resolution

If a Manager considers that a particular staff member’s attire is inappropriate according to the standards set in this policy, they may approach the individual and ask appropriate changes be made.

Free Dress Days

The first working day of the month is approved and shall be in conjunction with the fundraising and awareness activities of well-known and registered charities such as ‘Jeans for Genes’ Day. On these allocated days, staff will be permitted to wear appropriate dress that reflects the theme of the fundraising event. The Chief Executive Officer or relevant manager may allocate additional “free dress days” for inside staff.

Free dress days must not compromise safety, customer service or the perception of Council staff within the community. Staff shall be made aware of these allocated days by way of email from the Chief Executive Officer or delegated officer. Funds raised on these specific days will be presented to the relevant charity.

11 WORKS & SERVICES REPORTS

Nil

12 REGULATORY SERVICES REPORTS

Nil

13 **EXECUTIVE & GOVERNANCE REPORTS**

13.1 SOUTHERN DIRT – TENANCY AGREEMENT FOR USE OF THE CWA BUILDING KOJONUP COMMUNITY GROWTH ASSOCIATION INC. & KOJONUP TOURIST RAILWAY INC. – TENANCY AGREEMENT FOR USE OF THE KOJONUP RAILWAY STATION BUILDING

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Monday, 8 August 2016
FILE NO: A6445 / CP.REG.1
ATTACHMENT: **13.1.1 DRAFT Joint Tenancy Agreement – KTR & KCGA**
13.1.2 DRAFT Tenancy Agreement – Southern DIRT

DECLARATION OF INTEREST

- Cr Ned Radford as President of the Kojonup Tourist Railway Inc. and member of the Kojonup Community Growth Association Inc.
- Cr Graeme Hobbs as a Committee member of the Kojonup Tourist Railway Inc.

SUMMARY

To seek Council's endorsement for:

1. Southern Dollars, Information, Research, Technology (DIRT) via a "Fixed Term Tenancy Agreement" to occupy the CWA building and share office space with Kojonup's Natural Resource Management (NRM)/Landcare Coordinator for an initial term of 5 years commencing 1 September 2016 with the option of a further 5 year extension.
2. Kojonup Community Growth Association Inc. and Kojonup Tourist Railway Inc. via a "Fixed Term Tenancy Agreement" to occupy and share the Kojonup Railway Station building for an initial term of 5 years commencing 1 September 2016 with the option of a further 5 year extension.

BACKGROUND

Council at its meeting held 21 July 2015 passed Decision 116/15:

"That Council:

1. *Provide "In Principle" support for the CEO to prepare a "User Agreement" with the Kojonup Tourist Association Inc. (KTA) for the temporary occupancy of the CWA Building up to 30 June 2016.*
2. *Request the CEO in conjunction with KTA to provide Council a progress report on or before 30 April 2016, and*
3. *On receipt of the progress report Council consider extending the "User Agreement" a further 12 months from 1 July 2016, noting that this action allows an adequate timeframe for the new KTA committee to address and meet the requirements of Council Decision 98/15."*

The Kojonup Community Growth Association Inc.(KCGA) moved items into the CWA Building as per the above decision and was approached by Southern DIRT CEO, Tracey Hodgkins, on 17 May 2016 whether there was a possibility of sharing the building as the existing rented premises restricted expansion.

KCGA Chairman – Ian Malane in correspondence dated 26 June 2016 advised the following:

“After much consideration our committee has decided to agree to the use of the CWA building by Southern DIRT as their Kojonup base. The need to home this group in Kojonup and not allow them to find another town was paramount to this decision.

Furthermore our committee has decided that Southern DIRT be the sole proprietors of the CWA building given the importance of this organisation to our community.

We (the KCGA) have found alternative office space within a community group which will suit our needs in the coming years and should be mutually beneficial.

In consideration of this decision we would ask for your agreement to the following.

- *That we be able to use any shire owned hall free of charge for activities promoting and networking our shire and town.*
- *That the shire provides assistance to move our items currently in the CWA Building to our new office. Hopefully this move will take place on Tuesday the 28th June.*
- *That any plans within the tourist precinct include the possible housing of our group subject to discussion at that time.*
- *That if an event we have planned in September has been published and we cannot change the venue then this event can be held in the main room of the CWA building with full use of the kitchen and outside area. This would be discussed with Southern DIRT.*

This decision was not made lightly given that the use of the building was part of the final negotiations and remuneration to KTA; first and foremost our desire is to retain Southern DIRT in Kojonup.”

KCGA actions are gratefully appreciated by Council and provide Southern DIRT the opportunity to realise its strategic objectives in the knowledge that that they have a central location to service its membership.

COMMENT

KCGA has since moved to the Kojonup Tourist Railway Inc. station building which they occupied prior to The Kodja Place being built.

Works & Services assisted KCGA move larger items and the Building Maintenance Coordinator has ensured electrical and general maintenance items are undertaken as requested in the KCGA Chairman’s above correspondence. Painting upgrades will be subject to receiving Heritage Council approval given the station building is heritage listed.

Use of shire halls will be subject to availability at time of booking and on a case by case basis with Council’s overall intent being to encourage KCGA to increase activities and engage with business and community members.

Southern DIRT CEO addressed Council at the Briefing Session held 2 August 2016 to update elected members on activities and value of Kojonup's support for example:

- 365 day a year support, advice and education to farmers who underpin the prosperity of the entire region;
- Bringing interest to the area through Research initiatives, agribusiness opportunities and new and profitable regional events;
- Bringing levy monies back to farmers to drive prosperity;
- Development of community initiatives such as the Young Farmer Network to encourage youth back to the region; and
- Support for natural resource management activities as needed.

In order to maintain the Shire's sponsorship cash component and have the new building Southern DIRT are willing to:

- 1) Take on the ongoing maintenance of the new building;
- 2) House and support the NRM/Landcare officer;
- 3) Generally fix up the building inside and out at our own cost minus major construction and plumbing issues;
- 4) Recognise the Shire as a partner in all Southern DIRT promotional materials; and
- 5) Provide support for the Shire in developing the tourism master plan as needed.

CONSULTATION

Council Briefing Session – 2 August 2016

Manager Corporate Services

Manager Regulatory Services

Ranger/Building Maintenance Coordinator

STATUTORY REQUIREMENTS

Associations Incorporation Act 1987

Section 3.58 of the *Local Government Act 1995* states:

- “(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.”*

POLICY IMPLICATIONS

Policy 1.2 – Community Funding Program (Capital & Operating) which aims to provide a framework for the provision of funding which meets Council's Strategic objectives in facilitating community development initiatives.

Policy 3.16 – Community Consultation Charter which aims to reflect Council’s commitment to open and effective consultation with the community in the process of making important decisions about the wellbeing of the community.

FINANCIAL IMPLICATIONS

The “Tenancy Agreements” list a weekly rental figure which can be reduced subject to tenants agreeing to undertake specific tasks/functions, e.g.: payment of power account; being responsible for cleaning, toiletries, fixtures and fittings; replacement of light globes; rubbish removal; general maintenance inside and out, etc. as mutually agreed and overseen by Council’s Building Maintenance Coordinator.

The 2016/2017 budget reduced Southern DIRT’s direct ‘financial assistance’ allocation by \$10,000 as these funds are to be used to assist KCGA’s move to the station building and ‘fit for purpose’ works as well as purchase materials for the progressive upgrade of the CWA building. Southern DIRT can obtain additional trade-offs by utilising voluntary labour to undertake works to improve the CWA building both internally and externally subject to prior consultation and agreement with Council and overseen by the Building Maintenance Coordinator.

While the lease fee of \$100 per week is minimal and will be offset by works completed in-kind, the Shire has not previously received an income from this property and therefore it will be additional revenue. These items have been budgeted for in 2016/2017 in accounts:

- 5619 – Southern DIRT Contribution (expense) \$15,200
- 5623 – Rent - Southern DIRT (revenue) (\$5,200)
- 8432 – Railway Station Building Maintenance \$5,000

STRATEGIC/CORPORATE IMPLICATIONS

Strategic Community Plan 2013 – 2023

Outcomes:

- E2 – Building Prosperity
- N1 – Feeling good about living in Kojonup.
- S2 – Staying Active & Entertained

Corporate Business Plan 2013 – 2017

Objectives:

- E1.1 – Improve retail sustainability by enhancing the appeal of the town centre.
- E2.1 – Building local economic capacity to generate wealth and provide a variety of local economic opportunities.
- N1.2 – Support management of the natural environment through production based agriculture and reserve management.
- S2.1 – Promote Kojonup as a place to live and visit.

RISK MANAGEMENT IMPLICATIONS

Progressing Governance and Compliance requirements to ensure activities/events/displays/functions/marketing and promotion meet regulatory, policy and reporting requirements which are reflected in the Tenancy Agreement.

ASSET MANAGEMENT IMPLICATIONS

‘Whole of life’ considerations, integrated planning, structural integrity, ‘fit for purpose’ considerations, business continuity and long term financial planning implications for the

CWA/Kojonup Station buildings is required and reflected in Council's Asset Management Plan, Annual Budget and Tenancy Agreements.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Southern DIRT activities and events extend beyond the Southern VROC areas which is understandable given the importance of agriculture to the Great Southern and Wheat Belt regions.

VROC Strategic Direction 2015 – 2020

Goal – Value and Protect the Environment

S2 – Encourage Natural Resource Management

VOTING REQUIREMENTS

Simple Majority

3:10pm – Cr Radford declared an interest as the President of the Kojonup Tourist Railway Inc. & a member of the Kojonup Community Growth Association Inc. Cr Hobbs declared an interest as a member of the Kojonup Tourist Railway Inc. and they both departed from the Chamber.

OFFICER RECOMMENDATION

That:

1. In accordance with s3.58 of the *Local Government Act 1995* Council advertise its intention to:
 - a) Southern DIRT that the conditional tenancy agreement as tabled will be for an initial five (5) year term with the option of an additional five (5) years to use the Country Women's Association (CWA) Building as its headquarters commencing 1 October 2016, and
 - b) Kojonup Community Growth Association Inc. and Kojonup Tourist Railway Inc. that the conditional tenancy agreement as tabled will be for an initial five (5) year term with the option of an additional five (5) years to use the Kojonup Railway Station building as joint headquarters commencing 1 October 2016.
2. If no adverse comments are received during the community consultation process required through s3.58 of the *Local Government Act 1995*, the Chief Executive Officer be authorised to execute the lease agreement.

COUNCIL DECISION

111/16 Moved Cr Pritchard, seconded Cr Pedler that:

- 1. In accordance with section 3.58 of the *Local Government Act 1995* Council advertise its intention to enter into joint conditional tenancy agreements with:
 - a) Southern DIRT for an initial five (5) year term with the option of an additional five (5) years to use the Country Women’s Association (CWA) Building as its joint headquarters with the Shire of Kojonup Natural Resource Management/LandCare Officer commencing 1 October 2016, and**
 - b) Kojonup Community Growth Association Inc. and Kojonup Tourist Railway Inc. for an initial five (5) year term with the option of an additional five (5) years to use the Kojonup Railway Station building as joint headquarters commencing 1 October 2016.****
- 2. The CEO to include in the draft tenancy agreements (as tabled) appropriate clauses reflecting reporting requirements and approvals for all internal and external works/alterations/improvements/signage/maintenance/landscaping/painting/colour schemes, etc. including in respect of the Kojonup Tourist Railway Inc. adherence to the Office of National Rail Safety Regulator accreditation requirements held by the Shire of Kojonup and consultation with the Heritage Council.**
- 3. If no adverse comments are received during the community consultation process required through s3.58 of the *Local Government Act 1995*, the Chief Executive Officer be authorised to execute the lease agreement.**

CARRIED 4/0

3:31pm – Cr Hobbs and Cr Radford returned to the Chamber.

14 AGED CARE SERVICES REPORTS

Nil

15 COMMUNITY DEVELOPMENT & TOURISM REPORTS**15.1 JINGALUP TENNIS CLUB – COMMUNITY SPORTING & RECREATION FACILITIES FUND APPLICATION**

AUTHOR: Serena Jade – Community Development Officer
DATE: Tuesday, 9 August 2016
FILE NO: GS.PRG.16
ATTACHMENTS: [15.1.1 Cover Letter from Jingalup Tennis Club](#)
[15.1.2 CSRFF Small Grants Application Form](#)
[15.1.3 Club Financials](#)
[15.1.4 Option 3 Quote](#)
[15.1.5 Court Images](#)

DECLARATION OF INTEREST

Nil.

SUMMARY

Council to consider making a financial contribution to the resurfacing of the Jingalup tennis courts as part of a Community Sporting & Recreation Facilities Funding Application being submitted by the Jingalup Tennis Club.

BACKGROUND

It's been 13 years since any major surface maintenance has been spent on the Jingalup Tennis Club courts (8 years past standard recommendations) and as such there is now significant visual cracking and pooling damage starting to show which occasionally impedes play. Club members have raised funds themselves for this repair job and are now seeking support from Shire to apply for a Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) grant. This particular CSRFF grant provides Western Australian Government financial assistance to small local community groups in order to develop and maintain basic sporting and recreation infrastructures. To qualify for the grant the Jingalup Tennis Club's application must be lodged, considered and then endorsed by the Kojonup Shire Council before it is formally assessed by the Department Regional Manager at the end of August 2016.

COMMENT

The Jingalup Tennis Club plays year round and draws families and children from surrounding farming areas up to forty (40) kilometres away for regular events, social pennants and competitions. The age of the players range from young children (they have a regular children's competition which is growing each year) right through to seniors. It's seen as a very social and proactive community club which provides an outlet to those unable to travel the additional distance into Kojonup. Traditionally the club has done all their own maintenance, including the relocation and refurbishment of their clubhouse, proving they are a preemptive and self-sufficient club. The facilities aren't used for solely playing tennis and keeping fit. It also provides an important social outlet (for some their only weekly interaction with others) to have informal yet vital chats to friends when going through tough times (bad farming years, marriage break ups, etc.). The Jingalup Tennis Club has not come "hat in hand" expecting the Shire to give them a handout. In the project budget options proposed the club will be paying the majority of the expected costs as well as offering their physical labour and billeted accommodation.

CONSULTATION

Jingalup Tennis Club – President, Secretary & Treasurer
Department of Sport & Recreation – Perth & Albany Office
Chief Executive Officer
Manager Community Development & Tourism
Manager Corporate Services

STATUTORY REQUIREMENTS

Full Compliance with the terms and conditions of CSRFF funding agreement.

POLICY IMPLICATIONS

2.1.7 Major Grant Applications

FINANCIAL IMPLICATIONS

The financial implications of this project to the Shire of Kojonup vary significantly depending on which ‘project option’ the Council chooses to endorse. The Jingalup Tennis Club has presented 3 different options:

- Option 1 – the Shire contributes nothing;
- Option 2 – the Shire contributes \$25,034 (approximately 19% of total costs); or
- Option 3 – the Shire contributes \$10,707 as requested by the Jingalup Tennis Club (which is 14% of total costs).

Note – for each option the Shire is not asked to contribute any amount larger than the Tennis Club is willing to contribute themselves.

Council allocating \$7500 from the Sporting facility Reserve account will leave a closing balance amount of \$2689 in the reserve account.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- N1 – Feeling Good About Living In Kojonup
- S2 – Staying Active & Entertained:
- S3 – Being Healthy:
- G1 – Being Well Governed:

Corporate Business Plan 2013 – 2017

Objectives:

- N1.3 – Creating sustainable and inviting public spaces.
- 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.
- S3.3 – Promote the existing facilities and services available in Kojonup.
- G1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations.
- G1.3 – Support regional collaboration and resource sharing.

RISK MANAGEMENT IMPLICATIONS

Minimal. The Jingalup Tennis Club will be undertaking the work, therefore they will be managing/absorbing the risk. The Shire would simply be making a contribution to the tennis club.

ASSET MANAGEMENT PLAN IMPLICATIONS

The members of the Jingalup Tennis Club have taken it upon themselves to look after and care for the everyday upkeep of the tennis club and surrounding area, including the courts. If work is not carried out in the very near future then repair costs will increase significantly.

Our sporting and recreation facilities are important community gathering places and centres for community activities. With a few exceptions, the standard of these facilities are generally good, but they need to be regularly reviewed and maintained to ensure they don't deteriorate further.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

112/16 Moved Cr Mathwin, seconded Cr Radford that Council support the Jingalup Tennis Club's Community Sporting and Recreation Facilities Fund (CSRFF) application by allocating (\$7,500 excluding GST) from the Sporting Facility Reserve account should the CSRFF Grant be approved.

CARRIED BY ABSOLUTE MAJORITY 6/0

3:33pm – the Community Development Officer departed from the Chamber.

Attachment 15.1.1

To whom it may concern

This letter is to give you an overview of the Jingalup Tennis club and community.

We are a strong social country tennis club that draws families and children from surrounding farming areas up to 40km radius. We have a strong membership of between 45-60 members annually (this figure has stayed relatively the same over many years). This past season we had 43 playing members and we also have quite a number of upcoming younger children who we encourage to play with the adults. Age groups in the club range from young children to 80+ years.

At present we have 5 courts, which we are able to fill most Sunday afternoons during tennis season. However two of these courts are now not safe for anybody, let alone our older members! We feel if we let these courts go further into disrepair (or cut back to three courts) our club may slowly diminish as we will have too many people and not enough courts .

We are not only a tennis club but a club with great community interaction. Most of our members are farmers and it is very healthy for them, both physically and mentally, to be able to regularly meet together for tennis and a chat. Some of these people would not travel 60+ km to Kojonup town if Jingalup Tennis Club was to fold. These farmers need to know they can have a regular day off for their wellbeing (especially during tough times such as drought, fire , family breakdowns etc) .

The tennis club donates its courts and facilities to the Red Cross for its annual tennis day. We also hold a Junior Tournament each year hosting up to 50 juniors, which is well supported from afar. The courts are used all year round with ladies tennis being held weekly (weather permitting) and they are also hired at various times during the year for both men's and ladies tennis days.

The tennis club clubhouse was the original Jingalup School which our club relocated to its current location 13 years ago. This school building was slowly deteriorating and with the generous help of our local community we were able to relocate and refurbish it to its current state. This shows Jingalup is a strong community who work together. This building is used for meetings and functions by the wider community. we feel that without the help from Sport and Rec we do not have sufficient funds to be able to repair the courts to the level required.

We trust you will consider our application favourably.

Many thanks

Jingalup Tennis Club Court Committee



Daniel Simpson.



Helen Wright



Christopher Wright

30 July 2016

Attachment 15.1.3

JINGALUP TENNIS CLUB 2015/2016 FINANCIAL REPORT
@ 17 APRIL 2016

OPENING BALANCE	16.04.15		
	Society Cheque Account		6226.30
	Gold Term Deposit		11555.26
		<u>TOTAL</u>	<u>17781.56</u>
CLOSING BALANCE	17.04.16		
	Society Cheque Account		8727.89
	Gold Term Deposit		11727.17
		<u>TOTAL</u>	<u>20455.06</u>
INCOME			6907.03
Interest (\$171.91 + 53c)			172.44
		SUB TOT	7079.47
			<u>17781.56</u>
		<u>TOTAL</u>	<u>24861.03</u>
EXPENSES			- 4290.38
		<u>BALANCE</u>	<u>20570.65</u>
SOCIETY CHEQUE ACCOUNT			
<u>INCOME TOTALS</u>		DRINK PROFIT	\$1865.46
Subs	1815.00	DRINKS ON HAND	\$ 344
Drinks	3946.50		
Court Hire	45.00		
Junior Tourn	270.00		
Donations	830.00		
Interest	.53		
<u>TOTAL</u>	<u>6907.03</u>		
<u>EXPENSES TOTAL</u>			
Insurance	1217.00		
Balls	140.00		
Drinks	2081.04		
MISC	295.86		(inc Shield engraving, IGA, Gas bottle, new kettle, plastic storage tubs)
Other Exp	337.83		(food for junior tournament, donation to Beyond Blue)
Power	218.65		
<u>TOTAL</u>	<u>4290.38</u>		
TOTAL PROFIT \$	2616.65		

Attachment 15.1.4

Helen and Chris Wright

From: Darryl [darryl@digisurf.net.au]
Sent: Friday, July 29, 2016 2:43 PM
To: cjhmwright@bigpond.com
Subject: FW: Q Jingalup tennis club.docx

OPTION 3

From: Darryl [mailto:darryl@digisurf.net.au]
Sent: Friday, July 29, 2016 2:41 PM
To: darryl@digisurf.net.au
Subject: Q Jingalup tennis club.docx

Hi Chris,

Attached is our proposal and scope of works to resurface your courts.

Basically the work will be similar to last time but with more work done on 4 & 5 than on the top courts.

I.E high pressure cleaning, crack repairs, fibre glassing and finishing with lines.

We will be sharing the labour content with members but that won't be excessive.

The heavy duty fibreglass we use now has a much thicker/stronger yarn and I strongly recommend the second layer on courts 4 & 5.

I will leave it with you and you know you can contact me if you have any questions.

Darryl and Wes Hardingham
CENTRECOURT RENOVATORS
Mob: Darryl 0418941317. Wes 0427 423 630
E: darryl@digisurf.net.au

www.centrecourtrenovators.com.au

Centrecourt Renovators

Specializing in court renovations and installations state-wide for over 25 years.

Hardingham Family Trust t/as

Centrecourt Renovators

abn54 958 836 990

202 Royal St

Yokine W.A. 6060

Ph 08 93448998 fax 9 349 6908 mobile 0418 941 317

Friday, July 29, 2016

Chris Wright

Jingalup Tennis club

Phone: 0428 3360298

cjhmwright@bigpond.com

Proposal to upgrade court surface on five tennis courts approx.. 2700m²

The extent of work.....

Existing surface old Sportcoat or Chevron acrylic, now some 13 years old. Surface cracking evident overall, more in courts 4-5 than 1-3, (in fact court 1 is in good condition) minor pooling in some places. Sub base seems quite solid on court 1 and gradually gets worse as we progress down to court 5. To replace the base and new asphalt is probably prohibitive, cost wise, and, down the track, may still end up with a similar problem due to the moisture below the surface causing the movement. At this stage we need to concentrate on bringing the existing surface back to a safe playing surface.

Our recommendation and general specification in this order.....

1. Diamond grind down all hi-spots, including high lines and cracks.
2. The surface will need to be hi-pressure rotary cleaned to remove all dirt, mould and mildew particularly from the cracks (this must be done prior to any repairs or topping).
3. Cracks will now be primed and filled and the larger cracks, puddles and damaged areas reinforced with HD **FIBREMESH**. Cover fibreglass with cement modified resurfacer.

Fibreglass ..

Supply and install HD fibreglass membrane over the entire area to courts 2-5, will strengthen the integrity of the whole system and will greatly reduce the possibility of future cracking, includes an additional layer of filler.

An option will be to install a second layer of fibreglass over courts 4 & 5.

4. Apply a full three coat Sportcoat or Dulux Truflex Acrylic surface to manufacturers specifications. Line mark to Dept of Sport and Rec standards for tennis, or as selected.

Our estimate to supply and install the complete system (items 1,2,3,4inc) is \$61152+GST,
(Additional Fibreglass option will cost \$9828+GST)

and includes all labour, materials, establishment costs, and is subject to the following conditions., The client will supply a continuous supply of clean potable water at a flow rate of no less than 8lts per min and standard 240 volt power.

*Yours for a better surface,
Darryl Hardingham
0418941317*

<mailto:darryl@digisurf.net.au>

CENTRECOURT RENOVATORS GAURANTEE

Centrecourt will replace and repair any delamination, colour chalking or any fault on the finished surface which is due to faulty workmanship or materials for a period of two years.

While we endeavor, and firmly believe, the fibreglass content will greatly help improve the lateral strength of the surface, we aren't able to give you an ironclad guarantee that all cracking will be eliminated.

**Seasonal changes cause sub-grade movement (one of the main causes of cracking in asphalt) with contraction and expansion and are completely out of our control.*

LIMITATIONS AND EXCLUSIONS*

This guarantee is not a maintenance agreement or an insurance policy; therefore routine inspections and maintenance are the building owner's responsibility. The Guarantee does not obligate CENTRECOURT RENOVATORS to repair the flooring system, or any part of the flooring system, for faults or damage resulting from, natural disasters, misuse, abuse or negligence, oils or solvents, failure of the building substrate (mechanical, structural, or otherwise and whether resulting from building movement, design defects or other causes) or improper drainage (ponding water for prolong periods), weed or root ingress ion.

CENTRECOURT RENOVATORS shall have no obligation under this Guarantee until all accounts for installation, materials, and services have been paid in full to CENTRECOURT RENOVATORS

Attachment 1

ABOUT CENTRECOURT RENOVATORS?

At Centrecourt Renovators Wes and Darryl Hardingham have more than 60 years combined experience which is why we have become an industry leader supplying high quality installations, renovations and repair of indoor and outdoor sport surfaces throughout Perth and Western Australia. Our family owned and operated business has a strong background in painting and coating which will ensure you always give you a great looking court.



We specialize in repairing old surfaces where others will tell you need to rip them up and start again.

All of our Sports Surfaces are custom designed for individual needs by sporting clubs & recreational organisations as well as schools, local governments and private residences.

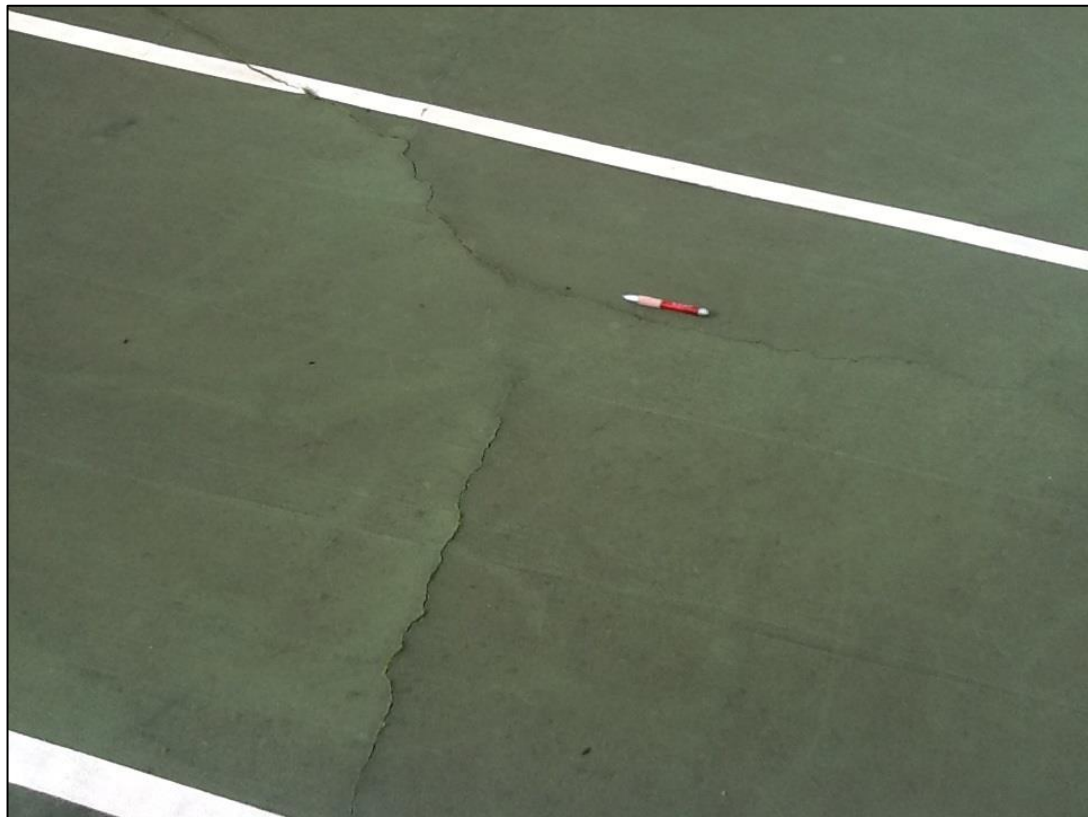
Our goal is to provide Perth and Western Australia with the best quality sports surface possible. We can also supply new, repair or upgrade your existing court furniture. From tennis nets to basketball towers and other accessories including fencing, drainage and lighting can all be arranged and regardless of the project size big or small our full service repairs, line marking and cleaning up will leave you with a great looking sports surface. We take pride in our customer service. Once a project is completed we always remain in contact with our clients to provide you with ongoing help and maintenance for any issues that may occur.

Over the past 30 years we have outback Rural Western Australia from backyard tournaments to



installed surfaces anywhere from to overseas clients and scaling international events.

Attachment 15.1.5







16 **COMMITTEES OF COUNCIL**

16.1 COMMITTEES OF COUNCIL UNCONFIRMED MINUTES

COUNCIL DECISION/OFFICER RECOMMENDATION

113/16 Moved Cr Pedler, seconded Cr Pritchard that the attached unconfirmed minutes for the Kodja Place Advisory Committee meeting held 21 July 2016 be received by Council.

CARRIED 6/0

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

Nil

18 **NEW BUSINESS**

Nil

19 **CONFIDENTIAL REPORTS**

Nil

20 **NEXT MEETING**

Tuesday, 20 September 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 3:34pm.

22 **ATTACHMENTS (SEPARATE)**

Item 10.1 Monthly Statement of Financial Activity – July 2016

Item 10.2 Monthly Payment Listing 01/07/2016 – 31/07/2016

Item 13.1.1 DRAFT Joint Tenancy Agreement – KTR & KGCA

Item 13.1.2 DRAFT Tenancy Agreement – Southern DIRT

Item 15.1.2 CSRFF Small Grants Application Form

Presiding Member

Date