

Kojonup



SHIRE OF KOJONUP

MINUTES

Ordinary Council Meeting

13 December 2016

MINUTES FOR THE COUNCIL MEETING HELD ON 13 DECEMBER 2016**TABLE OF CONTENTS**

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MINUTES

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

As the Shire President was an apology for the meeting, the Deputy Shire President, Cr Sexton, took her place as the Presiding Member and declared the meeting open at 3:00pm 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 Robert Sexton | Deputy 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 Anthony Middleton | Manager Corporate Services |
| Mrs Sue Northover | Manager Aged Care Services |
| Mr Mort Wignall | Manager Regulatory Services |
| Miss Miranda Wallace | Executive Assistant |
| Mr Phil Shephard | Town Planner |

APOLOGIES

| | |
|---------------------|----------------------------------|
| Cr Ronnie Fleay | Shire President |
| Cr Judith Warland | |
| Mrs Michelle Dennis | Development Services Coordinator |
| Mrs Heather Marland | Senior Finance Officer |

| | |
|------------------------|---|
| Members of the Gallery | 2 |
|------------------------|---|

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

Nil

7 CONFIRMATION OF MINUTES

ORDINARY MEETING 15 NOVEMBER 2016

COUNCIL DECISION

159/16 Moved Cr Hobbs, seconded Cr Pedler that the Minutes of the Ordinary Meeting of Council held on 15 November 2016 be confirmed as a true record.

CARRIED 6/0

SPECIAL COUNCIL MEETING 1 DECEMBER 2016

COUNCIL DECISION

160/16 Moved Cr Mathwin, seconded Cr Hobbs that the Minutes of the Special Meeting of Council held on 1 December 2016 be confirmed as a true record.

CARRIED 6/0

8 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

9 DECLARATIONS OF INTEREST

Item 12.2

- Cr Pritchard declared an ‘Impartiality’ interest as he is a Council member of St Mary’s Anglican Parish.
- Cr Pedler declared a ‘Proximity’ interest as he lives directly opposite the proposed development site and also a ‘Financial – Direct’ interest as he is paid to act as an Auditor for St Mary’s Anglican Parish.
- Cr Radford declared an ‘Impartiality’ interest as he is a committee member of St Mary’s Anglican Parish.

Item 13.1:

- Cr Radford declared an ‘Impartiality’ interest as he is the President of Kojonup Tourist Railway Inc.
- Cr Hobbs declared an ‘Impartiality’ interest as he is a committee member of Kojonup Tourist Railway Inc.
- The Chief Executive Officer declared a ‘Financial – Direct’ interest due to personal exposure as the authorised person should non-compliance or an accident occur resulting in severe injury or death to members of the public or Kojonup Tourist Railway.

10 CORPORATE SERVICES REPORTS

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

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Wednesday, 7 December 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 30 November 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

This is the first set of monthly statements prepared since the amendment to Council Policy 2.1.6 last month, and are therefore condensed in size in accordance with the updated policy. This gives the Council a ‘snap shot’ each month, with more detailed information each quarter.

The attached Statement of Financial Activity for the period 1 July 2016 to 30 November 2016 represents five (5) months, or 42% of the year. The following items are worthy of noting:

- Surplus position of \$2.7m;
- Operating results:
 - 53% of budgeted operating revenue received; and
 - 44% of budgeted operating expenditure spent;
- Capital expenditure achieved 25% of budgeted projects;
- The value of outstanding rates equates to 18.5% of 2016/2017 rates raised, which includes previous years arrears and instalments not yet due but excludes deferred rates;
- Cash holdings of \$5.02m of which \$3.19m 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 (This is an allocation error between three accounts and will be amended for future reports):

| COA | Description | Resp. Officer | Original Budget | YTD Actual | % of Annual Budget |
|------|---------------------------------|---------------|-----------------|------------|--------------------|
| C297 | Independent Living Units - Land | CEO | \$108,000 | \$154,790 | 143% |

The Council's attention is also drawn towards the variance report detailing revenue for the Black Cockatoo Café being approximately \$38,000 less than the year-to-date budget. This deficit is growing each month and is becoming a concern.

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.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

161/16 Moved Cr Radford, seconded Cr Mathwin that the monthly financial statements for the period 1 July 2016 to 30 November 2016, as attached, be noted.

CARRIED 6/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Christine Coldwell – Finance Officer
DATE: Thursday, 1 December 2016
FILE NO: FM.AUT.1
ATTACHMENT: 10.2 Monthly Payment Listing 01/11/2016 – 30/11/2016

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of November 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

All payments made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

There are no VROC implications for this report.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

162/16 Moved Cr Radford, seconded Cr Pedler 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 November 2016 | 30 November 2016 | |
| Municipal Cheques | 13810 | 13821 | \$45,479.18 |
| EFT's | 17430 | 17665 | \$1,293,095.36 |
| Direct Debits | | | \$456,711.32 |
| | | | \$1,795,285.86 |

be received.

CARRIED 6/0

10.3 RISK & LEGISLATIVE COMPLIANCE REVIEW

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Tuesday, 22 November 2016
FILE NO: GO.CNM.9
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to undertake the biennial review of systems and procedures in relation to risk management, internal control and legislative compliance as required by Regulation 17 of the *Local Government (Audit) Regulations 1996*.

BACKGROUND

Changes to the *Local Government (Audit) Regulations 1996* in 2013 now require local government CEOs 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. 2016 represents the second such review being required.

At its meeting held 15 November 2016, the Audit Committee resolved:

“That it be recommended to the Council that the review as required under Regulation 17 of the Local Government (Audit) Regulations 1996 on the appropriateness and effectiveness of the Shire of Kojonup's systems and procedures in relation to risk management, internal control and legislative compliance as outlined in this report, be adopted.”

COMMENT

To review the 'appropriateness and effectiveness', it is assumed that you must first have measured the items to enable a comparison or analysis on their effectiveness. Unfortunately, a baseline measurement was not taken in 2014, however, the following table attempts to quantify some of these issues, whilst also undertaking the review as required:

| RISK MANAGEMENT | | |
|--|------|------|
| | 2014 | 2016 |
| Risk Management Plan: | | |
| Is there an Adopted Plan in Place? | ✓ | ✓ |
| Was it reviewed in the two year period? | n/a | ✓ |
| Was the Business Continuity & Disaster Recovery Plan reviewed? | n/a | ✓ |
| Was the Asbestos Management Plan reviewed? | ✗ | ✓ |
| Risk Register: | | |
| Number of Extreme & High risk items on the register? | | |
| - Springhaven | 11 | 3 |
| - Office | 17 | 7 |
| - Council | 15 | 15 |
| - Depot | 23 | 7 |
| - The Kodja Place | n/a | 25 |
| Is Risk regularly discussed and minuted at staff meetings: | | |
| - Springhaven | ✗ | ✓ |
| - Office | ✗ | ✓ |
| - Council | ✗ | ✓ |
| - Depot | ✗ | ✗ |
| - The Kodja Place | ✗ | ✗ |

| LEGISLATIVE COMPLIANCE | | | |
|--|------|------|------|
| | 2014 | 2015 | 2016 |
| Compliance Audit Return: | | | |
| Was CAR completed by 31 March each year? | ✓ | ✓ | ✓ |
| Number of negative responses | 3 | 8 | 1 |
| Information Statement: | | | |
| Was the review undertaken? | ✓ | ✓ | ✓ |
| Audit Report | | | |
| Number of Items Raised | 2 | 1 | 0 |

| INTERNAL CONTROLS | | | |
|--|-----------------------|-------------------|-------------------|
| | 2014 | 2015 | 2016 |
| Policies & Delegations: | | | |
| Was the Delegation Register reviewed (financial year)? | ✓ | ✓ | ✓ |
| Were all Council Policies reviewed? | ✗ | ✓ | ✓ |
| Budget & Finance: | | | |
| Was Budget adopted prior to 31 August? | ✓ | ✓ | ✓ |
| Was the Budget reviewed on time? | ✓ | ✓ | ✓ |
| When was the Annual Electors Meeting held? | April | April | March |
| Audit Management Letter - Number of Items Raised | 5 | 4 | 4 |
| Integrated Planning: | | | |
| Was the Long Term Financial Plan reviewed? | n/a | ✓ | n/a |
| When was the Strategic Community Plan reviewed? | n/a | ✓ | n/a |
| When was the Corporate Business Plan reviewed? | ✓ | ✓ | |
| When was the Asset Management Plan reviewed? | n/a | ✓ | n/a |
| Was the Workforce Plan reviewed? | ✓ | ✓ | |
| Springhaven Lodge: | | | |
| Were Springhaven Policies reviewed by the Council? | ✓ | ✗ | ✓ |
| Springhaven Quality Agency Audit Visits | | | |
| - Issues noted | 3 out of 127 2.36% | 0 out of 43 0% | 0 out of 33 0% |

The legislation does not define the actual review process to be undertaken by the CEO and therefore the trends shown in the table above are a good beginning for this review and will demonstrate our ‘appropriateness and effectiveness’ with greater accuracy for each review undertaken.

CONSULTATION

Audit Committee

STATUTORY REQUIREMENTS

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

- (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.*

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC/CORPORATE IMPLICATIONS

Strategic Community Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

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

Actions:

- G1.4.1 – Implement organisation wide risk management.

RISK MANAGEMENT IMPLICATIONS

Compliance with regulation 17 of the *Local Government (Audit) Regulations 1996*. This is a primary tool of the risk management process, and one that is required by legislation. It is a biennial review of our systems and processes reported to the Council via the Audit Committee and as such is available publicly.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no known Asset Management Plan implications.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

The Chief Executive Officer noted that the Council earlier today reviewed its risk register items and will do so on a regular basis and therefore this 'red cross' can become a green tick for the Council.

OFFICER RECOMMENDATION

163/16 Moved Cr Pritchard, seconded Cr Radford that the review as required under Regulation 17 of the *Local Government (Audit) Regulations 1996* on the appropriateness and effectiveness of the Shire of Kojonup's systems and procedures in relation to risk management, internal control and legislative compliance as outlined in this report, be adopted.

CARRIED 6/0

10.4 LEAVE ENTITLEMENTS & PROVISIONS – POLICY CONSIDERATION

AUTHOR: Anthony Middleton – Manager Corporate Services
 DATE: Tuesday, 22 November 2016
 FILE NO: CM.TND.1
 ATTACHMENT: 10.4 Council Policy 2.1.8 – ‘Financial Governance’

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to consider a draft policy setting the minimum level of the ‘Employee Leave’ reserve account.

BACKGROUND

At its meeting held 3 May 2016, the Audit Committee resolved:

“That it be recommended to the Council that:

1. *Policy 2.1.8 be amended by adding the following to the end of the ‘Cash Reserves’ section:
 ‘Specifically, the following goals are set for individual reserve account balances:*
 - *Employee Leave - As a minimum, the level of this reserve should meet both the EBA sick leave liability (clause 29) and the current portion of the long service leave liability. This funding goal is to be implemented over four financial years up to 2019/2020 to manage the financial impact.’*
2. *The Chief Executive Officer be requested to provide further information and/or formulate a policy on the taking of leave, leave accrual issues and any other relevant matter.”*

COMMENT

The 2015/2016 Annual Report shows the following leave liabilities:

| | Annual Leave | Long Service Leave | TOTALS |
|---------------|---------------------|---------------------------|------------------|
| Current | \$333,227 | \$278,794 | \$612,021 |
| Non-Current | \$0 | \$68,527 | \$68,527 |
| TOTALS | \$333,227 | \$347,321 | \$680,548 |

In addition, clause 29 of the Shire of Kojonup All of Staff Enterprise Bargaining Agreement makes provision for the payout of sick leave in certain conditions. The liability for this clause is estimated at \$150,000 as at 30 June 2016, however, is not included in the Annual Report.

The liabilities listed above are ‘provided’ for as follows:

| | Annual Leave | Long Service Leave | EBA Sick Leave | TOTALS |
|--------------------|---------------------|---------------------------|-----------------------|---------------|
| Current | \$333,227 | \$278,794 | \$150,000 | \$762,021 |
| Non-Current | \$0 | \$68,527 | \$0 | \$68,527 |

| | | | | |
|---|-------------------|------------------|------------------|------------------|
| | \$333,227 | \$347,321 | \$150,000 | \$830,548 |
| Following Years Budget Provision | (\$333,227) ** | - | - | (\$333,227) |
| Leave Reserve Account | - | (\$99,810) | - | (\$99,810) |
| TOTALS | \$0 | \$247,511 | \$150,000 | \$397,511 |

** It is assumed that each employee will take their leave allocation during the next 12 months and therefore the following year's annual budget will cover the 12 months of salaries. Obviously, this is not the case for each and every employee and leave accruals per individual need to be managed closely.

The dollar value of current annual leave outstanding is approximately 10% of the total salary and wages per annum. If each employee is entitled to 4 weeks leave (out of 52 weeks in the year) this represents 7.7%. As such, it can be assumed that our annual leave liability is greater than the expected leave for the next 12 month period, and as such either additional funds will be required to fund temps to fill staff vacancies or extended periods of leave will effect productivity. This has not been taken into account above.

Acknowledging that possibly not all annual leave will be covered by the next budget period, and that the table above shows nearly \$400,000 in liabilities not provided for, it is a fair assessment to say that our leave liabilities are not adequately catered for. Whilst it is NOT suggested that our leave be 100% backed by reserves, it is felt that the Employee Leave reserve should as a minimum cover the EBA sick leave liability and the current portion of the long service leave liability. If this is also the feeling of the Committee and the Council, an additional \$328,984 will be required to transfer to the reserve account.

It is recommended that this goal be incorporated into the existing Council Policy 2.1.8 'Financial Governance', which has a section titled 'cash reserves'. It is also recommended that it be implemented over several financial years to lessen the financial impact.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

There is significant legislation covering the provision of leave entitlements, reserve accounts and accounting standards for such.

POLICY IMPLICATIONS

The recommendation suggests adding to an existing Council Policy (2.1.8).

FINANCIAL IMPLICATIONS

There is significant financial implications for this report. As leave entitlements continue to grow without corresponding provisions, the financial exposure of the Shire increases should staff turnover.

STRATEGIC/CORPORATE IMPLICATIONS

Strategic Community 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

This report is addressing a significant financial risk for the organisation, being the adequate provision of leave liability. This risk can be minimized through a greater financial provision and regular revision through reports such as this one.

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

164/16 Moved Cr Mathwin, seconded Cr Pedler that:

1. **Policy 2.1.8 be amended by adding the following to the end of the ‘Cash Reserves’ section:**
‘Specifically, the following goals are set for individual reserve account balances:
 - *Employee Leave – As a minimum, the level of this reserve should meet both the EBA sick leave liability (clause 29) and the current portion of the long service leave liability. This funding goal is to be implemented over four financial years up to 2019/2020 to manage the financial impact.’*
2. **The Chief Executive Officer be requested to provide to the Audit Committee further information and/or formulate a policy on the taking of leave, leave accrual issues and any other relevant matter.**

CARRIED 6/0

10.5 RESERVE ACCOUNT APPROPRIATENESS REVIEW – 2016-2017

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Tuesday, 22 November 2016
FILE NO: FM.FNR.2
ATTACHMENT: Nil.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to undertake a review of appropriateness of each reserve account in accordance with Council Policy.

BACKGROUND

Council Policy 2.1.8 – ‘Financial Governance’ states that

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

This agenda item undertakes the first such review since this policy was adopted in November 2015.

COMMENT

The purpose for which the reserve accounts have been established are as follows:

Plant Replacement Reserve

To smooth funding allocations over financial years for the purchase of major plant items.

Gravel Pits Reserve

To be used for the purchase and provision of gravel stocks.

Economic Development Reserve

To be used for the advancement of economic development within the Shire of Kojonup.

To fund the ‘Supporting Main Street’ and ‘Building Prosperity’ outcomes within the Community Strategic Plan, namely:

- *Partner with the community to encourage the creation of a local progress association (or similar) to support the social, economic and environmental advancement of Kojonup.*
- *Undertake a study to identify the opportunities to enhance the main street, taking into consideration current and future uses.*
- *Implement free WIFI access at The Kodja Place and explore the feasibility of deploying free WIFI on the main street.*
- *Advocate on behalf of the businesses and residents with government and telecommunications providers to ensure the community benefits from advances in telecommunications technology.*

- *Draft a local economic development policy to create employment opportunities that attract and retain population in Kojonup.*
- *Identify opportunities to source funding and resources for local projects from the Super Town's initiative.*
- *Support local tourism initiatives and the Kojonup Tourism Association.*
- *Support the creation of additional residential lots.*
- *Expand the Industrial Estate as required.*
- *Prepare new Town Planning Scheme*

Building Maintenance Reserve

To be used for major maintenance, upgrades and renewal of Council owned buildings.

Historical Buildings Reserve

To be used for the purpose of maintaining Historical Buildings and maintaining the Municipal Heritage Inventory.

Employee Leave Reserve

To be used to fund annual and long service leave requirements.

Staff Housing Reserve

To be used for major maintenance and construction of staff housing.

Springhaven Lodge Reserve

To cash back refundable bonds paid by residents of the facility.

Springhaven Units Reserve

To cash back refundable bonds paid by residents of the facility.

Low Income Housing Reserve

To be used for major maintenance of Jean Sullivan Units. All operating profit is to be transferred to this reserve in accordance with the joint venture agreement

Springhaven Buildings Maintenance Reserve

To be used for major maintenance and capital renewal of Springhaven facility buildings

Sporting Facility Reserve

To fund Council contribution to CSRFF Funding grants or to fund construction or renewal of Shire sporting facilities.

Drainage and Water Re-use Reserve

To be used for major maintenance or construction of drainage, storm water harvesting and waste water re-use infrastructure.

Bushfire Communications Reserve

To construct and maintain critical bushfire communication infrastructure.

Landfill Waste Management Reserve

To be used for future upkeep, maintenance, expansion, post closure activities and or reclamation of the Shire's waste management facilities.

Kodja Place Tourist Precinct Reserve

To be used for future upkeep, maintenance, renewal and enhancement of IT equipment, communications and interactive and static displays at the Kodja Place. Expenditure from this reserve is to consider advice from The Kodja Place Advisory Committee.

G&P Church Medical Centre Reserve

Established for the purpose of constructing a medical centre as defined within the existing Shire of Kojonup Town Planning Scheme No.3.

Energy Efficiency Reserve

Established to fund energy efficiency initiatives within the Shire's operations. 50% of any savings resulting from expenditure of this reserve account is to be transferred back into the reserve.

Land Acquisition & Development

To fund the purchase of land, sub-division expenses and receipt sub-division sales revenue.

Community Grant Scheme

To finance community grant scheme rounds and to financially manage larger community grants that may extend over more than one financial year.

Independent Living Units

To transfer operating profits from Loton Close units to this reserve to fund major maintenance and future asset replacement.

Youth

To fund the 'Creating Opportunities for Youth' objectives within the Community Strategic Plan, namely:

- *Explore opportunities with local schools and youth organisations to create a Youth Advisory Council to engage and advise the Shire and Councillors on youth issues.*
- *Promote the opportunities for traineeships and apprenticeships within local government.*
- *Partner with Kojonup District High School to promote the advantages of local education.*
- *Advocate for the retention of years 11 and 12 at Kojonup District High School.*

Natural Resource Management

For the Shire of Kojonup to progress the following projects:-

1. *Bridal Creeper and tagasaste Eradication program.*
2. *Managing water resources including water harvesting and re-use opportunities in the Shire for the use in Kojonup parks and reserves during summer.*
3. *Undertake weed management and planting of native trees and shrubs in conjunction with Schools, Kojonup Aboriginal Corporation and community groups within identified Reserves such as:*
 - a) *Myrtle Benn, Farrar and Quin Quin;*
 - b) *Showground's area; and*
 - c) *Blackwood Road arboretum.*

to improve bio diversity, fauna habitat and natural resource management outcomes.

Day Care Building Maintenance

For the expenditure of major building maintenance items on the Kojonup Day Care Centre building, corner of Elverd and Honner Streets, Kojonup.

The definitions above have been reviewed in the past two financial years and are considered appropriate and relevant. No amendments are recommended to these definitions.

The following table shows budgeted reserve account balances as at 30 June 2017 and a commentary on the appropriateness of these balances in conjunction with major projects planned. Recommendations within the table are made based on the following key:

- ↑ - More funds required
- ✓ - Currents funds are appropriate; and
- ↓ - Funds are surplus to needs of the account.
- ? – More information required

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

| NAME OF RESERVE | BUDGETED BALANCE 30 June 2017 | SUMMARY OF PURPOSE/COMMENT | REC. |
|-----------------------------------|-------------------------------------|---|------|
| Plant Replacement | \$191,719 | Extra funds required, however this is planned as part of the 12 year Plant Replacement Program. | ✓ |
| Gravel Pits | \$30,957 | Direction needed. With current definition no funds required, however more funds could purchase land containing gravel pits thus ensuring supply and providing a self-sustaining investment. | ? |
| Economic Development | \$44,571 | Expanding the industrial estate, preparing a town planning scheme and providing free Wi-Fi will require an increase in funds. A future 'investment' area of the Council's. | ↑ |
| Building Maintenance | \$125,186 | Current amount not specific. Note Asset Management Plan requires a quantum shift in funding of building asset renewals. | ✓ |
| Historical Buildings | \$33,037 | Current amount adequate, in conjunction with planned annual budgeted maintenance. | ✓ |
| Employee Leave | \$117,510 | Policy direction from the Audit Committee in another agenda item. | ↑ |
| Staff Housing | \$12,621 | More housing, and therefore more funds required. | ↑ |
| Springhaven Lodge | \$1,085,310 | This reserves operates as a trust fund for bonds held | ✓ |
| Springhaven Units | \$760 | This reserves operates as a trust fund for bonds held | ✓ |
| Low Income Housing | \$24,510 | This reserve 'operates' the Jean Sullivan joint venture, i.e. profit from rent transferred to reserve to fund major maintenance. Rents are set by the State. | ✓ |
| Sporting Facility | \$10,189 | Having recently adopted a master plan and major facility upgrades required, this area will be a major focus in the coming years. | ↑ |
| Drainage & Water Re-use | \$2,206 | This reserve has really been superseded by major grants and subsequent projects. Realistically, this reserve could be closed. | × |
| Springhaven Buildings Maintenance | \$32,880 | This reserve receives interest earned from the 'Springhaven Lodge' reserve and is used to fund major building items at Springhaven. While it has been nearly fully drawn down in recent years, vast improvements have been made at Springhaven and the reserve will rebuild adequately in the coming years. | ✓ |
| Bushfire Communications | \$122,277 | The requirement for a new bush fire communications tower does not seem to have the priority that it did several years ago. The provision of a sum for asset management of this major infrastructure is sound management, although further work is required to determine how much funds will be required and when. | ? |

| | | | |
|---|-----------|---|---|
| Landfill Waste Management | \$12,014 | Continual improvements that are required in waste management practices highlights that this will be an area of future expenditure needs. | ↑ |
| Kodja Place Tourist Precinct | \$913 | It is envisaged that this reserve account can be used as a holding point for community donations to leverage further funding. It is important that donations can be separated from general funds and set aside for a specific purpose. Promotion of this concept is required. | ✓ |
| G & P Church Medical Centre (Donation) | \$538,223 | This item is on hold, in accordance with previous Council decisions. This reserve is the segregation of an amazing donation from other Council funds, ensuring that all interest earned remains neatly within the donation. | ✓ |
| G & P Church Medical Centre (Shire Funds) | \$18,520 | This item is on hold, in accordance with previous Council decisions. This amount is the Shire's funding portion put aside for this issue. | ✓ |
| Energy Efficiency | \$70,607 | A start to invest in energy efficiency measures (such as solar panels) that will ultimately save money on reduced power bills, which in turn can then be reinvested. A project scope and implementation timeline is required. | ✓ |
| Land Acquisition and Development | \$9,251 | Given the shortage in available residential and industrial land, and the opportunities to develop land in John Street, Soldier Road and Thornbury Close, substantially more funds are required in this area. It is acknowledged that sale of developed land will reimburse most or all of the expected costs. | ↑ |
| Community Grant Scheme | \$430 | This reserve account is currently holding funds set aside for the Kojonup Theatrical Society and will be used for future community projects that span multiple financial years. | ✓ |
| Independent Living Units | \$24,914 | This reserve has been mostly utilised with the construction of new and upgrade of existing ILU's in Loton Close. Rental returns will improve the reserve over time, importantly from an asset replacement perspective. | ✓ |
| Youth | \$10,763 | The ' <i>Creating Opportunities for Youth</i> ' component of the Shire's community strategic plan are goals that do not require vast expenditure of funds, apart from staff and elected member time. | ✓ |
| Natural Resource Management | \$130,935 | This reserve account has enabled the employment of a NRM Officer and leveraged an additional \$50,000 grant funding. A very good start! | ✓ |
| Day Care Building Maintenance | \$0 | This newly created reserve will set aside annual rental income for future major maintenance requirements. | ✓ |

In summary, the following reserve accounts are identified as requiring more funds:

1. Economic Development
2. Employee Leave
3. Staff Housing
4. Sporting Facility
5. Landfill Waste Management
6. Land Acquisition and Development

While, the following reserve accounts could be closed and/or reduced in value:

1. Drainage & Water Re-use
2. Gravel Pits (more information needed)
3. Bushfire Communications (more information needed)

The change of purpose of a reserve account different to its adopted definition requires a public consultation process except if completed through the annual budget process. It is therefore recommended that any changes made be completed as part of the 2017/2018 budget process, especially as those being recommended are only minor in nature.

Based on the commentary above, it is recommended that:

- a) The 2017/2018 draft budget include transfers to the following reserve accounts to increase their balances:
 1. Economic Development
 2. Employee Leave
 3. Staff Housing
 4. Sporting Facility
 5. Landfill Waste Management
 6. Land Acquisition and Development
- b) The 'Drainage & Water Re-use' reserve account be closed as part of the 2017/2018 budget, or on appropriate expenditure incurred in 2016/2017; and
- c) During the Community Strategic Plan revision process to be undertaken in 2017, the following projects be further investigated:
 1. Purchase of land to be used as a source of gravel for road construction and maintenance; and
 2. The construction and/or replacement of critical bushfire communication infrastructure.

An analysis of the appropriateness of current reserve accounts does not give consideration to any areas of major future expenditure whereby a reserve account currently does not exist. Consideration has been given to this issue at a senior management team level, especially considering an asset management focus, and the major item that is currently deficient is the Swimming Pool. Whilst possibly covered by the 'Sporting Facilities' reserve account, the possible cost of inevitable major refurbishment or replacement into the future warrants a separate reserve account of its own. As such, it is also recommended that a new 'Swimming Pool' reserve account be created for the purpose of *'To fund major refurbishment and/or asset replacement of the Kevin O'Halloran Memorial Swimming Pool'*.

CONSULTATION

Senior Management Team.

STATUTORY REQUIREMENTS

Section 6.11 of the *Local Government Act 1995* legislates reserve accounts and states:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government
 - (a) changes* the purpose of a reserve account; or
 - (b) uses* the money in a reserve account for another purpose,it must give one month's local public notice of the proposed change of purpose or proposed use.
* *Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2)
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

POLICY IMPLICATIONS

This report has been completed in accordance with Council Policy 2.1.8 – 'Financial Governance'

FINANCIAL IMPLICATIONS

While the report does not in itself have a financial implication on the 'bottom line' of this years' finances, reserve accounts are one of the major funding sources for major projects and a very important financial tool in managing the finances of the Shire day-to-day.

Cash reserves are established in accordance with the *Local Government Act 1995* and maintained to accumulate funds for the following purposes:

- To smooth funding allocations over future years.
- To offset liabilities in respect of previously earned employee entitlements to the extent they require an outflow of funds not allocated in the annual budget.
- To meet statutory obligations
- To fund renewal of existing physical/built assets.
- To fund future strategic initiatives and the provision of new services and facilities to future residents.
- To buffer against unpredictable events.
- To hold unspent grants and contributions.
- Other purposes as determined by the Council from time to time.

STRATEGIC/CORPORATE IMPLICATIONS

Ensuring that long term financial planning consistently reflects the adopted strategic plans of the community and the Council, is essential for success.

Strategic 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

Maintaining a suitable forward planning process that is intrinsically linked to long term financial planning minimizes many risks, including those associated with the funding of major projects or the provision of essential equipment & infrastructure.

ASSET MANAGEMENT IMPLICATIONS

This item is central to good asset management and the ability to fund identified major upgrades, renewal and replacement of assets as identified in the asset management plan. As previously mentioned, reserve accounts are one of the major funding sources for major projects and a very important financial tool in managing the finances of the Shire day-to-day and therefore this review to ensure they remain focussed and appropriate is essential.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

165/16 Moved Cr Hobbs, seconded Cr Pritchard that:

- a) The annual review undertaken addressing the appropriateness of each reserve account purpose, suitability of current balances, and deficiencies for the funding of future projects as identified in adopted forward plans be received;
- b) The 2017/2018 draft budget include transfers to the following reserve accounts to increase their balances:
 - 1. Economic Development
 - 2. Employee Leave
 - 3. Staff Housing
 - 4. Sporting Facility
 - 5. Landfill Waste Management
 - 6. Land Acquisition and Development
- c) The 'Drainage & Water Re-use' reserve account be closed as part of the 2017/2018 budget, or on appropriate expenditure incurred in 2016/2017;
- d) A new reserve account be created titled 'Swimming Pool' reserve for the purpose of *'To fund major refurbishment and/or asset replacement of the Kevin O'Halloran Memorial Swimming Pool'*; and
- e) During the Community Strategic Plan revision process to be undertaken in 2017, the following projects be further investigated and defined:
 - 1. Purchase of land to be used as a source of gravel for road construction and maintenance; and
 - 2. The construction and/or replacement of critical bushfire communication infrastructure.

CARRIED BY ABSOLUTE MAJORITY

6/0

11 WORKS & SERVICES REPORTS

Nil.

12 REGULATORY SERVICES REPORTS

12.1 PROPOSED LAND EXCHANGE – PORTION OF LOT 22 SPRING STREET & RESERVE 6172, KOJONUP

AUTHOR: Michelle Dennis – Development Services Coordinator
 DATE: Tuesday, 22 November 2016
 FILE NO: PR.RES.6172
 ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider a land exchange in order to remedy existing encroachments.

BACKGROUND

Through the course of the current Independent Living Units (ILUs) and Springhaven Frail Aged Lodge projects, it has been identified that an area of land within Reserve 6172 (approximately 1241m²) has been encroached upon by the construction of a road (Loton Close) as well as a portion of the Springhaven recreation room and boundary fencing.

The Shire of Kojonup owns Lot 22 Spring Street and has asked the Department of Lands if they would be interested in a land exchange of a portion of Lot 22 (approximately 1590m²) for the area currently encroached.

These land parcels are illustrated in Figure 1 below and are further summarized as follows:

- Lot 361 – Unconditional freehold land containing Springhaven Frail Aged Lodge, existing seven ILUs and Loton Close
- Reserve 6172 – Crown Land, vested to the Shire for the purposes of “Water”. Current land use is “Waterway”
- Reserve 37943 – Crown Land, vested to the Shire for the purposes of “Public Recreation”
- Lot 22 – Unconditional freehold vacant land



Figure 1

A search of the Department of Aboriginal Affairs' (DAA) Aboriginal Heritage Inquiry System, which contains a Register of Aboriginal Sites and other heritage places identified three reported sites. Illustrated in Figure 2 below these are:

- DAA 17468 Kojonup Spring
- DAA 17467 Kojonup Spring Rock Markings
- DAA 17466 Kojonup Spring Artefact Scatter



Figure 2

Due to the cultural significance of the site, comment has been sought by the Shire from the Department of Aboriginal Affairs as well as the South West Aboriginal Land and Sea Council regarding the proposed land exchange.

COMMENT

The Department of Aboriginal Affairs (DAA) have reviewed the proposal and have provided the following advice (noting that 'area A' refers to the land within Reserve 6172 that contains the current encroachments and that 'area B' refers to the freehold land within Lot 22 Spring Street):

"The DAA has undertaken a review of the land parcels and confirms the location marked 'area A' intersects the mapped boundary of reported Aboriginal heritage place DAA 17468 Kojonup Spring. This place, DAA 17468, has been assessed as 'not a site/stored data'. Information within the site file indicates the water hole Kojonup Spring, which is adjacent to 'area A', is of significance.

The location marked 'area B' intersects the mapped of three reported Aboriginal heritage places. These places are:

| | |
|---|------------------------|
| DAA 17468 Kojonup Spring | Not a site/stored data |
| DAA 17467 Kojonup Spring Rock Markings | Lodged |
| DAA 17466 Kojonup Spring Artefact Scatter | Lodged |

A 'lodged' submission means an assessment of whether this is a place to which the Aboriginal Heritage Act 1972 applies has not yet been made.

A review of the site files for these places indicates the following:

DAA 17466 Kojonup Spring Artefact Scatter. A stone artefact scatter, with a total of 20 artefacts within an area of 10m x 25m, located approximately 75m East of the Kojonup Spring and immediately East of the large granite outcrop. 'Area B' appears to be to the North of the identified area of the artefact scatter, however, the accuracy of the map is sketch map is unknown.

DAA 17467 Kojonup Spring Rock Markings. The information for this place states 'two sets of suspicious markings' were reported on a granite outcrop South of Thorn Place. Based on a review of the map provided in the information for DAA 17467, with the markings located South and West of the large granite outcrop, it is unlikely the markings are within the area as specified in 'area B'. Based on an analyses of the aerial photo, 'Area B' is located to the North East of the large granite outcrop."

Even if an activity is outside of the areas identified as significant, any works undertaken on any land within Western Australia is bound by the provisions of the *Aboriginal Heritage Act 1972*. Any works proposed within an area that are identified and yet to be formally assessed will require care to ensure that there is no further disturbance.

The DAA published "Aboriginal Heritage Due Diligence Guidelines" to assist prospective developers in considering potential impacts to known or reported sites. This contains a risk matrix that suggests that the proposed community garden may be a Medium Risk, requiring a precautionary approach and further consultation. This will be progressed separately.

The Department of Lands have provided "in principle" support for the proposed land exchange. To complete this process, the following actions will be required:

- The Shire undertaking a freehold subdivision process for the portion of Lot 22 being excised, with the portion excised to be ceded to the Crown in accordance with section 152 of the *Planning and Development Act 2005*. The resultant lot to then be amalgamated into the adjoining Reserve 37943.
- Department of Lands to excise and amalgamate a portion of Reserve 6172 into Lot 361 in accordance with section 87 of the *Land Administration Act 1997*.
- Valuations for the land being exchanged, which will be determined by Landgate's Valuation Services
- The Shire agreeing to meet all costs, including survey
- A deed of exchange (to be prepared by the Department of Lands) setting out the terms and considerations.

While the disposal of land to a Government entity is exempt from some of the provisions of the *Local Government Act 1995*, a Council decision is required to initiate the process.

CONSULTATION

Rick Mitchell-Collins, Chief Executive Officer

Sue Northover, Manager of Aged Care Services

Craig McVee, Manager of Works & Services

Anthony Middleton, Manager of Corporate Services

Tina Mead, Department of Lands

Lynda Martin, Department of Lands

Matthew Casey, South West Aboriginal Land and Sea Council

Aidan Ash, Department of Aboriginal Affairs

STATUTORY REQUIREMENTS

Aboriginal Heritage Act 1972 – is in place to protect and preserve Aboriginal heritage, with the Minister’s role to ensure that as far as reasonably practicable, all places in Western Australia which are traditionally or currently of sacred, ritual or ceremonial significance to Aboriginal people are properly recorded and their importance evaluated. The evaluation process assists to determine the appropriate level of protection.

Planning and Development Act 2005 – section 152 provides for the ability of land to be ceded to the Crown. Some prescribed conveyancing fees are not applicable for these land transactions.

Land Administration Act 1997 – section 87 outlines the process for the amalgamation of Crown land with an adjoining lot. Essentially if the land is to be amalgamated into the Crown land parcel, then the amalgamated portion is required to be used for the same purposes as the original portion. So the proposed amalgamation would result in an increase in size of Reserve 37943 which is currently vested to the Shire for the purposes of “Public Recreation”.

Local Government Act 1995 – section 3.58 outlines the processes when disposing of property which includes obtaining valuations and advertising the intent for the disposal of property.

Regulation 30(2)(c) “Dispositions of property excluded from Act s. 3.58” of the *Local Government (Functions and General) Regulations 1996* states:

A disposition of land is an exempt disposition if the land is disposed of to –

- (i) *The Crown in the right of the State or the Commonwealth; or*
- (ii) *A department, agency, or instrumentality of the Crown in right of the State or the Commonwealth.*

This proposed land exchange is therefore exempt from the usual provisions relating to a Local Government’s property disposal.

POLICY IMPLICATIONS**Policy 2.1.2 Purchasing & Creditor Control**

This policy refers to delegation Admin 016 “Acquisition & Disposal of Property”. This land exchange does not meet the controls contained with the policy, therefore requiring Council approval to proceed.

Policy 2.3.4 Asset Management

Ensuring that infrastructure is wholly located within land that the Shire has a legal right to occupy assists to ensure the ongoing availability of that asset for its identified purpose.

Policy 2.3.5 Risk Management

The rationalization of lot boundaries ensures that future spending associated with the recent grant funding is appropriate and considered (e.g. undertaken on land that the Shire has a legal right to occupy).

FINANCIAL IMPLICATIONS

The Shire is required to cover the costs of survey, subdivision and the deed of exchange. An indicative cost estimate of \$9,790 has been provided for the survey and subdivision work. This excludes fees payable to the Western Australian Planning Commission for the subdivision process (approximately \$3,700). There are document preparation fees for Department of Lands (approximately \$675) and some lodgment fees for Landgate

(approximately \$829). At this stage, there has been no indication of the need to purchase any land as part of this exchange. Approximate costs therefore total \$15,000.

There is funding of \$25,000 available in 2016/2017 Budget item C310 “Subdivision Expenses” available for this purpose.

STRATEGIC/CORPORATE IMPLICATIONS

Strategic Community Plan 2013 – 2023

Outcomes:

- S2 – Staying Active and Entertained
- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- S2.1 – Promote Kojonup as a place to live and visit
- S2.2 – Maintain an active, healthy and social community
- G1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations

RISK MANAGEMENT IMPLICATIONS

The Shire has recently been successful in obtaining grant funding for a future community/sensory garden. Land that has been identified as a possible location is not within the Shire’s current ownership. This action will ensure that the Shire is allocating resources on land that it will have the continued care and control over. Working through the necessary government consultation processes also ensures that important cultural heritage is not lost or impacted upon.

ASSET MANAGEMENT PLAN IMPLICATIONS

While the Shire’s Asset Management Plan does not currently include Parks and Reserves, it is considered appropriate that Shire assets and facilities be located on land that the Shire has a legal right to occupy.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

166/16 Moved Cr Mathwin, seconded Cr Pritchard that Council:

- 1. Formally request the Department of Lands to excise a portion of Reserve 6172 currently encroached for amalgamation into Lot 361.**
- 2. Authorise the Chief Executive Officer to endorse all relevant documents to facilitate the exchange of a portion of Lot 22 Spring Street Kojonup for the portion of Reserve 6172 currently encroached.**
- 3. Utilise funds from account C310 in the 2016/2017 budget for this purpose.**

CARRIED 6/0

12.2 ST. MARY'S ANGLICAN CHURCH/BUNBURY DIOCESAN TRUSTEES PROPOSAL TO DEVELOP LAWRENCE HOUSE CENTRE FOR MINISTRY/PARISH, WELFARE & COMMUNITY ACTIVITIES

AUTHOR: Phil Shephard – Town Planner
DATE: Monday, 5 November 2016
FILE NO: A6130
ATTACHMENT: 12.2.1 Application Letter
12.2.2 Plans
12.2.3 Heritage Consultant Advice

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider the proposal to construct a new multi-use community building between the existing church and rectory buildings at the St Mary's Anglican Church site on Spring Street/Church Avenue, Kojonup.

The proponents have also requested Council waive the development application fee to minimise its costs and as it will be primarily used for welfare related purposes in the Kojonup community and beyond.

BACKGROUND

Nil.

COMMENT

Proposal

The proposed new building would be approximately 300m² in area (21.58m x 12.65m) including a building of approximately 230m² and 70m² verandah area as shown on the attached plans. The building (maximum wall height of 4.94m and maximum roof height of 6.98m) is proposed to be clad with a mixture of weatherboard and feature stone cladding for the walls and cream coloured metal sheeting for the roof and verandah.

The attached plans show the building will include a kitchen, toilets, office, storerooms, children's and meeting rooms and a 92m² main hall area with access via steps and ramps on both sides of the building.



*Aerial image showing churches and proposed new community building site bordered in red
(Source: Google Earth)*

The site plan shows that the proposed building will be facing towards Spring Street and setback between 1.8-3.2m from the small masonry wall to the front boundary 4m from the rear boundary (to Church Avenue), 10.1m from the existing church building (East-side) and 15m from the existing rectory building (West-side).



Street view image looking South from Spring Street showing proposed new community building site between St Mary's Anglican Church building (left) and rectory building (right) (Source: Google Earth)



Street view image looking South-East from Spring Street showing St Mary's Anglican Church building and verge area

The plans also show a children's lawn area to be created adjoining the new building with new 1.8m high coloured metal sheeting fence between the rectory in the South-West towards Church Avenue.

A new accessible parking bay is shown adjoining the front entrance to the building on Spring Street. The proponents advise this parking bay may encroach on the Council owned verge area, and if so, request that the Council permit its development as it is ideally located and suited for the purpose.

The proponents advise the new building will become the headquarters for their ministry and parish activities as well as catering for other community activities aimed at improving lives, building resilience and community. They have secured expressions of interest from several organisations to use the space to provide health, education and social activities.

Local Heritage

The St Mary's Anglican Church (Place 10605) and adjoining Old Church of England (Old St Mary's Church) (Place 01401) are included on the Shire's Municipal Inventory (MI) for their cultural heritage significance to the community.

The MI records that the old church was constructed in 1911 and when it became too small to meet the parish needs, the new church was built in 1958 and subsequently the old church became the Parish Hall. The MI records the new church is constructed with rough faced stone walls and a steeply pitched gabled roof over the main transept. This steep pitch is emulated on an entrance gateway at the front and the bell tower on the North-East corner. This information points to the distinctive appearance of the new church.

The proponents advise they are aware that the church is not heritage listed on the State or National Registers and that it is on the Shire's MI. They have chosen "...a stone cladding on the walls which will hopefully blend the two, so they complement one another in the look and presentation..." They also advise "...the cream coloured colorbond sheeting is to blend in with the colours used on surrounding properties."

Staff sought comment from Helen Munt (Heritage and Interpretation Consultant) regarding the proposed new building and its impacts on the heritage listing. The advice received (included as attachment) supports the application with some comments for Council consideration including:

- The general design is mostly harmonious with the church building and recommends the detailing also match the church building for example the size and vertical/horizontal layout.
- The use of the featured stone cladding is only supported if it looks like authentic stone walling and not a poor mimic to the church. It should be high-quality material and produce a good visual outcome.
- Does not support the proposed weatherboards or cream coloured roofing proposed. Recommends to be in keeping with the new church, the walls should be grey or cream rendered masonry/brick walls and roof should be either plain galvanised or zincalume or a tone that matches the new church.
- Any elements to be removed for the development including trees should be photographed for inclusion in the MI.
- Approval should require the proponents acknowledge and identify any items such as from former structures on the site for inclusion in the MI.

The comments also include a concern for the possible future of the old church building given the new building and request for an update from the Church on the future use and management of this heritage place.

The Council has yet to established a heritage list as required under the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and therefore no statutory heritage planning controls apply to the proposal at this time.

Land Use/Development

The church land (as with all other local churches) is contained within a Special Use zone with a permitted land use of Place of Worship under the Shire of Kojonup Town Planning Scheme No. 3 (TPS3).

This land use is defined in TPS3 as follows:

“Place of Worship – includes buildings used primarily for the religious activities of a church but does not include an institution for primary, secondary, or higher education, or a residential training institution;”

Clause 3.5 ‘Special Use Zone’ of TPS3 requires that any land and buildings within a special use zone to only be used for the special purpose designated, in this case that is as a place of worship. The advice from the proponents that they intend to allow for other organisations/groups to undertake social, educational and recreational activities for the community in the new building, means that the proposal is better classed as a community use/purpose use rather than meeting the strict interpretation of place of worship.

It is acknowledged that churches seek to play an increasing role in the life of a community away from their traditional focus and the proposal by the St Mary’s Anglican Church / Bunbury Diocesan Trustees to provide a multi-use building to undertake social, educational and recreational activities for the community forms part of this new approach.

To acknowledge and support this change, it is recommended that the Council consider amending the existing scheme controls to include community use/purposes as a permitted use at all 5 of the existing Special Use zones for churches within Kojonup within the new Local Planning Scheme. It is not expected that this change would mean that all churches would develop these types of facility, however it would remove any confusion or doubt over the acceptability of these being developed adjacent to churches, support their multi-use and allow for organisations/groups (other than the church) to undertake social, educational and recreational activities for the community rather than meeting the strict interpretation of place of worship.

TPS3 (c.5.4 Development Table) requires that any development that is permitted under the Scheme shall conform to the requirements for that use as specified in Table II - Development Table. There are no specific requirements for either church and/or community purpose/use and c.5.4.1 advises where requirements for a particular use are not set out, the development shall conform to the provisions for the predominant use of the zone in which it is situated, as determined by the Council, or where such provisions are inappropriate, to such requirements as the Council shall determine.

The Development Table sets out minimum setbacks, maximum plot ratio, minimum landscaped area and minimum car parking standards for proposals to achieve. TPS3 allows

the Council to vary these standards if required subject to the variation achieving certain criteria (c.5.6).

Setbacks

The front setback of 3 - 4.5m to the new building from Spring Street and rear setback of 4m to Church Avenue will be less than that of the existing churches (between 5- 7 m) and rectory buildings (house and garage). The long narrow shape of the lot affects these setbacks to a greater degree than the side setbacks.

Plot Ratio

The plot ratio will be less than 0.2 or 20% of the total lot area.

Landscaping

No landscaping has been proposed in the application.

Car Parking

Apart from the accessible car parking bay to be provided, no additional car parking for either staff and/or visitors to the site, has been proposed in the application.

The proposal, as with all churches in Kojonup, have very differing and distinctive qualities and characteristics and cannot reasonably be judged as a homogenous group and each one must be treated on its own merit.

TPS3 Considerations

The *Planning and Development (Local Planning Schemes) Regulations 2015* (c.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 proposal does not conflict with the TPS3 objectives and is considered to be generally compliant with the provisions contained in TPS3. |
| (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 proposal involves a discretionary use/development involving a community purpose/use in the Special Use zone for a church site which is considered permissible at Council's discretion. The proposal is recommended to be approved subject to certain conditions being met. In addition, Council is also requested to consider amending the new planning scheme to recognise the move from churches to providing community facilities and activities as well as traditional parish activities and religious services. There are no other draft amendments or planning instruments that affect this proposal. |

| Matter to be Considered | Response |
|---|--|
| (k) the built heritage conservation of any place that is of cultural heritage significance; | <p>The churches are both included on the Shire's MI for the cultural heritage values. They both have distinctive architecture that reflects the period in which they were constructed.</p> <p>The new building seeks to complement the existing stone church building using design and certain materials/tones to attempt to blend the old with the new.</p> <p>The proposal has been referred to the Shire's heritage consultant for advice and the application has been supported subject to certain comments that relate to the materials and colours to be used.</p> |
| (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 new building will be distinct from others in the street that are all predominantly residential buildings with a single-storey scale and appearance. |
| (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 increase in use of the site through the advent of the new community facility is expected to impact on the amenity of the locality. It will increase the amount of people and cars visiting and parking at the site and create additional noise from visitors and traffic. |
| (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource; | The proposal is not expected to adversely affect the natural environment or any water resources. |
| (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved; | There are some small areas of garden landscaping at the new church and around the rectory buildings with some mature trees sparsely located on-site. Wherever possible these mature trees should be retained and some landscaping undertaken around the new building. |
| (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 land is considered suitable for the proposal and is not affected by any known natural hazard. |
| (r) the suitability of the land for the development taking into account the | The land is considered suitable for the proposal and is not considered to increase |

| Matter to be Considered | Response |
|--|--|
| possible risk to human health or safety; | possible risk to human health or safety if developed. |
| (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; | <p>The church has operated without any formal parking area to date with church visitors parking along the verges and areas surrounding the church building.</p> <p>As noted above, the new building is expected to increase the amount of people and cars visiting and parking at the site and the proposal has only included 1 accessible parking space, partly on the verge.</p> <p>Spring Street has a concrete footpath alongside the kerb line and increased parking use of the verge is not considered a long-term solution. Ideally the verge area would be developed with indented parking spaces (as undertaken recently by the Council at the day care centre) and the footpath relocated to reduce any future vehicle/pedestrian conflicts from arising. This would ordinarily be placed as a condition of development approval and constructed and funded by the proponents to the Shire's satisfaction with input from a consulting engineer.</p> |
| (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety; | <p>The amount of traffic to be generated is unknown although it is expected to increase traffic to and from the site.</p> <p>All surrounding roads are sealed, kerbed and drained and the existing road network is expected to be able to cater for any increase in local traffic.</p> <p>Refer also to the comments in (s) above.</p> |
| (u) the availability and adequacy for the development of the following - (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability; | <p>There is no public transport available in Kojonup.</p> <p>The development has access to servicing infrastructure including drainage, sewer, water, electricity and telecommunications networks.</p> <p>Rubbish collection is available.</p> <p>The building has been designed to be universally accessible including pedestrian paths.</p> |
| (w) the history of the site where the development is to be located; | The site has a long-standing use as a church for worship purposes since 1911. |
| (x) the impact of the development on the community as a whole notwithstanding the impact of the | The proposal is expected to impact positively on the community as a whole |

| Matter to be Considered | Response |
|--|--|
| development on particular individuals; | by increasing the community facilities/activities available. |

The proposal is considered to generally comply with those relevant matters listed in the above table, apart from the comments from the heritage consultant of building materials/colours and parking concerns.

Alternate Options

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

1 Not support the proposal.

The Council can choose to not support the proposal, in part or whole, giving reasons for the refusal. If this option was chosen, the development application would not be able to proceed.

2 Support the proposal

The Council can choose to support the proposal, as is, or make changes. If supported, the development would be able to proceed subject to compliance with any conditions set out in the approval.

3 Defer the proposal

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

This is a discretionary decision and the applicant has a right to request a review of any decision and/or condition made by the Local Government to the State Administrative Tribunal if aggrieved by the decision and/or any condition. An appeal must be lodged within 28-days of being notified of the decision/condition to be appealed.

CONSULTATION

Helen Munt – Heritage and Interpretation Consultant.

STATUTORY REQUIREMENTS

The processing of the development application is required to comply with the requirements of Town Planning Scheme No. 3 which is an operative local planning scheme under the provisions of the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.

POLICY IMPLICATIONS

There are no Council or local planning policies affecting the proposal.

FINANCIAL IMPLICATIONS

The proposal has an estimated development value of \$850,000 and the development application fee in accordance with the Shire's adopted 2016/17 Schedule of Fees and Charges would be \$2,599.50. The proponents have requested Council waive the development application fee to minimise its costs and as it will be primarily used for welfare related purposes in the Kojonup community and beyond.

STRATEGIC/CORPORATE IMPLICATIONSStrategic Community Plan 2013 – 2023

Outcomes:

- E2 – Building prosperity
- N1 – Feeling good about living in Kojonup

Objectives:

- E2.1 – Building local economic capacity to generate wealth and provide a variety of employment opportunities.
- N1.4 – Providing community support and development.

Corporate Business Plan 2013 – 2017

Outcomes:

- Staying Active and Entertained

Actions:

- S2.1.3 – Promote Kojonup as a place to live.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) STRATEGIC PLAN IMPLICATIONSSouthern Link VROC Strategic Directions 2015 – 2020

The proposal will assist the Southern Link VROC achieve the following goals:

Regional Community Development

Goal Five: Build capacity to enable communities to achieve.

RISK MANAGEMENT IMPLICATIONS

The item covers several risk areas to Council including strategy and planning, compliance and reputation functions. The organisational risk and proposed treatment or mitigation is summarised in the following table from the Shire's Risk Management Plan:

| Risk Description | Risk Likelihood | Risk Consequence | Risk Classification | Risk Treatment |
|---|------------------------|-------------------------|----------------------------|---|
| Council does not support the proposed new community purpose/use building on the church land | Unlikely | Minor | Low | Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring. |

ASSET MANAGEMENT IMPLICATIONS

Any required changes to parking/footpaths will leave some impacts on the existing footpath network.

VOTING REQUIREMENTS

Simple Majority

3:15pm – Cr Pedler declared a 'Proximity' and 'Financial – Direct' interest and departed from the Chamber. Cr Pritchard and Cr Radford declared 'Impartiality' interests but the Presiding Member allowed them to remain within the Chamber to debate and vote upon the item.

OFFICER RECOMMENDATION

That Council:

- 1) Grant development approval for the new multi-use community building between the existing church and rectory buildings on Lot 53 Spring Street, Kojonup subject to the following conditions:
 - a) The development to be in accordance with the attached stamped approved plans and where marked in red, unless a variation has been approved by the Chief Executive Officer.
 - b) The building design to be modified to include:
 - i. The use of a roofing material/colour that matches the existing church building roof to the satisfaction of the Shire of Kojonup.
 - ii. The walls to be either a grey or cream tone/colour that matches the existing church building walls to the satisfaction of the Shire of Kojonup.
 - c) All stormwater runoff from the roof and paved areas being retained and/or disposed of on-site unless approved for discharge into the Shire's stormwater system.
 - d) Landscaping within the front and rear setback areas on Spring Street and Church Avenue including landscaping beds and shade trees to be planted and maintained to the satisfaction of the Shire of Kojonup.
 - e) The proposed accessible car parking bay on the verge is approved subject to:
 - i. Construction costs being met by the proponents.
 - ii. The footpath being altered to ensure it is capable of withstanding vehicle crossing.
 - iii. They acknowledge it may need to be removed should future roadworks require it.
 - f) The payment of a financial contribution towards the upgrading of Spring Street (or Church Avenue) including the provision of angled parking bays in the verge to the satisfaction of the Shire of Kojonup. The upgrading amount shall be negotiated by the Chief Executive Officer and shall cover the land and construction costs for the parking bays. The funds shall be kept in a reserve account specifically for this purpose.
 - g) Buses shall utilise the existing access and driveway between the church and new building to transport visitors to and from the site.
 - h) The new building to be connected to deep sewer, water supply, telecommunications and electricity networks.
 - i) Any external lights are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.
 - j) The proponents making arrangements to the satisfaction of the Environmental Health Officer for a rubbish storage area and collection service.
 - k) The proponents to provide a photographic record of any mature trees/vegetation removed and any items such as former structures identified during the construction process.

Advice Notes:

- *The construction of the building requires a separate Building Permit to be obtained prior to any works commencing. A separate health approval is required prior to any food handling activities being undertaken within the building.*

- 2) Amend the new draft planning scheme to include community use/purpose at all 5 of the existing Special Use zones for churches within Kojonup to remove any confusion

or doubt over the acceptability of these being developed adjacent to churches, support their multi-use and allow for organisations/groups (other than the church) to undertake social, educational and recreational activities for the community rather than meeting the strict interpretation of place of worship.

- 3) Agree to waive the \$2,599.50 development application fee by way of donation to support this community facility.
- 4) Request the proponents provide an update on the future use and management of the original church building.

COUNCIL DECISION

167/16 Moved Cr Pritchard, seconded Cr Hobbs that Agenda Item 12.2 be deferred to the next Ordinary Meeting of Council being 21 February 2017 to allow more time for St Mary's Anglican Parish to discuss the Officer's Recommendation and its conditions.

CARRIED 4/1

3:26pm – Cr Pedler returned to the Chamber. The Town Planner departed from the Chamber.

Attachment 12.2.1



THE ANGLICAN CHURCH OF AUSTRALIA

THE DIOCESE OF BUNBURY

7 Oakley Street, PO Box 15
Bunbury, Western Australia 6231Telephone (08) 9721 2100
Email: secretary@bunbury.org.au

Mrs Ronnie Fleay,
President Kojonup Shire Council,
president@kojonup.wa.gov.au

Dear Mrs Fleay,

Re: Boniface Care – “Lawrence House Centre”

I am writing to you on behalf of The Bunbury Diocesan Trustees. This letter is attached to our Development Application which is being submitted by The Bunbury Diocesan Trustees.

Our vision and aim is to build a welfare related Centre, called the Lawrence House Centre on Church land which is bounded by Albany Highway, Church Ave, Spring Road and Pensioner Street.

The Centre will become the headquarters for all of our Boniface Care Ministries, Parish activities and ministries, as well as a home for other Community activities which are aimed at improving lives, building resilience and strengthening the sense of care, belonging and welcome within the Community.

A number of organisations have already expressed an interest in partnering with us and will be seeking to use these facilities. They include: Anglicare WA, Southern Ag Care, Probus Club, Southern Singers Community Choir, Amity Health (Diabetes Education Programme), and Helen Bignell Physiotherapy (Exercises).

The Anglican parish church as you know is not heritage listed on the State or National Registers (only on the Shire's inventory). However, we plan to use a stone cladding on the walls which will hopefully blend the two, so they complement one another in the look and presentation of the two buildings. We have chosen to go with a cream coloured colour bond sheeting, to blend in with the colours used on surrounding properties. Disability Parking has been planned to be situated near the porch of the Centre, which is just across from the entrance of the Church itself. However, we realise this might encroach upon the Council verge on the edge of the property. If this turns out to be the reality, we would also like to request permission to use this location as it is the most appropriate, being near both front doors and on flat ground and the most suitable from a disability access perspective.

We are also respectfully requesting the Shire waive the fees associated with this construction and building once it is completed to minimise its costs, as it will be primarily used for welfare related ministries to assist those in need within the Community and beyond.

Thank you very much for your assistance with processing this application. The plans are currently being finalised and will be sent through to you as soon as they are completed.

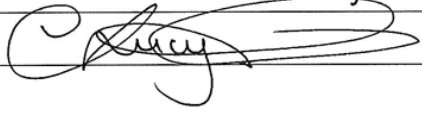
On behalf of our church and local community and The Anglican Diocese of Bunbury, I look forward to hearing from you in due course. Please do let me know if there is any other information that would be helpful for you in making the decision.

Yours sincerely

Rev. Dr Lucy Morris
Diocesan Secretary

THE OFFICE OF THE DIOCESAN SECRETARY

Application for development approval

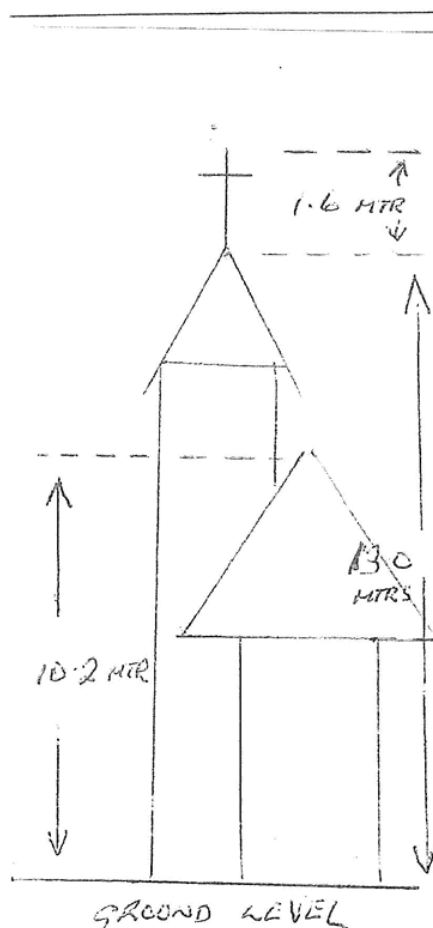
| Owner details | | |
|--|------|---------------------------------|
| Name: The Bunbury Diocesan Trustees | | |
| ABN (if applicable): 78 272 188 449 | | |
| Address: P O Box 15 BUNBURY WA Postcode 6231 | | |
| Phone: 08 9721 2100 | Fax: | Email: secretary@bunbury.org.au |
| Work: | | |
| Home: | | |
| Mobile: 0408 916 129 | | |
| Contact person for correspondence: Rev. Dr Lucy Morris | | |
| Signature:  | | Date: 1 December 2016 |
| Signature: | | Date: |
| The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development Regulations (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2). | | |

| Applicant details | | |
|---|------|-----------------------------|
| Name: Boniface Care | | |
| Address: P O Box 15 BUNBURY WA Postcode 6231 | | |
| Phone: 09 9721 2100 | Fax: | Email: admin@bunbury.org.au |
| Work: | | |
| Home: | | |
| Mobile: | | |
| Contact person for correspondence: As Above | | |
| Signature: | | Date: 1 December 2016 |

| Property details | | |
|---|----------------------------------|-------------------------|
| Lot No: | House/Street No: | Location No: 53 |
| Diagram or Plan No: 222714 | Certificate of Title Vol. No: | Folio: IX / 156 |
| Title encumbrances (e.g. easements, restrictive covenants): | | |
| | | |
| Street name: Spring Street | | Suburb: Kojonup WA 6395 |
| Nearest street intersection: Albany Highway | | |

| Proposed development | |
|---|---|
| Nature of development: | <input checked="" type="checkbox"/> Works <input type="checkbox"/> Use <input type="checkbox"/> Works and use |
| Is an exemption claimed for part of the development? | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| If yes, is the exemption for: | <input checked="" type="checkbox"/> Works <input checked="" type="checkbox"/> Use |
| Description of proposed works and/or land use: To build a services and welfare related Centre on Church land to support the local community and the surrounding environs as a regional service and community hub..... | |
| Description of exemption claimed (if relevant): To waive fees associated with the development of the building and the future operations of the building. | |
| Nature of any existing buildings and/or land use: St Mary's Anglican Church and Rectory | |
| Approximate cost of proposed development: Costings currently being finalised & will be submitted when completed - approx. costs in the region of \$850,000. | |
| Estimated time of completion: 18 months once funding sources finalised | |

| OFFICE USE ONLY | |
|--------------------------------|----------------|
| Acceptance Officer's initials: | Date received: |
| Local government reference No: | |



KOJONUP ANGLICAN CHURCH.
29-10-2016.

Attachment 12.2.3

HELEN MUNT HERITAGE AND INTERPRETATION CONSULTANT

hbm@linq.net.au

SHIRE OF KOJONUP
HERITAGE ADVISORY SERVICE

| | |
|-----------|--|
| Place | Church of England Precinct |
| Issue | New community welfare centre "Lawrence House Centre" |
| Attention | Philip Shepherd, Planner |
| Date | 5 December 2016 |

Thank you for the opportunity to provide advice on the above application for planning consent. I note this building is listed as Considerable on the revised Shire's heritage inventory (2016) as part of the Church of England Precinct. My comments are based on assessing heritage values and impacts mainly to the current St Mary's Church building (1958) and to a lesser degree the original St Mary's Church (1911) and the precinct as a whole. As the rectory has little significance any impacts to this building will be minimal. In general I would support the application to build a new centre in this precinct with the following comments for consideration:

1. The height, form and scale of the proposed centre will be a significant addition to the precinct which will in turn have a measurable physical impact and change the current aesthetic. However, as it is predominantly situated behind the church building its impact in relation to sight lines/vistas from the main road and from the corners (Church Ave and Spring St) as well as the inherent heritage values should not be overly adverse. An elevation (either plan form or photograph) showing the relationship of the new building to the existing buildings from north and south in terms of its scale would assist in making a much more definitive assessment. Its proposed location also places it relatively close to the church building. However, given the space and spread of the precinct it should be able to be accommodated without too much interference and visual impact.
2. The general design is mostly harmonious with the church building. The detailing of the fenestration could possibly match the church building more closely – for example the size and vertical/horizontal layout.
3. The main concern I have is with the choice of fabric. The inclusion of sections of feature stone walls on the new building could result in an acceptable connection to the church building but only if it looks like authentic stone walling and not a poor mimic to the church. I would only support the use of the feature stone wall if it could be proven that this is a high quality material and will produce a good visual outcome.
4. The other issue with the fabric relates to the statement in the application about blending in with the surrounding properties. I wouldn't encourage the applicant in attempting to blend in with surrounding residential properties (for example the house on the corner of Albany Hwy and Church Ave) but keep the fabric choice and colour scheme distinctively along the aesthetics of the church precinct. I would not support the use of the proposed Nuline fibre cement weatherboard cladding for the walls nor cream Colorbond sheeting for the roof. I would advise that cement (grey or cream) rendered masonry walls or face brick is used in place of the weatherboard. Roof sheeting should either be plain galvanized iron (or zincalume) or a tone that matches the roof of the church building.

HELEN MUNT HERITAGE AND INTERPRETATION CONSULTANT

hbm@linq.net.au

**SHIRE OF KOJONUP
HERITAGE ADVISORY SERVICE**

5. I cannot see on the application where there is reference to possible demolition or removal of any current structures or other elements – such as significant trees and other plantings. There is a mature gum which is located in the building envelope and should be identified if being removed and also some small ancillary structures. A photographic record of any removed elements.
6. The planning consent should also come with a requirement to acknowledge and identify any remnants that may be revealed during the ground works (such as from former structures).

Other Issues:

The only other comment I would make is what does the construction of this new facility mean for the original 1911 church building – which when the new church was built was utilised as the parish hall? While new facilities allow for expansion of services and activities, they should always factor in the cost to the heritage buildings and the potential for making these important assets redundant, underutilised and with little funding or resources left available to maintain them. It would be interesting to have an update on the plans for the future use and management of the parish hall in the event that this proposal proceeds.

I hope these comments are of some assistance.

I have also attached the relevant information from the place form which is not yet available on the public domain of the Heritage Council's Inherit Database for your information.

Regards



Helen Munt

HELEN MUNT HERITAGE AND INTERPRETATION CONSULTANT

hbm@linq.net.au

**SHIRE OF KOJONUP
HERITAGE ADVISORY SERVICE****CHURCH OF ENGLAND PRECINCT – HERITAGE INVENTORY LISTING****Category**

Considerable Significance

Statement of Significance

The Church of England group of buildings have aesthetic, historical and social significance. The original church was the first Anglican Church to be built in the area. The new St Mary's Church was designed by prominent WA architect, Marshall Clifton and is a good example of Post-War Ecclesiastic architecture, as well as having landmark quality at the top of the main street of town. Together, the buildings representative a continuous use by the Anglican Church.

Physical Description

The precinct, or group of buildings, comprises Old St Mary's Church (1911) now used as Parish Hall, the new St Mary's Church (1958), and the Rectory.

The old church is situated on a corner block opposite the old school. It is on the same street as the new St Mary's Church with the Rectory between the two church buildings. The old church is constructed in three parts- an original rectangular brick section with a high pitched gabled roof to the north; a wing at right angles on the south side; and a timber entrance porch, a later addition, on the west side. The west wall of the brick building has been rendered while the rest is exposed brick. A wooden cross stands on the apex of the roof on the east side. A low timber railing fence borders the church on three sides.

The new St Mary's Church has rough faced coursed stone walls and a steeply pitched gabled roof over the main transept. This steep pitch is emulated on an entrance gateway at the front and in the bell-tower on the north-west corner. Over the entrance doorway is a large hexagonal stained glass window. A small wing extends to the south. The grounds are sparsely vegetated apart from some mature trees.

Historical Background

Church of England services were held in the district on an irregular basis for many years. Visits by the Bush Brothers from the Williams' Church of England allowed isolated communities to attend church services. In 1911, the first St Mary's Anglican Church was opened. It was built by Tom Perkins Senior. The small church was the focal point of the Anglican community until the new St Mary's was built in 1958 to hold a larger congregation. The new church was designed by prominent WA architect, Marshall Clifton and was dedicated as a War Memorial. The old church is still used today as a Parish Hall. A rectory was also built next to the new St Mary's church.

The new St Mary's Church was included in the Statewide War Memorial Survey (1996)

13 **EXECUTIVE & GOVERNANCE REPORTS**

13.1 KOJONUP TOURIST RAILWAY – GOVERNANCE

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Monday, 5 December 2016
FILE NO: CP.MTC.51
ATTACHMENT: Nil

DECLARATION OF INTEREST

Cr Radford in his capacity as President of Kojonup Tourist Railway Inc. and Cr Hobbs in his capacity as a committee member of the Association.

Chief Executive Officer – Direct Financial Interest due to personal exposure as the authorised person should non-compliance or an accident occur resulting in severe injury or death to members of the public or Kojonup Tourist Railway.

SUMMARY

To clearly establish governance arrangements between the Shire of Kojonup, CEO (as authorised person under the national law), Kojonup Tourist Railway and its members in respect to lines of communication, roles and responsibilities.

BACKGROUND

The Office of National Rail Safety Regulator (ONRSR) now assumes responsibility for all railways in Australia. The Shire of Kojonup is now the accredited body and the CEO is the authorised person for the section of railway line from Benn Parade to the turntable at Denney Road.

Council must ensure that the Kojonup Tourist Railway Inc. (KTR) reports directly to the Shire who in turn via the CEO reports directly to the ONRSR. This is a major departure from previous arrangements whereby Council effectively required KTR to manage the operations of the Zoo train and possess the appropriate Safety Management Systems, Occupational Health and Safety, Workplace Standards, Governance processes and reporting structures etc.

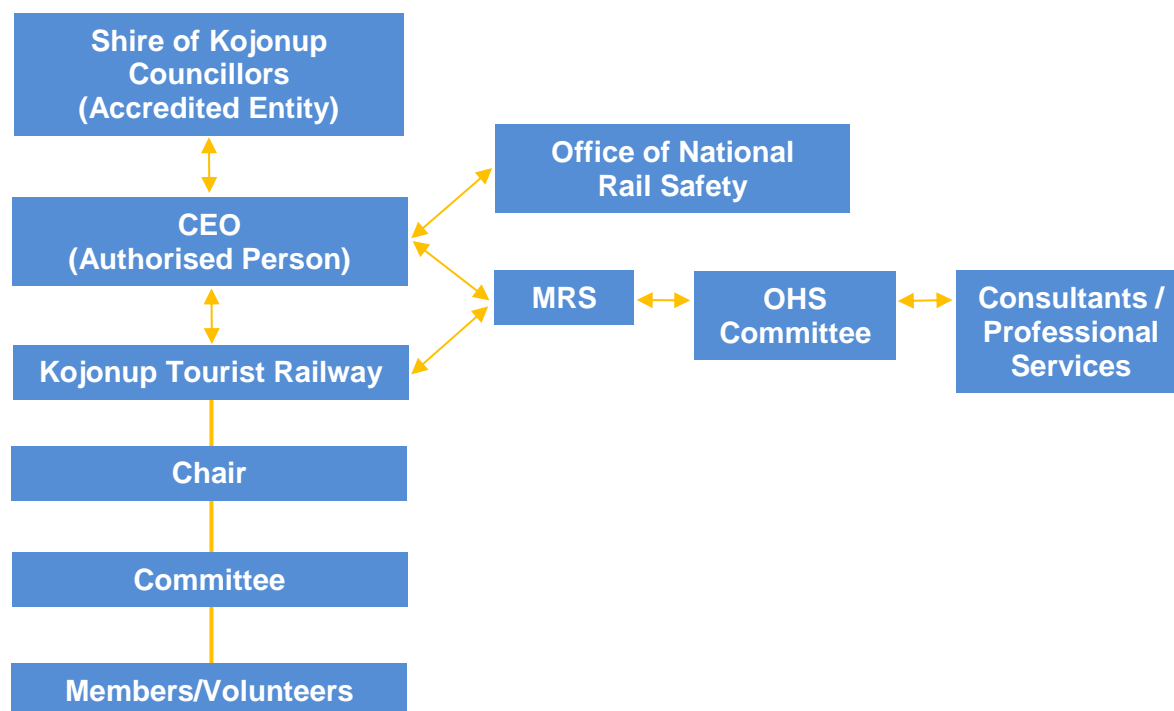
The purpose of this agenda item is to establish the channels of communication and reporting requirements between KTR, Council, CEO and ONRSR to meet the various obligations under the *Rail Safety National Law (WA) Act 2015* for example:

- Risk profile of the rail operations (Risk Management Plan & Register)
- Unobstructed flow of information between the Shire and KTR
- Maintain and review the Safety Management System
- Safety Performance Report/ Key performance Indicators
- Safety responsibility statements within position descriptions
- Internal auditing, Incident Reporting, Corrective Actions and Monitoring
- Documented engineering standards and procedures in respect of rail infrastructure and rolling stock
- Compliance with accreditation, reporting requirements and operation of rolling stock

COMMENT

The following diagram illustrates the governance structure required whereby the KTR President ensures KTR members are compliant with the operational requirements of the National Law and reports via meetings, possessing and producing safety management systems, in conjunction with Council staff (Manager Regulatory Services, OSH Committee

and workplace representatives) to Council and the CEO which are then forwarded to ONRSR.



CONSULTATION

Office of National Rail Safety

Kojonup Tourist Railway Inc.

STATUTORY REQUIREMENTS

Rail Safety National Law (WA) Act 2015

Local Government Act 1995 – Division 2, Subdivision 2(Committees)

Department of Lands – Management Order Reserve 51700 registered 31 October 2014 (XE M813123)

POLICY IMPLICATIONS

No formal policy, lease or agreement other than the Management Order with the Department of Lands presently exists, however Council at the 21 July 2015 meeting; Decision 112/15 identified the need to develop an overall plan for the railway heritage precinct which should now include the railway reserve to Farrar.

FINANCIAL IMPLICATIONS

There is no provision for Asset Replacement of Rolling stock, Line Infrastructure or Buildings despite the Railway Station being included on the Municipal Heritage List. It appears that upon the granting of the “Kojonup-Farrar Railway Order 2002” Council effectively passed responsibility onto the KTR to operate and undertake activities and maintain facilities.

Staff time will be needed to work collaboratively with KTR to compile registers, procedures etc., required to meet compliance in addition to normal duties. IT integration will be required to transfer/update records, registers, etc.

KTR may need to review charges for train trips to cover some of the additional costs associated in meeting compliance especially seeking professional advice regarding engineering standards.

STRATEGIC/CORPORATE IMPLICATIONS

Strategic Community Plan 2013 – 2023

Outcomes:

- S2 – Staying Active and Entertained
- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- S2.1 – Promote Kojonup as a place to live and visit
- G1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations

RISK MANAGEMENT IMPLICATIONS

The likelihood of the Train and carriages derailing may be low however the consequences of injury to the public are extreme resulting in the Shire (as the present accredited authority) and the CEO (Authorized person) being sued for non-compliance. If Council wishes to retain the train service it does so in the full knowledge of the possible risks and consequences to itself, employees, KTR and the public.

The CEO's contract will need to reflect the increased responsibility as the authorised person and that Council is prepared to provide indemnity to the CEO if a major incident occurred resulting in a claim for damages against the authorized person as the alternative cost associated in employing a Risk Manager or Manager Tourist Railway to ensure compliance of the Tourist Railway on a day to day basis is estimated in the range of \$100,000 - \$110,000 per annum.

ASSET MANAGEMENT IMPLICATIONS

Should KTR cease to exist is Council prepared to accept responsibility for the rail line to Farrar or indeed maintain and operate the existing activities/operations given that ownership of rolling stock would be vested in KTR or a like organisation?

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

ALTERNATIVE OFFICER RECOMMENDATION

That Council advise the Office of National Rail Safety Regulator that:

1. Due to the onerous costs associated in meeting the new *Rail Safety National Law (WA) Act 2015*;
2. Potential financial risk and liability on the Shire and its officers for non-compliance;
3. The volunteer nature of the Kojonup Tourist Railway Inc. and its future sustainability should key members withdraw;

It regrettably cannot continue to operate the Tourist Train.

3:30pm – Cr Hobbs and Cr Radford declared 'Impartiality' interests and the Chief Executive Officer declared a 'Financial –Direct' interest. All three departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

168/16 Moved Cr Sexton, seconded Cr Pedler that the Shire of Kojonup (as the accredited entity) notify the Office of National Rail Safety Regulator of its intent to establish clear channels of communication and reporting requirements between KTR, Council, CEO and ONRSR to meet the various obligations under the *Rail Safety National Law (WA) Act 2015* on or before 30 November 2017 in respect of the following:

- Risk profile of the rail operations (Risk Management Plan & Register)
- Unobstructed flow of information between the Shire and KTR
- Maintain and review the Safety Management System
- Safety Performance Report/ Key performance Indicators
- Safety responsibility statements within position descriptions
- Internal auditing, Incident Reporting, Corrective Actions and Monitoring
- Documented engineering standards and procedures in respect of rail infrastructure and rolling stock
- Compliance with accreditation, reporting requirements and operation of rolling stock

CARRIED 4/0

3:38pm – Cr Radford, Cr Hobbs and the Chief Executive Officer returned to the Chamber.

13.2 PART OF LOT 2 SOLDIER ROAD, KOJONUP – LEASE TO JAMES & ROBYN POTTER

AUTHOR: Heather Marland – Senior Finance Officer
DATE: Thursday, 8 December 2016
FILE NO: A265
ATTACHMENT: 13.2.1 Map
13.2.2 Lease

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to approve the Lease of Part Lot 2 Soldier Road between James and Robyn Potter and the Shire of Kojonup.

BACKGROUND

In 2003 the Historical Society approached James and Robyn Potter regarding selling a portion of part Lot 2 Soldier Road, Kojonup to the Historical Society for the purpose of building a shed to store their collection of large historical items. In July 2004, the Historical Society paid James and Robyn Potter \$3,000.00 for the purchase of the land. In due course, the shed was built on the newly purchased land.

In June 2010, a letter was received from Landgate advising that the Shire had not lodged the application for creation and issue of new titles for the new lots. The required paperwork needed to be lodged at Landgate before 8 April 2011. The required paperwork was not lodged prior to this date and the Shire was asked by Landgate to provide a Requisition Notice and withdraw the application. The application was withdrawn on the 25 May 2011.

COMMENT

In ensuing years conversations have taken place between members of the Historical Society, James and Robyn Potter, Roger Machin (Surveyor) and the Shire's Development Services Co-ordinator, Michelle Dennis. As legislation, forms and procedures have changed over the ensuing years, a subdivision and sale would be required to be completely redone. This has been priced at between \$12,000 and \$15,000 to complete, which includes work performed by Roger Machin at a discounted rate.

As an act of good faith James and Robyn Potter have agreed to Lease Part Lot 2 Soldier Road to the Shire to enable the Historical Society to continue to use the land, and this agenda items seeks to endorse the lease.

The terms of the lease include:

- 20 years;
- Annual rent - 1 peppercorn

CONSULTATION

Council Briefing Sessions
Chief Executive Officer
Kojonup Historical Society
Roger Machin
Development Services Co-ordinator
Manager Corporate Services.

STATUTORY REQUIREMENTS

The lease of land by the Council is similar to a purchasing arrangement, and therefore apart from normal purchasing provisions (acquisition of property) under the *Local Government Act 1995*, there is no specific statutory requirement for the Council to be aware of.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The option of leasing rather than purchasing the property has been pursued based on the financial implications of subdivision, as outlined in the report.

STRATEGIC/CORPORATE IMPLICATIONSStrategic Community Plan 2013 – 2023Objectives

- S2.1 – Promote Kojonup as a place to live and visit.

Corporate Business Plan 2013 – 2017Actions:

- S2.1.2 – Promote Kojonup as a place to visit – Tourism.
- S2.1.4 – Preserve and promote our history and culture.

RISK MANAGEMENT IMPLICATIONS

Prior to this lease, a community asset was located on private property representing a significant risk to the future operations of this facility and ownership of the asset.

ASSET MANAGEMENT PLAN IMPLICATIONS

This lease ensures that a community owned asset is located on land under the care and control of the Shire, rather than privately, ensuring that future asset maintenance requirements can be undertaken by the Kojonup Historical Society.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

169/16 Moved Cr Pedler, seconded Cr Pritchard that the attached lease of Part Lot 2 Soldier Road between James and Robyn Potter and the Shire of Kojonup be endorsed.

CARRIED 5/1


COUNCIL DECISION

170/16 Moved Cr Sexton, seconded Cr Mathwin that Council directs the Chief Executive Officer to investigate more permanent arrangements for the ownership of the Historical Society Machinery Shed and/or the land it stands on.

CARRIED 6/0

Attachment 13.2.1



Attachment 13.2.2

THIS AGREEMENT FOR LEASE OF LAND is made on the day of 2016.

BETWEEN:

THE SHIRE OF KOJONUP a body corporate constituted under The Local Government Act 1995 of the State of Western Australia having its principal place of administration at 93 Albany Highway Kojonup in the said State (herein called "the Shire") of the one part

AND

James David and Robyn Ellen Potter of P2 Soldier Rd Kojonup (herein called "the Owner") of the other part.

BACKGROUND:

In 2004 the Owner's agreed to sell a portion of Lot P2 Soldier Rd Kojonup (as indicated on the attached plan) to the Kojonup Historical Society. The part parcel adjoins Lot 161 and would be amalgamated for the purpose of building a machinery shed on Lot 161. The Historical Society paid \$3000 to the Potters for the purchase of the land. Due to unforeseen circumstances the transfer of land was not lodged with Landgate in the required timeframe and the land remains in the name of James David and Robyn Ellen Potter. Given the passing time the sale process including survey work and subdivision would be required to be redone. Given the increase in costs required to finalize the sale, it was negotiated between the Historical Society and Jim and Robyn Potter to lease the property.

OPERATIVE PART:

The Machinery shed has been built on the proposed site (as per attached aerial view) for the specific use as a Machinery Shed for the display of historical items by the Kojonup Historical Society Inc, on behalf of the Shire of Kojonup. As an act of Good Faith and to honour the original intend of the land being sold to the Kojonup Historical Society the owner agrees to lease to the Kojonup Historical Society the land in question as indicated above.

**Term**

This lease shall be for a term of 20 years and apply from the 1st January 2015 and expire on the 31st December 2034.

Rental

The parties have agreed to an annual rental of 1 peppercorn per annum in recognition of the \$3000 already paid by the Historical Society and received by the owner.

The Shire in accepting this lease acknowledges that it will provide routine maintenance to the area and be included in any operational considerations in conjunction with Elverds Cottage.

Signed sealed and delivered by
James David Potter

Signed sealed and delivered by
Robyn Ellen Potter

The **COMMON SEAL** of THE SHIRE OF KOJONUP was hereunto affixed in the presence of:

Rick Mitchell-Collins
Chief Executive Officer

Cr Ronnie Fleay
Shire President

14 AGED CARE SERVICES REPORTS**14.1 POLICY MANUAL –REVIEW OF POLICY 5.3 – INDEPENDENT LIVING UNITS**

AUTHOR: Heather Marland – Senior Finance Officer

DATE: Friday, 2 December 2016

FILE NO: CM.POL.2

ATTACHMENTS: 14.1.1 Updated version of Policy 5.3

14.1.2 Current version of Policy 5.3

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider a review of the Independent Living Units, Policy 5.3 which was last reviewed 17 November 2015 (Council Decision 183/15).

BACKGROUND

This policy was included for the first time in the complete policy review in November 2015.

COMMENTS AND CURRENT STATUS

With the impending completion of 6 new Independent Living Units it is a prudent time to review and update this policy.

CONSULTATION

Senior Management Team

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

This item reviews and updates the Council Policy Manual.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Strategic Community Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.4 – Maintain robust systems and controls.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

171/16 Moved Cr Hobbs, seconded Cr Mathwin that the revised and updated Policy Independent Living Units be adopted.

CARRIED**6/0**

Attachment 14.1.1

5.3 INDEPENDENT LIVING UNITS

| | | |
|--|------------------------|----------------------------------|
| Adopted or Reviewed by Council: | 13 December 2016 | Council Minute Reference: |
| Reviewer: | Senior Finance Officer | |
| Local Law: | | |
| Procedure: | | |
| Delegation: | | |

OBJECTIVE

To provide Independent Living Units to the elderly (Over 55 as per the R-Code definitions) of Kojonup, ensuring that:

- They are able to remain living locally, providing family connections and ‘aging in place’ in familiar surroundings; and
- Freeing up larger homes in the Shire for family structures with more occupants.

POLICY

The Shire of Kojonup has built 13 Independent Living Units situated in Loton Close, Kojonup. The Shire of Kojonup recognises that the elderly in the district are proud of and loyal to Kojonup and wish to remain in the community that they call home.

The following guidelines apply:

Eligibility:

To help keep our elderly in town, preference is given to:

1. Locals – (defined as those currently residing in the Shire of Kojonup)
2. At least one permanent resident to be Over 55

Process:

1. Two lists of interested tenants is maintained by the Shire with priority given to those listed on the ‘Local’ list over those listed on the ‘Non-Local’ list.
2. The list is prioritised in date order when prospective tenants lodge an interest (first in, first served).
3. When a unit becomes vacant it is offered to the first person on the list. If the first person offered declines then it is offered to the next person on the list until such time as a prospective tenant accepts.
4. If a prospective tenant refuses an offer, they retain their position on the list.
5. The shire does not maintain a priority list.
6. Once an independent unit is leased, the lease agreement is valid until such time as the lessee may not operate independently as defined under the lease agreement.
7. Carers are permitted to live-in but once lease holder ceases occupation, the Carer must vacate the premises as well.

Costs/Lease Conditions:

The units are on a weekly rental basis with a bond set at 4 weeks rent being applicable. The rent is reviewed annually and is set by the Council as part of the annual Fees and Charges. Tenants are liable for power and water usage and are sub-metered. All telecommunications are between the tenant and the supplier of their choice. All building maintenance is to be performed by the shire. The gardens are to be maintained by the tenant.

Attachment 14.1.2**5.3 INDEPENDENT LIVING UNITS****Adopted or Reviewed by Council:** 17/11/15**Council Minute Reference:** 183/15**Reviewer:** Chief Executive Officer**Local Law:****Procedure:****Delegation:****OBJECTIVE**

To provide for the independent living for aged people in Kojonup by way of two bedroom self-contained units.

POLICY

The aim of the Aged Care Units is to provide self-contained accommodation for residents over the age of 65.

- A waiting list is maintained by the Shire of prospective residents. The date of register is the order in which offers are made to fill any vacancies, preference is given to local residents.
- The units are let on a rental basis with four weeks bond applicable.
- Pets are allowed but are to be housed outside and are not to be a nuisance to other residents.

14.2 ANNUAL REVIEW OF AGED CARE POLICIES & PROCEDURES

AUTHOR: Sue Northover – Manager Aged Care Services

DATE: Monday, 5 December 2016

FILE NO: CS.SVP.10

ATTACHMENT: 14.2.1 Medication Management

14.2.2 Nutrition & Hydration

14.2.3 Oral & Dental Care

14.2.4 Resident's Handbook

14.2.5 Infection Control

14.2.6 Cleaning

14.2.7 Catering

14.2.8 Resident & Staff Safety

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to advise Council of amendments to Springhaven Lodge's policies and procedures in 2016.

BACKGROUND

Under the *Aged Care Act 1997* it is a requirement that all residential aged care facilities policies are reviewed by management yearly to remain up to date and compliant with standards. As the facility is owned and operated by the Shire, the Council may adopt, amend or waive policies under Section 2.7(2)(b) of the *Local Government Act 1995*.

COMMENT

Springhaven Frail Aged Lodge reviews all policies regularly as part of their continuous improvement and to maintain relevance. In future any changes to policy will be sent to Council for review at the end of each month.

CONSULTATION

Springhaven Staff, Care Recipients, the Senior Management Team and Council.

STATUTORY REQUIREMENTS

Compliance with Accreditation Standards

Aged Care Act 1997 (54.2)

Australian Aged Care Quality Act 2013

Quality Agency Reporting Principles 2013(96.1)

Local Government Act 1995

POLICY IMPLICATIONS

This item reviews and updates Springhaven Lodge's Policy Manual.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Strategic Community Plan 2013 – 2017

Outcomes:

S3 – Being Healthy

Corporate Business Plan 2013 – 2017

S3.1 – Ensure and promote adequate health services are available in Kojonup.

RISK MANAGEMENT IMPLICATIONS

The changes/updates to the policies reflect current practices, legislation and therefore compliance.

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION/OFFICER RECOMMENDATION

172/16 Moved Cr Radford, seconded Cr Mathwin that Council accepts the following revised and updated policies in respect to Springhaven Frail Aged Lodge:

- 1. Medication Management**
- 2. Nutrition & Hydration**
- 3. Oral & Dental Care**
- 4. Resident's Handbook**
- 5. Infection Control**
- 6. Cleaning**
- 7. Catering**
- 8. Resident & Staff Safety**

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CARRIED 6/0

Advice Note – the Manager Aged Care Services will submit Springhaven Lodge's policies to Council for review in future as each policy is updated as opposed to carrying out a lengthy annual submission to the Council.

15 COMMUNITY DEVELOPMENT & TOURISM REPORTS

Nil

16 COMMITTEES OF COUNCIL**16.1 COMMITTEES OF COUNCIL UNCONFIRMED MINUTES****COUNCIL DECISION/OFFICER RECOMMENDATION**

173/16 Moved Cr Hobbs, seconded Cr Pedler that the attached unconfirmed minutes for following Advisory Committees be received by Council:

- **Audit Committee meeting held 15 November 2016;**
- **Kodja Place Advisory Committee meeting held 24 November 2016; and**
- **Natural Resource Management Advisory Committee meeting held 1 December 2016.**

CARRIED 6/0

17 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18 NEW BUSINESS**18.1 BLACK COCKATOO CAFÉ – FINANCIALS**

Cr Hobbs queried Item 10.1 in relation to the Officer's comment:

“The Council's attention is also drawn towards the variance report detailing revenue for the Black Cockatoo Café being approximately \$38,000 less than the year-to-date budget. This deficit is growing each month and is becoming a concern.”

The Manager Corporate Services responded when the Shire took on the management of the Black Cockatoo Café in the 2016/2017 Budget the aim was set to breakeven but at this point in time the Black Cockatoo Café has fallen short of this goal by \$38,000. He has discussed his concerns with the Chief Executive Officer.

The Chief Executive Officer took the opportunity to add that he takes comfort in the fact that the process of doing a monthly finance report to Council meant that the Corporate Services department was able to flag this and draw it to Council's attention. There have been unforeseen extra costs since the Shire has taken on the Black Cockatoo Café such as having to do on the job training which meant shorter opening hours and additional loss of revenue. However, the business is now coming into peak season so he will be surprised and disappointed if the café income does not see an upward trend over the next few months.

19 CONFIDENTIAL REPORTS

Nil

20 NEXT MEETING

Tuesday, 21 February 2017 commencing at 3:00pm.

The Chief Executive Officer took the opportunity to thank the Elected Members for their service in 2016. He wished them a safe and happy Christmas and New Year break.

The Acting Presiding Member also wished Elected Members and Staff a safe and happy festive season.

21 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4:00pm.

22 ATTACHMENTS (SEPARATE)

- Item 10.1 Monthly Statement of Financial Activity – October 2016
- Item 10.2 Monthly Payment Listing 01/10/2016 – 31/10/2016
- Item 10.4 Council Policy 2.1.8 – ‘Financial Governance’
- Item 12.2.2 **Plans**
- Item 14.2.1 Medication Management
- Item 14.2.2 Nutrition & Hydration
- Item 14.2.3 Oral & Dental Care
- Item 14.2.4 Resident’s Handbook
- Item 14.2.5 Infection Control
- Item 14.2.6 Cleaning
- Item 14.2.7 Catering
- Item 14.2.8 Resident & Staff Safety
- Item 16.1.1 Audit Committee Meeting Unconfirmed Minutes 15 November 2016
- Item 16.1.2 Kodja Place Advisory Committee Unconfirmed Minutes 24 November 2016
- Item 16.1.3 Natural Resource Management Advisory Committee Unconfirmed Minutes
1 December 2016

Presiding Member

Date