

SHIRE OF KOJONUP

Kojonup



One community, many choices

MINUTES

Ordinary Council Meeting

19 July 2016

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 19 JULY 2016****TABLE OF CONTENTS**

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS	3
2	ATTENDANCE & APOLOGIES	3
3	SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	4
4	PUBLIC QUESTION TIME	4
5	PETITIONS, DEPUTATIONS & PRESENTATIONS	4
6	APPLICATIONS FOR LEAVE OF ABSENCE	4
7	CONFIRMATION OF MINUTES	4
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	4
9	DECLARATIONS OF INTEREST	5
10	CORPORATE SERVICES REPORTS	6
10.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JUNE 2016)	6
10.2	MONTHLY PAYMENTS LISTING	8
10.3	AUDIT COMMITTEE MEMBERSHIP – COMMUNITY MEMBERS	10
10.4	FREEDOM OF INFORMATION – INFORMATION STATEMENT 2016/2017	13
10.5	BUDGET ADOPTION – 2016/2017 LIST OF FEES & CHARGES	15
10.6	BUDGET ADOPTION – 2016/2017 PROPERTY RATES	17
10.7	BUDGET ADOPTION – 2016/2017 ANNUAL BUDGET	21
11	WORKS & SERVICES REPORTS	29
12	REGULATORY SERVICES REPORTS	30
12.1	KOJONUP PISTOL CLUB – PROPOSED DEMOLITION	30
12.2	KOJONUP SALEYARDS	41
12.3	REQUEST TO AMEND DEVELOPMENT APPROVAL FOR MOONIES HILL ENERGY PTY LTD – WINDFARM DEVELOPMENT	55
13	EXECUTIVE & GOVERNANCE REPORTS	61
13.1	HEALTH SERVICES PRECINCT PLAN	61
13.2	RSL HALL/APEX PARK/CWA/MEN’S SHED AREA – COMMUNITY PRECINCT DEVELOPMENT PLAN	70
14	AGED CARE SERVICES REPORTS	74
15	COMMUNITY DEVELOPMENT & TOURISM REPORTS	75
15.1	KOJONUP NOONGAR ORAL HISTORY PROJECT	75
16	COMMITTEES OF COUNCIL	81
16.1	COMMITTEES OF COUNCIL UNCONFIRMED MINUTES	81
17	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	82
18	NEW BUSINESS	82
19	CONFIDENTIAL REPORTS	82
20	NEXT MEETING	82
21	CLOSURE	82
22	ATTACHMENTS (SEPARATE)	82

MINUTES

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

The Shire President declared the meeting open at 3:02pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and drew the meeting's attention to the disclaimer below:

Disclaimer

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

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

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

2 **ATTENDANCE & APOLOGIES**

Cr Ronnie Fleay	Shire President
Cr Frank Pritchard	
Cr Ian Pedler	
Cr Graeme Hobbs	
Cr Ned Radford	
Cr Jill Mathwin	

Mr Rick Mitchell-Collins	Chief Executive Officer
Mr Anthony Middleton	Manager Corporate Services
Mr Mort Wignall	Manager Regulatory Services
Mr Craig McVee	Manager Works & Services
Mr Phil Shephard	Town Planner
Mrs Michelle Dennis	Development Services Coordinator
Miss Miranda Wallace	Executive Assistant
Mrs Dominique Magini	Records Officer

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

APOLOGIES

Nil

LEAVE OF ABSENCE

Cr Robert Sexton
Cr Judith Warland

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 21 JUNE 2016

COUNCIL DECISION

92/16 Moved Cr Pritchard, seconded Cr Radford that the Minutes of the Ordinary Meeting of Council held on 21 June 2016 be confirmed as a true record.

CARRIED 6/0

8 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

9 DECLARATIONS OF INTEREST

Item 10.3

- Cr Pritchard declared a ‘Closely Associated Persons’ interest.

Item 12.2

- Cr Mathwin declared a ‘Financial’ interest.
- Councillors Fleay, Sexton, Mathwin and Radford have all declared a previous interest for this item. Councillors Fleay, Radford & Hobbs have been granted ‘permission to participate’ in this item under section 5.69(3)(a) of the *Local Government Act 1995* by the Department of Local Government & Communities.

Item 13.2

- Cr Hobbs declared an ‘Impartiality’ interest as he is a member of the APEX Club, the Returned & Services League and the Men’s Shed.

Item 12.3 was considered after Item 9 (for the purpose of the members of the gallery) but has been recorded in the order of the Agenda.

10 CORPORATE SERVICES REPORTS

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

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Tuesday, 12 July 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 June 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

Note:

The attached financial statements do not represent an audited end of year financial position of the Shire of Kojonup. There remain some balance day adjustments, accrual provisions and other transactions to be completed which may amend the net financial position shown in these statements. The final 2015/2016 financial figures will be shown in the Annual Report.

The attached Statement of Financial Activity for the period 1 July 2015 to 30 June 2016 represents twelve (12) months, or 100% of the year. The following items are worthy of noting:

- Surplus position of \$118,301;
- Operating results:
 - 95% of budgeted operating revenue received; and
 - 102% of budgeted operating expenditure spent;
- Capital expenditure achieved 66% of budgeted projects;
- The value of outstanding rates equates to 5.2% of 2015/2016 rates raised, which includes previous years arrears but excludes deferred rates (refer to page 17 of the statements);
- Cash holdings of \$3.56m of which \$2.89m is held in cash backed reserve accounts;
- Page 7 & 8 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

When analyzing the final position for the 2015/2016 financial year, consideration should be given to the fact that no new loans were raised during the financial year, despite \$420,000 of new loans being budgeted. This decision was made to minimize the total loan indebtedness of the organisation when considering the significant projects and scope of capital investment proposed for the 2016/2017 financial year of over \$8m.

Minimising this loan indebtedness allows several exciting projects to be undertaken in the 2016/2017 year and they will be partially funded through loans. This should also be taken into consideration when reading ratio performances or ‘financial health indicators’ in the Annual Report for 2015/2016. This indicators will suffer in the short term as a result of better long term decision making.

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

94/16 Moved Cr Pedler, seconded Cr Pritchard that the monthly financial statements for the period 1 July 2015 to 30 June 2016, as attached, be noted.

CARRIED 6/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Christine Coldwell – Finance Officer
DATE: Monday, 11 July 2016
FILE NO: FM.AUT.1
ATTACHMENT: [10.2 Monthly Payment Listing 01/06/2016 – 30/06/2016](#)

DECLARATION OF INTEREST

Nil

SUMMARY

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

BACKGROUND

Not applicable.

COMMENT

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

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

CONSULTATION

No consultation was required.

STATUTORY REQUIREMENTS

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

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

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC/CORPORATE IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

95/16 Moved Cr Mathwin, 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 June 2016	30 June 2016	
Municipal Cheques	13717	13736	\$62,821.15
EFT's	16388	16659	\$964,141.33
Direct Debits			\$485,904.97
			\$1,512,867.45

be received.

CARRIED 6/0

10.3 AUDIT COMMITTEE MEMBERSHIP – COMMUNITY MEMBERS

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Friday, 1 July 2016
FILE NO: CM.TND.1
ATTACHMENT: 10.3 Mr Roger House - Resume

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to consider possible candidates for the two (2) vacant positions on the Audit Committee.

BACKGROUND

The structure of the Council's Audit Committee is as follows:

- Four (4) Councillors; and
- Two (2) Community Members.

The two community member positions are presently vacant and it is appropriate that the Committee has recommended possible candidates to the Council for appointment to the Committee.

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

“...to request Council to appoint Mr Roger Bilney to become a member of the Audit Committee.”

Unfortunately, following this meeting Mr Bilney has withdrawn his availability to join the Committee. Since this withdrawal, the Chair of the Committee, Cr Mathwin, has approached Mr Roger House to join the Committee and Mr House has accepted.

COMMENT

The Manager Corporate Services advertised for Community Members to join the Audit Committee in early 2014. One nomination was received however no appointment was made by the Council.

Having two community member positions on the Committee gives greater openness and accountability for the financial operations of the Shire and increases the diversity of this important Committee. Having said this, a minimum of four meetings per annum can be a significant voluntary time commitment for a Community member.

The Audit Committee has recommended one (1) candidate for the two (2) vacant positions, however, is currently undertaking a process of approaching other viable nominees for a future recommendation to the Council.

Mr House's resume is attached for the information of the Council.

CONSULTATION

Audit Committee and Cr Mathwin.

STATUTORY REQUIREMENTS

There is significant legislation covering the appointment of Committees, minimum number of members, payment to members and the Audit Committee generally. This is covered by both the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

There is no financial implication for this report.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

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

RISK MANAGEMENT IMPLICATIONS

The Audit Committee is a key risk minimization strategy, having oversight of several vital administrative functions.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONSVROC Strategic Directions 2015 – 2020

- 2.1.3 - Continue to develop and discuss options for reform and best practice in local government.

VOTING REQUIREMENTS

Absolute Majority

3:07pm – Cr Pritchard declared a ‘Closely Associated Persons’ interest and departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

96/16 Moved Cr Mathwin, seconded Cr Hobbs that Mr Roger House be appointed as a community member of the Audit Committee.

CARRIED BY ABOLSUTE MAJORITY

5/0

3:09pm – Cr Pritchard returned to the Chamber.

Attachment 10.3**Roger Pell House**

dob 20/6/1961
Dorrington Rd
Kojonup WA 6395
ph: 98321031

Education and Professional Development

- Kojonup District High School K- Yr 6
- Hale School, Perth Yrs 7-12.
- 2002-03 Rabobank, Executive Development Program for Primary Producers. Macquarie Graduate School Sydney
- 2004 Grain Leaders for the Future, Grain Research and Development Corporation. BRI (Bread Research Institute) Sydney.
- 2006 Australian Institute of Company Directors course, Perth

Board member and Advisory group involvement

Director/ Shareholder Cheddar Valley Station Ltd. (New Zealand Farming Company.)
Director/Secretary Naraco Holdings Pty Ltd (Family business)
Director/Secretary Kelso Genetics Australia Pty Ltd
Sheep's Back Producer Advisory Panel WA (Australian Wool Innovation)
Kondinin Overview Group
Growers Advisory Council (Cooperative Bulk Handling)
Kojonup CBH Bin rep.

Presidential positions held

Kojonup Bush Fire Advisory Committee
West Australian Branch, Australian Society of Animal Production
Middle Balgarup Land Care Group
Kojonup District High School Parents and Citizens
Vice President Australian Society of Animal Production Biennial Conference 2006.

Current

Kojonup Bush Fire Brigade..Zulu 2
Vice President Kojonup Football Club 2016
Chairperson Sheep's Back Producer Advisory Panel WA (AWI)

10.4 FREEDOM OF INFORMATION – INFORMATION STATEMENT 2016/2017

AUTHOR: Dominique Magini – Records Officer
DATE: Thursday, 7 July 2016
FILE NO: IM.FOI.4
ATTACHMENT: 10.4 Information Statement 2016/2017

DECLARATION OF INTEREST

Nil

SUMMARY

To review, prior to the annual publishing of, the Shire of Kojonup's Information Statement.

BACKGROUND

Section 96(1) of the *Freedom of Information Act 1992* requires each government agency, including local governments, to prepare and publish annually an information Statement.

The Information Statement must set out:

- The Agency's Mission Statement;
- Details of legislation administered;
- Details of the agency structure;
- Details of decision-making functions;
- Opportunities for public participation in the formulation of policy and performance of agency functions;
- Documents held by the agency; and
- The operation of Freedom of Information (FOI) in the agency.

COMMENT

The Shire of Kojonup's Information Statement 2016/2017 is attached to this agenda. The document complies with the requirements of the *Freedom of Information Act*, as outlined above.

A copy of the Information Statement will be forwarded to the Commissioner as required. The previous version was adopted by the Council at its ordinary meeting held 18 August 2015.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

This item is required under the *Freedom of Information Act 1992*.

POLICY IMPLICATIONS

The Information Statement is the Policy for access to information under the *Freedom of Information Act*, and is linked to the Records Management Policy and Recordkeeping Plan.

FINANCIAL IMPLICATIONS

There are no known Shire of Kojonup Financial implications.

STRATEGIC/CORPORATE IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

The review of this document ensures compliance with legislation and is a vital tool in ensuring open and accountable local governance.

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

COUNCIL DECISION/OFFICER RECOMMENDATION

97/16 Moved Cr Pritchard, seconded Cr Radford that the 2016/2017 information statement as attached be adopted and published in accordance with the *Freedom of Information Act 1992*.

CARRIED 6/0

10.5 BUDGET ADOPTION – 2016/2017 LIST OF FEES & CHARGES

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Tuesday, 12 July 2016
FILE NO: FM.FEE.1
ATTACHMENT: 10.5 List of Fees and Charges

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to adopt the list of fees and charges for the 2016/2017 financial year.

BACKGROUND

The Council is required by the *Local Government Act 1995* to adopt a list of fees and charges annually.

COMMENT

The draft list of fees and charges has undergone a review from all staff and at Council Briefing Sessions.

Changes have been made to the draft since the 5 July 2016 Briefing Session as follows:

- Comments made during the Briefing Session have been incorporated into the list;
- Plant hire rates have increased by approximately 5%; and
- Cemetery charges have increased by approximately 40% to cover, as a minimum, the cost of digging a grave. Cemetery maintenance and upgrade expenses are not funded from proposed new revenue levels.

CONSULTATION

All staff have been given the opportunity to provide input. A review was also conducted at the Council Briefing Session held 5 July 2016.

STATUTORY REQUIREMENTS

Section 6.15 to 6.19 of the *Local Government Act 1995* legislates the imposition of fees and charges for a local government. Section 6.19 of this Act requires a local government to advertise the imposition of fees and charges that are not included in the annual budget. This item is being completed in conjunction with the adoption of the annual budget and therefore advertising is not required.

POLICY IMPLICATIONS

There is no Council policy applicable to this item.

FINANCIAL IMPLICATIONS

The list of fees and charges, when adopted, sets the level of many revenue items contained within the budget. Significant consideration needs to be given when setting each fee and charge and the effect that it will have on the usage of that facility and therefore the total revenue level obtained. For example, simply doubling a fee may not double the revenue, as the number of ‘sales’ may be affected by increased prices.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

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

RISK MANAGEMENT IMPLICATIONS

A thorough and complete list of fees and charges assists with legislative compliance and ensures the generation of adequate revenue.

ASSET MANAGEMENT PLAN IMPLICATIONS

An appropriate list of fees and charges can assist to fund the required asset management activities.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

3:10pm – the Records Officer departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

98/16 Moved Cr Pedler, seconded Cr Hobbs that the list of fees and charges for 2016/2017, as attached, be adopted.

CARRIED BY ABSOLUTE MAJORITY**6/0**

10.6 BUDGET ADOPTION – 2016/2017 PROPERTY RATES

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Tuesday, 12 July 2016
FILE NO: FM.BUD.2
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to set the property rates and associated conditions for the 2016/2017 financial year.

BACKGROUND

Nil

COMMENT

Level of Rates/Calculation

The proposed rate increase in the 2016/2017 draft budget is 2.7%. This is in line with the Perth March Consumer Price Index (CPI) of 0.7% *plus* an additional 2% in accordance with the Council's adopted Long Term Financial Plan.

All Unimproved Values have been revalued by the Valuer Generals Office in accordance with relevant statutory legislation. There was no significant change in total Unimproved Valuations for the Shire. As always, individual UV properties are likely to receive a greater variance (both increased and decreased) than the 2.7% total increase in actual rates levied for the year. Unfortunately, this is beyond the Shire's control and anyone in this situation should be referred to the Valuer General's Office.

It is proposed that the minimum rate of \$640 from last year be increased to \$655.

Discount

Section 6.12 (1)(a) permits a local government to grant a discount or incentive for the early payment of money which is owed to the Council. The Council has historically offered a discount and it is proposed that a 2.5% discount on property rates paid within 14 days from the date of issue of the rate notice continue in 2016/2017.

Instalments

It is recommended that the Council continue to offer the following three (3) payment options as in previous years:

1. To pay the total rates and charges included on the rate notice in full by the 35th day after the date of issue of the rates notice. (Full payments received within 14 days are eligible for a discount of 2.5% on the amount of their current rate charge); or
2. To pay by two equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the second instalment four calendar months after this date; or
3. To pay by four equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the remainder at two calendar month intervals after this date.

Instalment Fee

It is recommended that an instalment fee of \$9.00 be charged for each instalment reminder issued after the first instalment is paid. This is the same as that charged in at least the three previous financial years.

Interest on Instalments

It is recommended that the maximum allowable interest rate of 5.5% per annum be applied to instalment payments. Again, this is consistent with the previous year's charges and statutory requirements.

Late Payment Penalty Interest

It is recommended that the Council adopt a late payment penalty interest of 11% per annum. It is proposed that the late payment penalty interest will apply to rates that remain unpaid where no election was made to pay the rate by instalments and on overdue instalment payments where an election was made to pay by instalments. Again, this is consistent with the previous year's charge and statutory requirements.

CONSULTATION

Setting the rating levels for 2016/2017 has been discussed at Council Briefing Sessions and Senior Management Team meetings. All other rating parameters are as per previous years.

STATUTORY REQUIREMENTS

Section 6.25 to 6.82 of the *Local Government Act 1995* and Sections 52 to 78 of the Local Government (Financial Management) Regulations relate to property rating requirements and procedures.

POLICY IMPLICATIONS

There is no Council policy applicable to this item.

FINANCIAL IMPLICATIONS

The property rates proposed have been established on the basis of delivering a balanced budget and the adopted long term financial plan of the Shire.

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

A control measure to raise rate revenue to offset budget expenditure as listed in the Draft 2016/2017 Budget.

ASSET MANAGEMENT PLAN IMPLICATIONS

Rating revenue assists to fund the required asset management activities.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

99/16 Moved Cr Radford, seconded Cr Pedler that:

- 1. The following rate levels be adopted for the 2016/2017 year:**
 - a) For all rateable properties where Gross Rental Valuations are applied a rate of 11.5465 cents in the dollar with a Minimum Rate of \$655 is to apply.**
 - b) For all rateable properties where Unimproved Valuations are applied, a rate of 0.9169 cents in the dollar with a Minimum Rate of \$655 is to apply.**
- 2. Where payments are received after the due date, penalty interest at a rate of eleven (11%) per centum per annum, to be calculated on a daily basis will be imposed on all outstanding Rates and Service Charges. (Pensioners who are registered in accordance with the *Rates Rebates and Deferments Act 1993* are exempt from this provision.)**
- 3. Those ratepayers who pay all of their rates, charges and arrears in full within 14 days (Friday 5 August 2016) of the date of rate notice issue (22 July 2016) be offered a discount of 2.5% on the amount of their 2016/2017 property rate charge.**
- 4. The following rates instalment payment options be offered:**

Option 1 Payment in Full

Total amount of rates and charges included on the rate notice to be paid in full by 26 August 2016. Full payments received on or before 5 August 2016 are eligible for a discount of 2.5% on the amount of their current rate charge for the 2016/2017 year.

Option 2 Payments to be made by two (2) instalments as detailed on the rates notice, with the following due dates:

First Instalment	26 August 2016
Second Instalment	6 January 2017

Option 3 Payments to be made by four (4) instalments, as detailed on the rate notice, with the following due dates:

First Instalment	26 August 2016
Second Instalment	26 October 2016
Third Instalment	6 January 2017
Fourth Instalment	7 March 2017

- 5. Where payments are made by instalment, an administration charge of \$9 for each instalment after the first instalment shall apply. Interest on instalments shall be 5.5% p.a. calculated daily from the date the first instalment is due to the date each subsequent instalment is due, in accordance with the *Local Government Act 1995*.**

CARRIED BY ABSOLUTE MAJORITY

6/0

10.7 BUDGET ADOPTION – 2016/2017 ANNUAL BUDGET

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Tuesday, 12 July 2016
FILE NO: FM.BUD.2
ATTACHMENT: 10.7 2016/2017 Draft Annual Budget

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to adopt the 2016/2017 Annual Budget, with or without modification.

BACKGROUND

The *Local Government Act 1995*, requires each Local Government to prepare a budget each financial year. The form, manner and content of the budget are prescribed in the Act and the Financial Management Regulations. The Council must adopt its budget by an Absolute Majority no later than 31st August in the budget year unless the Minister for Local Government has granted an extension.

The Council has been working on the components of the 2016/2017 Annual Budget for a number of months now, including the consideration of the plant replacement program, road construction program, fees and charges and property rating details. The Council briefing sessions have enabled a detailed analysis of the draft budget by staff and elected members.

The previous items in this agenda have dealt with the major items in the budget and have been adopted individually as required by the *Local Government Act*. These included the List of Fees & Charges and Property Rates.

COMMENT

The budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and *Australian Accounting Standards*. The main features of the draft budget include:

- The budget has been prepared with a 2.7% rate increase in line with the Council's adopted long term financial plan. This is calculated using Perth's March 2016 consumer price index plus an additional 2%;
- Fees and charges have also been reviewed and are itemised in the draft budget;
- The recurrent operating budget includes an overall increase in estimated expenditure of 5.25% (although individual line items may vary from this based on specific factors affecting each of these) and continues the focus on improved service delivery to the community. The inclusion of *The Black Cockatoo Café* into the Shire's operations represents an increase in operating expenditure of 5.7%, therefore savings of 0.45% have been realised in all other areas of operations; and
- A capital works programme totalling \$8m for investment in infrastructure, land and buildings, plant and equipment and furniture and equipment is planned. Expenditure on road infrastructure (\$2.5m) and housing (\$3.3m) are the major components of this in line with the Council's strategic plans.
- Loan borrowings of \$950,000 will fund:
 - New staff Housing \$500,000;
 - Upgrade to the Memorial Hall/Harrison Place precinct \$300,000; and

- Conversion of the Bagg St clinic into short term accommodation \$150,000.
- An estimated surplus of \$68,300 is anticipated to be brought forward from 30 June 2016, however this is unaudited and may change. Any change will be addressed as part of a future budget review.
- Principal additional grant funding for the year is estimated from:
 - Southern Inland Health Initiative (stream 6) - \$1,136,093 with a possibility of this amount increasing;
 - Roads to Recovery - \$1,235,265;
 - Regional Road Group - \$678,000; and
 - LotteryWest \$325,000.

The Chief Executive Officer has provided the following introduction to the budget:

The past 12-18 months of planning is becoming reality in that major capital projects are now well advanced or completed. For example:

- *The new Day Care Centre was officially opened in February 2016;*



(Source: H + H Architects – Completed – February 2016)

- *Not 3 but 6 Independent Living Units are on track for completion by the end of this year;*



(Work in Progress – 12 July 2016)

- *The new executive residence at Loton Close is also planned for completion by the end of the year;*



(Work in Progress – 12 July 2016)

- *Stage 1 of the Springhaven Bathroom upgrades was completed in May 2016 on time and on budget;*



(Before – Early 2016 & After – May 2016)

- *An extensive Roads program was undertaken despite storm events in January 2016 and subsequent rain events necessitating access to WANDRRA funding and reallocation/deferment of \$60,300 in works to meet Kojonup's compulsory contribution;*
- *IT upgrades linking Springhaven, Works Depot and Kodja Place with our Administration building;*
- *Continuation of our Asset Maintenance Program addressing the backlog of works required on buildings which is ongoing; and*
- *Stage 2 of Kojonup's Water Harvesting and Reuse Project secured enabling access to water from the South Dam for use within the Kodja Place Precinct and APEX Park during summer.*

The investment in prioritised infrastructure projects is also aligned to Council's continued investment in its team members to fully utilise skill sets and strive for continuous improvement.

Extensive capital and operational works aligned to the business of Local Government also engages contractors providing employment opportunities to people who, just like our own

Shire team members, support the business sector, local clubs, groups and organisations and their families help to maintain enrolment levels at schools, Day Care facilities, etc. which attempt to survive on funding formulas that are number based.

The 2016/2017 Budget continues to build on respecting past decisions but also plans and promotes for today and tomorrow in accordance with the Community Strategic Plan 2013 – 2023 which will be reviewed during 2017. Council systems, processes, procedures, branding, marketing, promotion, project/master planning and governance are becoming strategically integrated and aligned to achieve affordable, sustainable, realistic expectations and outcomes.

The Southern Link Voluntary Regional Organisation of Council's (VROC) continues to focus on eliminating duplication of effort and resources by collectively reviewing Local Laws and sharing personnel of which Kojonup is leading by example with officers shared with Woodanilling, Broomehill-Tambellup, Cranbrook and (during periods of leave) also with Plantagenet.

So what does 2016/2017 propose?

- *Rates in accordance with adopted Long Term Financial Plan 0.7% (Perth March CPI) plus 2% = **2.7% increase***
- *Fees & Charges – additional work undertaken to clearly establish charging philosophy*
- *With borrowing Interest Rates at 3%, now is the time to invest for the present and future, i.e.:*
 - *\$950,000 new loans*
 - *Loans Opening Balance \$372,000*
 - *Est. Loan indebtedness 30 June 2017 \$1.275 million (most probably \$975,000)*
- *Loton Close Independent Living Units: Completion of build \$2.138 million*
 - *Includes street widening, parking, street trees, lowering of sewer lid at end of cul-de-sac*
 - *Funded via:*
 - *\$858,000 CLGF Regional Grant*
 - *\$420,000 SIHI Grant*
 - *\$646,000 AITB Grant*
 - *\$214,000 Council*
- *CEO Residence: Completion of build \$531,000*
 - *Funded \$180,000 from reserve, \$346,000 CLGF Grant*
- *Bagg Street:*
 - *Short term staff/contractor accommodation*
 - *2 units, new wet areas, fencing & carport \$150,000*
 - *Funding 100% through new loan*
- *Jean Sullivan Units: Kitchen accessibility project \$77,593*
 - *Funded by SIHI Grant \$66,593 – balance reserve (rent)*
- *Springhaven Lodge:*
 - *Renovations & Alterations (new project) \$666,000*
 - *Funded by SIHI Grant \$648,500 – balance by reserve*
 - *Funded by \$2,500 donation from Kojonup Rotary Club*
 - *Refurbish 3 rooms \$5,100 & Major Building Maintenance \$50,000*
 - *Funded by LotteryWest \$25,000 – balance by reserve*

Total all Housing (Capital Expenditure) - \$3.023 million

- **Road Construction**
 - *Bridges x 2 - \$740,000 (100% Roads to Recovery)*
 - *Footpaths - \$61,000*
 - *Kerbing Renewal - \$56,000*
 - *Town Drainage Renewal - \$10,000*
 - *Culvert Replacement - \$74,000 (\$55,265 Roads to Recovery)*
 - *Pensioner Rd Upgrade Stage 1 - \$270,000 (2/3's Regional Road Group)*
 - *Gravel re-sheeting - \$472,000 (100% Roads to Recovery)*
 - *Road Widening:*
 - *Kojonup-Darkan Rd \$136,120 (\$88,000 Regional Road Group)*
 - *Kojonup-Frankland Rd \$480,000 (2/3's Regional Road Group)*
 - *Bitumen Reseals:*
 - *Kojonup-Darkan Rd \$75,000 (2/3's Regional Road Group)*
 - *Broomehill-Kojonup Rd \$60,000 (2/3's Regional Road Group)*
 - *Kojonup town site \$20,000 (100% Roads to Recovery)*



Total Roads Capital Expenditure - \$2.52 million

- **Plant Replacement Program in accordance with adopted plan:**
 - *Passenger Vehicles (x4) – net cost \$25,300*
 - *Isuzu Patching Truck – net \$55,000*
 - *Scale for Front End Loader - \$12,000*
 - *Caterpillar 12H Grader- net \$290,000*
 - *Mini excavator – net \$80,000*
 - *Spray Motorbike – net \$25,000*
 - *Miscellaneous – net \$2,300*

Plant Replacement Summary:

- **Total Net Expenditure – \$489,600**
- **11 year Plant Replacement Program average – \$552,227p.a.**
- **Transfer to plant reserve \$62,627**

- **Recreation and Culture - \$600,000**
 - *Rebuild Harrison Place toilets*
 - *Develop Harrison Place Park as per concept plan*
 - *Upgrade the Memorial Hall Toilets*
 - *Complete the Theatrical Society Facilities Upgrade*
 - *Expand public uses within the Hall (movie equipment)*
 - *Commence Curly Wig sub-division & development*
- Sporting Facilities:**
 - *New Access Road into Sporting Complex - \$100,000 (Council Funded)*
 - *Finalise building refurbishment items - \$50,000 (funded from reserve)*
 - *Swimming Pool Capital Equipment - \$60,000 (funded from \$32,500 grant, \$25,000 from reserve and balance Council)*
- **Other Major Items**
 - Water Re-use – Stage 2:**
 - *\$210,000 project (Funded \$100,000 Dep't Water, \$70,000 GSDC, balance Council)*

The Kodja Place Precinct:

- \$40,000 – Black Cockatoo Cafe Cool Room and revised entrance (funded from \$20,000 grant, balance Council)
 - \$79,221 – Carry-over Visitor Centre upgrade project (funded from \$39,032 Tourism grant received in 2015/2016, balance Council)
 - Truck Wash Down Bay Fencing - \$15,500
 - Depot Building & Security Items - \$16,000
 - Landfill Site Boundary Fence - \$25,000
 - Cemetery Upgrade - \$20,000
 - Historical Buildings Improvements - \$18,000
 - Administration Office renewal - \$71,750
 - IT Plan Implementation - \$40,000
- *Reserve Accounts:*
 - Balance 1 July 2016 - \$2.89 million
 - Est. Balance 30 June 2017 - \$2.65 million
 - Includes SHL Bonds of \$1.085 million
 - Reduction of only \$240,000
 - With each Budget we are reducing dependency on reserves (AITB & SIHI grants, loans, better forward planning)
 - 2017 onwards we need to consider Sporting Facilities Reserve

Conclusion

The 2016/2017 Budget process included consideration of and implications to the Long Term Financial Plan, Community Strategic Plan, Corporate Business Plan, Asset Management Plan, Risk Management Plan, Workforce Plan, as well as our ability to meet and respond to changes in government funding streams, regulation, cost shifting and the political landscape.

I express my sincere gratitude to Councillors who now, as “normal practice”, continually assess, review and evaluate the strategic direction of Council on behalf of the community they represent which is reflected in the quality of decisions made, backed by sound business planning including “whole of life” costs and analysis of social, economic, environmental, cultural, historical, heritage values and resource requirements – human and physical.

Council will continue to engage and consult with the community to rank priorities in order to focus on external funding opportunities as evidenced in our capital works program.

Private Sector Investment in our Shire is also a high priority and projects such as the Stone Axe Pastoral Company Feedlot and potential Abattoir, GD Pork expansion, Moonies Hill Wind Farm together with new dwellings/renovations, engineering/agricultural support services, favourable cropping yields and stock prices, reinforces Council’s and the Community vision that Kojonup can “build prosperity and happiness through opportunity and commitment, in a safe and well governed community”, despite the challenges of “Mother Nature”, exchange rates, market fluctuations affecting supply and demand, government cutbacks, etc.

To all my team – Thank you for your commitment to change, to be innovative and continually rising to the challenge. To grasp opportunities despite restrictive time frames and not feel intimidated or burdened by responsibility and accountability as we are making a positive difference which is being recognised by others.

To the community members whom I, Council and staff have been involved with over the past year and the many volunteers who have contributed time and energy supporting various clubs, groups and organisations – thank you for your input and feedback and I look forward to continuing our productive association in the year ahead.

To the businesses who continue to support our community a big thank you! Council recognises the pressures being placed on our community and the need to work together so to everyone who has attended Forums, Briefing Sessions, Advisory meetings, Work Shops, lodged submissions, made suggestions or requests thank you for taking the time to be interested in the past, present and future direction of the Shire of Kojonup.

I commend this Budget to Council for adoption for the 2016/2017 Financial Year.

*Rick Mitchell-Collins
Chief Executive Officer*

12 July 2016

CONSULTATION

All staff have had input into the components of the budget. The Council has been consulted during budget workshops to assess the priorities of proposed capital works, plant replacement, abnormal operating items, community grant process, reserve transfers and rate increase levels.

STATUTORY REQUIREMENTS

Section 6.2 of the *Local Government Act 1995* and regulations 22-33 of the *Local Government (Financial Management Regulations) 1996* legislate the requirements of the annual budget.

Section 6.2(1) of the *Local Government Act 1995* requires that prior to 31 August each year, the Council adopt a budget for its municipal fund for the proceeding financial year.

The annual budget is to incorporate:

- a) particulars of the estimated expenditure proposed to be incurred by the local government;
- b) detailed information relating to the rates and service charges which will apply to land within the district including:
 - i. the amount it is estimated will be yielded by the general rate; and
 - ii. the rate of interest (if any) to be charged by the local government on unpaid rates and service charges.
- c) the fees and charges proposed to be imposed by the local government;
- d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
- e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
- f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and such other matters as are prescribed.

POLICY IMPLICATIONS

There is no Council policy applicable to this item.

FINANCIAL IMPLICATIONS

The adopted budget of the Shire sets the financial direction for the proceeding financial year.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for the adoption of the budget, apart from minimising exposure to risks (particularly financial) through a thoroughly prepared and legislative compliant annual budget process.

ASSET MANAGEMENT PLAN IMPLICATIONS

The 2016/2017 budget makes provision for numerous new asset purchases, asset renewal and upgrades and major maintenance items for the coming financial year.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

100/16 Moved Cr Mathwin, seconded Cr Pedler that the 2016/2017 Annual Budget, as attached, be adopted.

CARRIED BY ABOLUTE MAJORITY 6/0

The Presiding Member thanked Senior Management and Staff for the hard work they have put in to complete the 2016/2017 Annual Budget.

11 WORKS & SERVICES REPORTS

Nil

12 REGULATORY SERVICES REPORTS

12.1 KOJONUP PISTOL CLUB – PROPOSED DEMOLITION

AUTHOR: Shane Chambers – Environmental Health Officer (VROC)
DATE: Friday, 8 July 2016
FILE NO: CP.MTC.53
ATTACHMENT: 12.1.1 Photographs – Pistol Club Premises
12.1.2 Letter to Pistol Club – 12 July 2016

DECLARATION OF INTEREST

Nil

SUMMARY

To consider demolishing club room facilities located on Lot 7313, part of Reserve 13697, currently used by the Kojonup Pistol Club which, due to damaged and deteriorated asbestos cladding material and significant structural and safety concerns, is considered to be a significant health risk and not fit for purpose.

BACKGROUND

The facility, consisting of two structures of corrugated iron, steel, timber material with concrete floors and comprising approximately 165 square metres of asbestos material which is included in our Asbestos Register and classified as high risk, was inspected approximately two years ago and found to be in a poor state due to its asbestos content and concerns regarding its structural integrity. At that time, the Kojonup Pistol Club were keen to maintain their independence from the adjoining gun club and requested that they be given time to decide on the future of the pistol club and the facilities in general.

The club has six members who regularly use the premises most Sundays.

A recent inspection of the premises carried out by the Shire's Environmental Health Officer and Building Surveyor during the annual review of our Asbestos Management Plan, revealed that the condition of the facility has deteriorated further and urgent action is required to address the issue.

COMMENT

The inspection revealed that the facility is in a poor state of repair and is considered unfit for use as a public building for the following reasons:

- 1. Asbestos Cladding:** Both sheds contain damaged asbestos wall cladding throughout. Whilst asbestos in an undamaged state is considered a low risk, once damaged the risk of exposure to asbestos fibres increases significantly.
- 2. Electrical Hazards:** The circuit board connecting the shed to the grid has recently been upgraded however the internal wiring consists of several extension leads running from one shed to the other. The extension leads are plugged into a single plug point and are used to provide power to the entire facility. Several bare wires and a damaged power point were observed. It is unknown whether power is connected to the substandard wiring and damaged plug point.
- 3. Termite Infestation:** A termite infestation was observed in the timber frames of both sheds. The full extent of the termite damage is unknown due to asbestos cladding

covering a significant portion of the timber. However, the infestation was observed to be active in a number of areas.

4. **Unsafe Public Building:** There is a lack of lighting and ventilation, uneven flooring, an absence of emergency exits, no smoke detectors and no firefighting equipment. These issues collectively render the facility unsuitable for use as a public building.
5. **Structurally Unsound:** The facility was found to be in a poor state structurally with under sized roof timbers being over spanned to the point where sagging is common throughout both buildings. The problem has been compounded by the use of substandard fixings and poor construction methods. Additionally there are a number of verandah roof members which are being held together by fencing wire and badly rusted bolts. The additional burden placed on the timber by an active termite infestation is likely to compromise the structural integrity even further and may cause partial collapse of the facility at some stage.

In its present condition the building is considered to be unsafe and not fit for purpose. Given the state of the building, repair is not considered to be financially feasible and total demolition is considered to be in the best interests of the Shire.

CONSULTATION

Kojonup Pistol Club President

STATUTORY REQUIREMENTS

Health (Public Buildings) Regulations 1992

Health (Asbestos) Regulations 1992

Health Act 1911

Building Act 2011

POLICY IMPLICATIONS

2.3.5 – Risk Management

“Ensuring public safety within the Council’s jurisdiction is not compromised.”

FINANCIAL IMPLICATIONS

A Work Safe approved demolition contractor, licensed to handle asbestos has provided a quotation to remove 165 square metres of asbestos and demolish the entire structures but leaving the concrete floors for \$14,740. Council will pay for a demolition license and for costs associated with disposal of the asbestos at Council’s landfill by Warren Blackwood Waste which is estimated at approximately \$2,000.

The combined cost of demolition and disposal is \$16,740. \$18,000 is allocated in the 2016/2017 budget for demolition of the Pistol Club buildings. However the job can be staged by removing the asbestos which is estimated at \$5,610, plus disposal fees of approximately \$2,000, totalling \$7,610, which is well within budget. Demolition of the structures can be undertaken at a later date. However the building will be unfit for use after removal of the asbestos and will need to be sign posted accordingly.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- S2 – Staying Active and Entertained

Corporate Business Plan 2013 – 2017

Objectives:

- S2.2 – Maintaining an active, healthy and social community.

RISK MANAGEMENT IMPLICATIONS

The Pistol Club is included in Councils Asbestos Management Plan and due to the hazardous nature of the asbestos material used for wall cladding, has been assessed as a high risk with planned action being demolition of the structures.

ASSET MANAGEMENT PLAN IMPLICATIONS

Section 4 – Objective : To guide the management of the Shire’s infrastructure assets to meet agreed service delivery and performance expectations, as the asset custodian for the community.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

101/16 Moved Cr Pritchard, seconded Cr Radford that Council regarding the Kojonup Pistol Club located on Lot 7313, part of Reserve 13697, instruct the Chief Executive Officer to arrange the following:

- 1. The removal of asbestos cladding and removal of structures comprising the Pistol Club premises;**
- 2. That the Pistol Club be offered salvage rights for the recovery of recycled materials from the demolished structures; and**
- 3. If the Pistol Club declines the offer for salvage rights then an Expression of Interest is to be advertised locally to other clubs/organisations/etc. for the recovery of recyclable materials.**

CARRIED 6/0

Attachment 12.1.1













Attachment 12.1.2



Our Ref: OCR7637 – PR.RES.13697

Matt Clark – President
Kojonup Pistol Club
PO Box 231
KOJONUP WA 6395

12 July 2016

Dear Matt,

DERELICT AND HAZARDOUS CONDITION OF PISTOL CLUB PREMISES

As you are aware Council's Environmental Health Officer (EHO) and Building Surveyor recently conducted an assessment of the condition of the abovementioned premises to determine the structural integrity of the buildings which, from our records, do not appear to have been approved by Council and included an assessment of the condition of asbestos wall cladding undertaken as part of the annual review of Council's Asbestos Management Plan which is a statutory requirement of Worksafe for all Council buildings with asbestos containing material (ACM).

The assessment revealed that the structures are substandard in respect to their structural integrity including portions of the lean-to extending the full length of the South side of the premises where sections have been propped up to prevent the roof structure from collapsing. The assessment also revealed that asbestos cladding throughout the premises has deteriorated since the last review and is in need of immediate removal.

Termite infestation was also observed in timber studwork where exposed. It's likely given the extent of activity observed that the infestation extends to timber framework currently covered with asbestos and other wall cladding material. If this is the case, it will further compromise the structural integrity of the structures.

The EHO has prepared a report to be tabled at the next ordinary meeting of Council (19 July 2016) for their consideration as to what action is to be undertaken to address this issue, including removal of all ACM by a licensed contractor and likely demolition of the substandard and illegal building structures.

Whether the ACM is removed or not, considering the inherent risk of exposure to damaged asbestos and the substandard nature of the building structures, it's likely the premises will be declared derelict and unfit for purpose, in which case access to the premises will be prohibited until further notice.

Shire of Kojonup

93-95 Albany Highway, Kojonup WA 6395

Postal address: PO Box 163, Kojonup WA 6395

Telephone: (08) 9831 2400 | Facsimile: (08) 9831 1566 | Email: council@kojonup.wa.gov.au

In the removal of the structures Council is prepared to leave a portion of the existing concrete slab which, subject to Building Surveyor's approval, may be suitable to place a purpose built structure upon that would be suitable for Pistol Club activities. There are a number of funding bodies who clubs can apply to for establishment of such facilities and Council would be happy to provide a letter of support to submit with a grant application.

I will advise you of Council's decision in this matter after their meeting next week and if you have any queries in the meantime, please contact the undersigned on 9831 2407, Tuesday to Friday or email mrcs@kojonup.wa.gov.au.

Yours Sincerely,



Mort Wignall
Manager of Regulatory Services

12.2 KOJONUP SALEYARDS

AUTHOR: Michelle Dennis – Development Services Coordinator
DATE: Friday, 8 July 2016
FILE NO: CP.MTC.19
ATTACHMENT: [12.2.1 DER 2016 Draft Licence \(including locality plan\)](#)
[12.2.2 LGIS OSH & Public Liability Assessment of Kojonup Saleyards \(March 2015\)](#)

DECLARATION OF INTEREST

Councillors Fleay, Sexton, Mathwin and Radford have previously declared interests in this item.

SUMMARY

To consider options for the future use of the Kojonup Saleyards.

BACKGROUND

In response to notification by the Department of Environment Regulation (DER) of the need to licence the Kojonup Saleyards, Council has previously been provided officer reports outlining the options for the site after extensive community consultation by way of surveys and stakeholder meetings. These reports considered the financial implications of operating the yards currently (i.e. up to three sales per year), without including any financial implications of likely improvements required as a part of the license obligations, changes to animal welfare or OH&S and Public Liability implications.

At its Ordinary November 2014 meeting Council resolved as follows:

Council Decision 178/14

“...that a decision as to the future of the saleyards be deferred until all of the conditions and cost to operate the yards under a licence are known.”

Council Decision 179/14

“...that the 2014/2015 budget be amended to make a provision of up to \$18,000 to implement the previous motion, to be funded by reducing account C307 “Sports Facilities Master Plan”, if required.”

Council reconsidered the use of the Saleyards at its Ordinary June 2015 meeting following receipt of preliminary advice from DER that contained information about likely improvement conditions that would be applicable to a Saleyard facility generally. Following consideration of this item, Council resolved:

Council Decision 88/15

“...that the matter be deferred to enable further lobbying of the Minister & Department of Environment Regulation.”

Since June 2015 the DER has reviewed its licensing methods and has been developing a comprehensive risk based approach to its regulatory functions. In October 2015 the Shire was invited to lodge a Licence Application using the new application forms and guidance statements developed by the DER. A revised application was subsequently lodged in February 2016. A draft licence has been received for comment and is attached.

COMMENT**Licence Obligations**

The draft DER licence conditions have been developed using a risk based approach that is considered to be more site specific than previous methods. The highest risk, from an environmental perspective, is considered to be manure leaving site. By preventing sales between 1 June and 31 August, when rainfall is its highest, the risk to the environment is managed without extensive site works or retention ponds being required.

As the “Specified Action” items (listed on page 3) are prescriptive, these were referred to representatives from Elders Kojonup, WA Farmers Blackwood Zone, Livestock and Rural Transport Association of WA and Pastoral and Graziers Association of Western Australia for circulation and comment. All feedback has been positive with some queries relating to inspection/action frequencies. From a Shire perspective the inspection/action frequencies, excluding those relating to the holding pens, are manageable within timeframes and activities already occurring on site, however documentation will need to be developed to demonstrate compliance. It is recommended that the Shire request reconsideration of Item 1 to be inspected every six months and prior to sale (rather than weekly).

In addition, access to the yards by intermittent users will be required to be recorded. A suggestion has been that the ramps could be locked, requiring users to obtain a key for access to the yards. Management of this use will need to be documented, the community informed and new signage incorporated at the site to communicate use requirements/conditions.

Overall, the licence conditions are considered to be site specific, risk based and practicable and support is therefore recommended.

OSH & Public Liability

It is important to note that the licence obligations are only part of the costs associated with the operation of the Saleyards. The assessment report from the Shire’s Regional Risk Coordinator from 2015 (attached), outlined in the officer report (16 June 2015) has confirmed that the Shire has both an OH&S obligation and Public Liability obligation for the use of the yard. Many of these issues can be resolved by implementing a saleyard safety management plan to improve safety, formalising agreements with hirer’s of the facility as well as some maintenance items; many of which have since been repaired as part of the improvements at the Truck Wash.

From a Public Liability perspective, the assessment states “... the likelihood of persons entering the saleyard, encountering hidden risks and potentially sustaining harm, may be regarded as foreseeable on the part of the Shire, particularly where access is unsupervised (e.g. outside of operating times)”. The assessor suggests that these risks could be eliminated by either closing the yards and removing the infrastructure, or alternatively “...introducing high level engineering controls such as perimeter fencing with lockable entry points”.

While one of Council’s previous motions requested that all of the costs associated with licencing the yards be established prior to a decision of the future of the yards being made, an assessment by the Shire’s Regional Risk Coordinator has identified additional costs and additional management systems required in order to protect users of the facility from harm and ensure that the Shire is meeting its OH&S and Public Liability obligations. Now that the licence conditions are known, illustrating minimal costs for compliance (i.e. locks for ramps; logbooks for recording inspection; updated signage) further detailed costings are considered necessary to establish to what extent Council is prepared to subsidise the operation of the Saleyards; particularly as survey feedback from regular facility users is that they are only

prepared to pay up to \$1/head for their use of the saleyards. However, please note the current fee is \$1.85/head.

Should Council wish to retain the yards, there will be an ongoing obligation for continual OH&S improvements. Should animal welfare standards change, there will also be additional works required to improve the facilities available for the yarding of animals.

CONSULTATION

Elders, Kojonup

WA Farmers Blackwood Zone

Livestock and Rural Transport Association of WA

Pastoral and Graziers Association of Western Australia

STATUTORY REQUIREMENTS

Environmental Protection Act 1986 – outlines the licensing requirements as well as to prevent pollution to the environment.

Animal Welfare Act 2002 – outlines the obligations for the welfare, safety and health of animals.

Biosecurity and Agriculture Management Act 2007 – outlines obligations of recording animal movement throughout the State.

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

POLICY IMPLICATIONS

Policy 2.3.4 – Asset Management

‘Requires Council to consider the financial, economic, engineering and other practices to provide a level of service in the most cost effective manner.’

FINANCIAL IMPLICATIONS

If the yards are to be retained, Council needs to consider to what level they are prepared to subsidise the provision of this facility as to require fees on a full cost recovery basis would likely result in the facility not being used, as users would have access to a lower cost facility (with increased user amenities) less than 50km from the existing site.

Within the proposed 16/17 budget, a funding allocation for new fencing around the settlement ponds (to comply with an existing DER Works Approval) have been included. No other additional capital works have been incorporated to date.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- E2 – Building Prosperity
- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

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

RISK MANAGEMENT IMPLICATIONS

The need for a license has been identified by the DER. The need for improved management at the yards has been identified by the Shire's Regional Risk Coordinator. Failure for the Shire to take any action may result in formal enforcement action by the DER and/or exposure to liability resulting from our duty of care from workplace safety.

Both the *Environmental Protection Act 1986* and the *Occupational Safety and Health Act 1984* contain significant penalties; which if imposed, would jeopardise the Shire's ability to provide other services and carry out other functions and services to the community.

ASSET MANAGEMENT IMPLICATIONS

Section 12 of the Shire's Asset Management Plan provides information regarding buildings and associated structures and acknowledges that "...renewal has regard to the ability to service current demands and be fit for purpose, with a significant component of renewal due to changing needs, expectations and regulations that can often render buildings obsolete and bring forward replacement discussions." The Saleyards have not been identified in the long term financial plan for the Shire.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONSVROC Strategic Directions 2015 – 2020

Goal 1 – Stimulate economic growth and business opportunity

1.3 – Improve the provision and maintenance of infrastructure

VOTING REQUIREMENTS

Simple Majority

Cr Fleay, Radford and Hobbs declared an interest in this item. The Presiding Member announced to the meeting that Cr's Fleay, Radford and Hobbs have been granted 'permission to participate' for this item under section 5.69(3)(a) of the Local Government Act 1995 by the Department of Local Government & Communities.

3:21pm – Cr Mathwin declared a 'Financial' interest and departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

102/16 Moved Cr Pedler, seconded Cr Hobbs that Council instruct the Chief Executive Officer to:

- 1. Inform the Department of Environment Regulation that Council supports the draft license L8961/2016/1 generally;**
- 2. Request that the Department of Environment Regulation reconsider the inspection frequency of the saleyard pens (item 1) from weekly to six monthly and before each sale;**
- 3. Commend the Department of Environment Regulation on their risk based approach for considering license conditions; and**
- 4. Obtain costings for remedying Occupational Health and Safety and Public Liability items outlined within the assessment report prepared by the Shire's Regional Risk Coordinator for presentation to Council for further consideration.**

CARRIED 5/0

3:27pm – Cr Mathwin returned to the Chamber.

Attachment 12.2.1



Government of Western Australia
Department of Environment Regulation

DRAFT Licence

Licence Number	L8961/2016/1
Licensee	Shire of Kojonup (ABN 61 822 625 995)
Registered business address	93 Albany Highway KOJONUP WA 6395
Duration	XX/06/2016 to XX/06/2036
Prescribed Premises	Category 55 - Livestock saleyard or holding pen: Premises on which live animals are held pending their sale, shipment or slaughter
Premises	Shire of Kojonup Saleyards Lot 1 on Diagram 29828 and Lot 3 on Diagram 32301 KOJONUP WA 6395 Certificate of Title Volume 1309 Folio 726 and Certificate of Title Volume 1305 Folio 932

This **Licence** is granted to the **Licensee**, subject to the following **Conditions**, on xx-xx- 2016, by:

Name of delegate

Position of delegate

an officer delegated under section 20 of the Environmental Protection Act 1986 (WA)

Conditions

Environmental compliance

1. The **Licensee** must comply with the **EP Act** and all regulations prescribed under the **EP Act** applicable to the **Premises**, including:
 - (a) the duties of an occupier under s 61;
 - (b) the duty to notify the **CEO** of **Discharges of waste** under s 72; and
 - (c) not causing, or doing anything that is likely to cause, an offence under the **EP Act**;

except where the **Licensee** does something in accordance with a **Condition** which expressly states that a defence under s 74A of the **EP Act** may be available.

Notification of *Material Change*

2. The **Licensee** must notify the **CEO** of any **Material Change** within 14 days of a **Material Change** occurring and such notification (which the **CEO** will make publicly available) must:
 - (a) be in writing;
 - (b) include details of the changes, including duration, infrastructure details (if any); and
 - (c) include risk analysis of the changes, including proposed controls to mitigate risks.

Nothing in this **Condition** constitutes a defence to offences under the **EP Act**.

3. The **Licensee** must provide to the **CEO** any additional information the **CEO** may reasonably require to assess the **Material Change** under **Condition 4** and in order for the **CEO** to determine if an amendment to the **License** is required.
4. The **Licensee** must cease carrying out, or modify, a **Material Change** in the manner and at the time required by the **CEO** if:
 - (a) the **CEO** forms the view, acting reasonably, that the **Material Change** has or may have an unacceptable impact on public health, amenity or the environment; and
 - (b) the **CEO** has provided written notice (which the **CEO** will make publicly available) to the **Licensee** specifying the grounds for the **CEO's** views.

Nothing in this **Condition** prevents the **Licensee** subsequently submitting an amendment in relation to the **Material Change**.

Infrastructure and Equipment

5. The **Licensee** must maintain and operate the infrastructure and equipment specified in column 2 of Table 1 in accordance with the requirements specified in column 3 of Table 1.
6. The **Licensee** must ensure that the infrastructure and equipment specified in Table 1 are maintained in good working order.

Table 1: Infrastructure and Equipment Controls Table

	Site Infrastructure	Description
1	Livestock saleyard pens	Compacted gravel or concrete pens and raceways. Fenced. Inspected weekly
2	Truck wash	Concrete wash ramp draining to concrete sump. Coarse screen and concrete solids hopper draining to truck wash concrete sump. Sump pump to settling ponds. Inspected weekly. Sludge from the concrete sump removed at least every 14 days and stored on the hardstand waste storage area or removed from the Premises .
3	Settling ponds	Two settling ponds constructed with 300mm thick compacted clay liner. West pond 77.76m ³ capacity, east pond 99.63m ³ capacity. 750mm operational freeboard. Discharge point to Kojonup WWTP. Raised embankments to divert clean stormwater away. Inspected weekly. Sludge removed from the ponds stored on the hardstand waste storage area or removed from the Premises .
4	Hardstand waste storage area	Kerbed bitumen area draining to truck wash concrete sump. Inspected weekly.

Specified Action

7. The **Licensee** must ensure that the **Premises** does not hold more than 8,000 animals at any one time.
8. The **Licensee** must ensure that the **Premises** does not hold more 24,000 animals in any Annual Period.
9. The **Licensee** must ensure that the **Premises** is not used for sales between 1 June and 31 August in each **Annual Period**.
10. The **Licensee** must ensure that all collected manure and truck wash sludge is stored on the hardstand **waste** storage area.
11. The **Licensee** must ensure that the livestock saleyard pens are inspected prior to each sale and dampened if required unless dampened by a previous or current rainfall event.
12. The **Licensee** must ensure that manure is removed from the livestock saleyard pens within 48 hours of use and stored in the hardstand **waste** storage area or removed from the **Premises**.
13. The **Licensee** must ensure that **waste** stored in the hardstand **waste** storage area is removed from the **Premises** within 28 days.
14. The **Licensee** must ensure that carcasses are removed from the **Premises** within 24 hours.

Emissions

15. The **Licensee** must not cause any **emissions** from the **Premises** except for Specified Emissions and General Emissions described in column 1 of Table 2, subject to the exclusions, limitations or requirements specified in column 2 of Table 2.

If the **Licensee** proves that it has acted in accordance with this **Condition**, it may be a defence under s 74A of the **EP Act** to proceedings for offences under the **EP Act** (including offences under s 56).

Table 2: Emissions Table

Column 1	Column 2
<i>Emission Type</i>	Exclusions/Limitations/Requirements
Specified Emissions	
Fugitive dust	Subject to compliance with Condition 11
General Emissions (excluding Specified Emissions)	
<p>Emissions which:</p> <ul style="list-style-type: none"> arise from the activities on the Premises arising from matters set out in, or incidental to the matters set out in, the General description in Schedule 2; or arise from a Material Change (except where Condition 4 applies). 	<p>Emissions excluded from General Emissions are:</p> <ul style="list-style-type: none"> Unreasonable emissions; or emissions that result in, or are likely to result in, Pollution, Material environmental harm or Serious environmental harm; or Discharges of Waste in circumstances likely to cause Pollution; or emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or emissions or Discharges which do not comply with an Approved Policy; or emissions or Discharges which do not comply with prescribed standard; or emissions or Discharges which do not comply with the Conditions in an Implementation Agreement or Decision; or emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials Discharged under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.

Information

16. The *Licensee* must maintain accurate and auditable records in relation to:
- the calculation of fees payable in respect of this *Licence*;
 - any *Material Change*;
 - the date of each use and the number of animals held at the *Premises* each use; and
 - weekly *Premises* inspections.
17. If an *emission* type referred under *Condition* 115 occurs on the *Premises*, then the *Licensee* must:
- investigate why the *emission* occurred;
 - take all reasonable steps to prevent the *emission* occurring again;
 - record the details of the investigation and all steps taken; and
 - provide a copy of the record to the *CEO* within 21 days of the date *Licensee* became aware that the *emission* had occurred.
18. The *Licensee* must record the number and details of any complaints received by the *Licensee* relating to *emissions* and *Discharges* from the *Premises*, and any action taken by the *Licensee* in response to the complaint. Details of complaints must include:
- an accurate record of the concerns or issues raised, for example, a copy of any written complaint or a written note of any verbal complaints made;
 - the name and contact details of the complainant, if provided by the complainant;
 - the date of the complaint; and
 - the details and dates of the actions taken by the *Licensee* in response to the complaints.
19. The *Licensee* must submit to the *CEO* within 90 days after the *Anniversary Date*, a *Compliance Report* indicating the extent to which the *Licensee* has complied with the *Conditions* in this *Licence* for the *Annual Period*.
20. The *Licensee* must comply with a *CEO Request*, within 7 days from the date of the *CEO Request* or such other period specified in the *CEO Request*.

Definitions and Interpretation

Definitions

In this *Licence*, the following terms have the following meanings:

Anniversary Date means 30th June of the year following issue of the *Licence*.

Annual Period means a 12 month period commencing 1 July in any year to 30 June in the subsequent year.

CEO for the purposes of notification means:

Chief Executive Officer
Department of Environment Regulation
Locked Bag 33
Cloisters Square WA 6850
info@der.wa.gov.au

CEO Request means a request made by the **CEO** to the **Licensee** in writing, sent to the **Licensee's** address for notifications, as described at the front of this **Licence**, in relation to:

- (a) information, records or reports in relation to specific matters in connection with this **Licence** including in relation to compliance with any **Conditions** and the calculation of fees (whether or not a breach of **Condition** or the **EP Act** is suspected); or
- (b) reporting, records or administrative matters:
 - (i) which apply to all **Licences** granted under the **EP Act**; or
 - (ii) which apply to specified categories of **Licences** within which this **Licence** falls.

Compliance Report means a report in the format specified by the **CEO**.

Condition means a **Condition** to which this **Licence** is subject under s 62 of the **EP Act**.

Discharge has the same meaning given to that term under the **EP Act**.

Emission has the same meaning given to that term under the **EP Act**.

Environmental harm has the same meaning given to that term under the **EP Act**.

EP Act means the *Environmental Protection Act 1986 (WA)*.

General description means the description of activities and operations carried out on the **Premises** as set out in Schedule 2 of this **Licence**.

Implementation Agreement or Decision has the same meaning given to that term under the **EP Act**.

Licence refers to this document, which evidences the grant of **Licence** by the **CEO** under s 57 of the **EP Act**, subject to the **Conditions**.

Licensee refers to the occupier of the **Premises** being the person to whom this **Licence** has been granted, as specified at the front of this **Licence**.

Material Change means a change to the activities carried out on the **Premises** as described in the **General description** set out in Schedule 2 and:

- (a) that may result in an increased risk to public health, amenity or the environment; and
- (b) includes the types of changes specified in Schedule 2; and
- (c) does not include the excluded changes specified in Schedule 2.

Material environmental harm has the same meaning given to that term under the **EP Act**.

Pollution has the same meaning given to that term under the **EP Act**.

Premises refers to the **Premises** to which this **Licence** applies, as specified at the front of this **Licence** and as shown on the map in Schedule 1 to this **Licence**.

Serious environmental harm has the same meaning given to that term under the **EP Act**.

Unreasonable emission has the same meaning given to that term under the **EP Act**.

Waste has the same meaning given to that term under the **EP Act**.

Interpretation

In this *Licence*:

- (a) the words 'including', 'includes' and 'include' will be read as if followed by the words 'without limitation';
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a *Condition*, each row in a table constitutes a separate *Condition*; and
- (d) any reference to an Australian or other standard, guideline or code of practice in this *Licence* means the version of the standard, guideline or code of practice in force at the time of granting of this *Licence* and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the *Licence*.

Schedule 1: Plans

Figure 1. Premises Map

The Premises is shown in the plan below. The pink line depicts the boundary to the Premises.



L8861/2016/1
File No: DER2016/000458

Schedule 2: General description

At the time of assessment, the following activities and operations were considered in the determination of the risk and related *Conditions* for the *Premises*.

The *Licensee* is carrying out activities at the *Premises* which fall within the meaning of Prescribed *Premises* under the *EP Act*. The *Premises* constitute a category 55 livestock saleyard or holding pen: *Premises* on which live animals are held pending their sale, shipment or slaughter.

The infrastructure and equipment situated on the *Premises* are detailed in Table 2:

Table 3: Infrastructure and equipment situated on the *Premises*

	Infrastructure	Plan reference
1	Livestock saleyards	Premises Map
2	Truck wash bay and hardstand <i>waste</i> storage area	Premises Map
3	Settling ponds	Premises Map

Site layout

The infrastructure and equipment are set out on the *Premises* in accordance with the site layout specified on the map in Schedule 1.

Item 12.3 was considered after Item 9 but has been recorded in the order of the Agenda.

12.3 REQUEST TO AMEND DEVELOPMENT APPROVAL FOR MOONIES HILL ENERGY PTY LTD – WINDFARM DEVELOPMENT

AUTHOR: Phil Shephard – Town Planner
 DATE: Sunday, 10 July 2016
 FILE NO: DB.BDA.8
 ATTACHMENT: [12.3.1 Original Approved Development Area Plan](#)
[12.3.2 New Development Area Plan](#)

DECLARATION OF INTEREST

Nil

SUMMARY

The original approval notice issued by the Shire in November 2011 to Moonies Hill Energy Pty Ltd did not contain all of the properties that formed the application. This report identifies those properties and recommends they be added to the approval accordingly.

BACKGROUND

The Council at its 21 November 2011 Special Meeting (Resolution 109/11) resolved to approve the windfarm with 28 conditions attached. Following the meeting, staff prepared the formal approval notice which listed these conditions and advice and stamped a development area plan.

As Moonies Hill Energy have progressed with the development of the windfarm it was noticed that not all of the properties that formed the application had been included on the notice form and/or plan and requested the Shire investigate the matter.

COMMENT

Staff have completed an investigation into the missing properties and it is clear that they were part of the application and have been missed from the approval notice without reason (i.e. it is an administrative error) and should be shown on the notice and/or plan

The lots and locations in question are each dealt with below:

Lot/Location	Landowner	Comment
Lot 4787 (P128148)	HM & JM Thorn	This lot was part of the original application. The lot has not been included in the list of properties on the approval form. It is included within the approved Development Area plan. Action: Lot 4787 to be included in the list of approved properties on approval form.
Lot 1 (Location 8782)	AJ Cant	This lot formed part of the original application. The lot is not within the Shire of Kojonup and has not been included in the list of properties on the approval form or included within the approved Development Area plan. Action: None required.
Location 8783	AJ Cant	This lot formed part of the original application. The lot is not within the Shire of Kojonup and has not been included in the list of properties on the

Lot/Location	Landowner	Comment
		approval form or included within the approved Development Area plan. Action: None required.
Lot 1 (D50672)	CC Cant	This lot was part of the original application. The lot has not been included in the list of properties on the approval form or included within the approved Development Area map. Action: Lot 1 to be included in the list of approved properties on approval form and shown within the approved area on the stamped approved Development Area plan.
Lot 2 (D61953)	CC Cant	This lot was part of the original application. The lot has not been included in the list of properties on the approval form or included within the approved Development Area map. Action: Lot 2 to be included in the list of approved properties on approval form and shown within the approved area on the stamped approved Development Area plan.
Locations 1000 and 4224	CC Cant	These locations were part of the original application. They have not been included in the list of properties on the approval form or included within the approved Development Area map. Action: Locations 1000 and 4224 to be included in the list of approved properties on approval form and shown within the approved area on the stamped approved Development Area plan.
Lot 3936 (DP124135)	CC Cant	This lot was part of the original application. The lot has not been included in the list of properties on the approval form or included within the approved Development Area map. Action: Lot 3936 to be included in the list of approved properties on approval form and shown within the approved area on the stamped approved Development Area plan.
Lot 1001 (DP101263)	CC Cant	This lot was part of the original application. The lot has not been included in the list of properties on the approval form or included within the approved Development Area map. Action: Lot 1001 to be included in the list of approved properties on approval form and shown within the approved area on the stamped approved Development Area plan.

The properties that were missed were mainly from the Northern end of the windfarm development area and are shown in the attached New Development Area Plan.

Alternate Options

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

1 *Approve the amendment to the approval.*

The Council can choose to support the amendment to the approval without, or without, conditions. This would see the approval amended to include all properties that formed the application and should have been included on the approval.

2 *Refuse to approve the amendment to the approval*

The Council can choose to refuse the amendment to the approval. This would be against the advice of staff and inconsistent with the decision of the Council in November 2011.

3 *Defer the application*

The Council can choose to defer the application and seek additional information if considered necessary to determine the request.

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.

CONSULTATION

Moonies Hill Energy Pty Ltd.

Development Assessment Panels

STATUTORY REQUIREMENTS

Officers from the Development Assessment Panels at the Department of Planning have confirmed that as the Shire issued the original development approval, the approval granted would not be a DAP approval under the *Planning and Development (Development Assessment Panels) Regulations 2011*. The Shire is therefore the relevant authority for any modifications to the approval.

The amending or cancelling of a development approval is governed by clause 77 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The inclusion of the additional lots/locations is considered to be a minor change (as they always formed part of the application) and Council is requested to waive the application requirements due to the administrative error uncovered.

POLICY IMPLICATIONS

There are no local planning policies affecting the proposal.

FINANCIAL IMPLICATIONS

There is no application fee for amending/cancelling a development approval included within the Shire's 2015/2016 Schedule of Fees and Charges.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- E2 – Building Prosperity
- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- E2.1 – Building local economic capacity to generate wealth and provide a variety of employment opportunities.
- G1.3 – Support regional collaboration and resource sharing.

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 approve the proposed amendment	Unlikely	Major	Medium	Manage by specific monitoring or response procedures.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications arising from this report.

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

Regional Economic Development:

Goal One – Stimulate economic growth and business opportunity:

Regional Community Development:

Goal Five – Build capacity to enable communities to achieve.

VOTING REQUIREMENTS

Simple Majority

The Town Planner tabled several copies of Attachment 12.3.2.

COUNCIL DECISION/OFFICER RECOMMENDATION

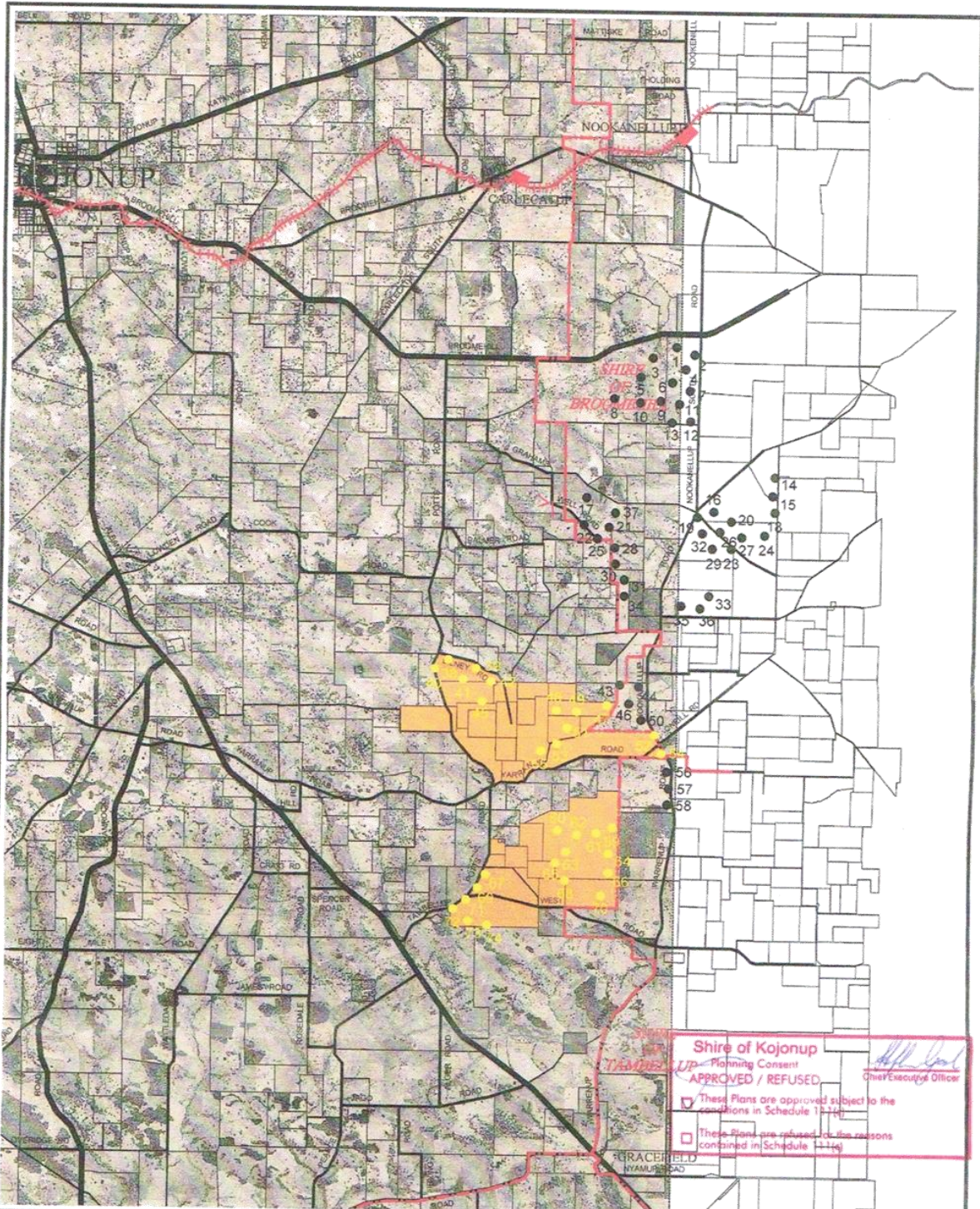
93/16 Moved Cr Mathwin, seconded Cr Radford that Council in accordance with Regulation 77 of the *Planning and Development (Local Planning Schemes) Regulations 2015* approve the amendment of the development approval to Moonies Hill Energy Pty Ltd by including:

- **Lot 4787 (P128148) in the list of approved properties on approval form; and**
- **Lot 1 (D50672), Lot 2 (D61953), Locations 1000 and 4224, Lot 3936 (DP125135) and Lot 1001 (DP101263) in the list of approved properties on approval form and shown within the approved area on the stamped approved Development Area plan.**

CARRIED 6/0

3:06pm – The members of the gallery departed from the Chamber.

Attachment 12.3.1



**SHIRE OF KOJONUP
PROPOSED FLAT ROCKS WIND FARM
DEVELOPMENT AREA**

LEGEND

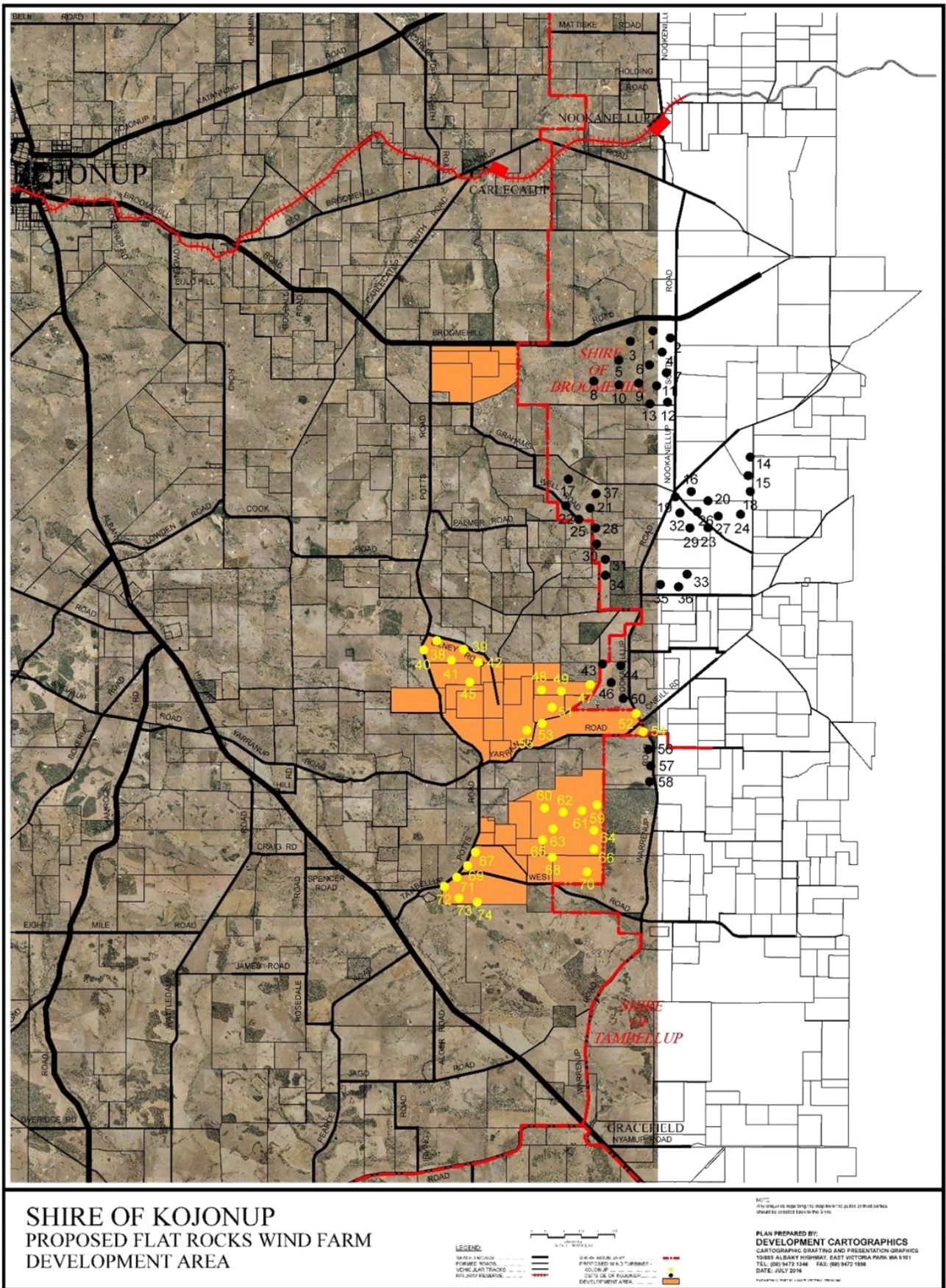
DEVELOPMENT AREA	SHIRE BOUNDARY
ROADS	PROPOSED WIND TURBINE
VEHICULAR TRACKS	TOPOGRAPHY
PROPOSED RESERVE	DEVELOPMENT AREA

NOTE: No liability is accepted by the map author for the accuracy of the information contained herein.

PLAN PREPARED BY:
DEVELOPMENT CARTOGRAPHICS
CARTOGRAPHIC DRAFTING AND PRESENTATION GRAPHICS
10881 ALBERT ROAD, EAST VICTORIA PARK WA 6101
TEL: (81) 9471 1348 FAX: (81) 9471 1348
DATE: NOVEMBER 2015

ATTACHMENT 1 - ORIGINAL APPROVED DEVELOPMENT PLAN AREA

Attachment 12.3.2



Attachment 2 – New Development Area Plan

13 **EXECUTIVE & GOVERNANCE REPORTS**

13.1 HEALTH SERVICES PRECINCT PLAN

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
 DATE: Monday, 4 July 2016
 FILE NO: PH.SVP.1
 ATTACHMENT: **13.1 Health Services Precinct Plan – Report on Findings**

DECLARATION OF INTEREST

Nil

SUMMARY

To receive NAJA Consulting Services and Green Eleven Strategy (the Consulting Team), recommendations following a series of Stakeholder Workshops conducted 11 March 2016.

BACKGROUND

Council owns and operates a 22 bed Aged Care facility known as Springhaven which is next to the Kojonup Hospital and also 7 existing Independent Living Units (ILUs), soon to be increased to 13 ILUs. Discussion on the need for a Medical Centre commenced in the 2002/2003 financial year at a time when Council's financial position was very poor but recognising that the existing Bagg Street Clinic used by long time GP (Dr Anthony King) required an upgrade. Other questions at this time included:

- Was upgrading the Bagg Street Clinic in the best long-term interests of the community?
- What other possible locations and building options should be explored?
- What is the "Whole of Life" cost for each option?
- What annual subsidy would ratepayers have to meet and is this sustainable?
- Is there an opportunity for the private sector to invest in Health Services by the provision of built infrastructure?
- What was the State Government's plan under the proposed Southern Inland Health Initiative for infrastructure investment and contracts for Rural Doctors and Allied Health service provision?
- What involvement could be expected from the Federal Government?

Dr King announced in late 2011 that he may be relocating to Bunbury and potentially leaving Kojonup without a resident Doctor.

The following is a chronology of events since 2012:

May 2012	Petition received and tabled at 15 May 2012 Council Meeting. Council agreed that a Public Meeting be held to discuss the Medical Centre Development on 5 June 2012. Decision 33/12
June 2012	Public Meeting held and Council at its meeting held 19 June 2012 resolved to form a Medical/Health Centre Advisory Committee and call for nominations. Draft Terms of Reference for the Committee were compiled. Decisions 48/12 & 49/12
July 2012	Decision 69/12 – Committee appointments made
Oct 2012	Decision 110/12 – Council endorsed Committees Terms of Reference. Decision 112/12 – Acting CEO investigate possibility of developing a Community Health Plan for Kojonup and obtain quotes.

Jan 2013	Offer to Lease 34 Katanning Road by St Lukes Family Practice Decision 5/13 – no decision to lease is made before a recommendation is received from Medical/Health Centre Advisory Committee, etc.
Feb 2013	Offer to Lease – Decisions 15/13, 16/13, 17/13 Council agreed to proceed with lease with Shire President exercising casting vote
April 2013	Proposed Medical Clinic – 34 Katanning Road Decision 47/13 Budget allocations for Building modifications, car park etc. Decision 49/13 – amend CLGF allocations
May 2013	Planning Application – 34 Katanning Road Decision 60/13 – planning consent issued
July 2013	Decision 113/13 Advisory Committee adjourn due to CLGF funds possibly being withdrawn
Sept 2013	Decision 130/13 CLGF implications
Nov 2013	Decision 164/13 - 2012/13 CLGF officially withdrawn and Medical/Health Centre Advisory Committee disbanded and EOI for Aged Care/Medical/Health Services and Facilities Plan be approved
Mar 2014	\$350k Bequest from George Church – Decision 29/14 and further \$150k received bringing total to \$500k
May 2014	Aged Care/Medical/Health Services & Facilities Plan – Decision 74/14 Hames Sharley appointed
June 2014	Hames Sharley report received Decision 93/14 Bagg Street extension option endorsed to improve Dr King Surgery
July 2014	CLGF reallocated to Day Care Decision 106/14
Mar 2015	Dr King sells to St Lukes Family Practice Decision 21/15 – conduct workshop with UHY Haines Norton re Long Term Financial Plan implications
April 2015	New Building will cost in excess of \$2 million. Decision 50/15 – undertake valuation of 30 – 34 Katanning Road. Do nothing at this stage on Medical Centre as beyond Council's financial capacity as per long term financial plan but review again in 2018/19 Financial Year as it will allow time for St Lukes Family Practice transition after Dr King's departure from Kojonup with 2 FTE doctors and associated services
Feb 2016	Delegation asked what is happening to George Church Bequest following his death
Mar 2016	Naja Business Consulting to conduct work shop on Health Services Precinct opportunities

COMMENT

The Health Services Precinct Plan findings include the following 6 recommendations:

1. *The consulting team has found there is merit in advancing a Health Services Precinct Plan for the Shire of Kojonup.*

The Shire's Community Strategic Plan has a focus area, 1.6, under the heading 'Being Healthy' which states 'ensure and promote adequate health services are available in Kojonup'. If all 'emotional' elements are removed from this decision, the question is, are the current provisions 'adequate' or 'are they not', and 'will they continue to be adequate' according to future health needs of the community.

1.1 *Reasons for the development of the Kojonup Health Services Precinct:*

- *Providing a point of interest for the town of Kojonup and its surrounding regions, placing it 'on the map'*

- *Creates a feeling of healthy well-being and safety for current customers*
- *Places Kojonup as a town with modern-day facilities and attracts further business*
- *Strategically offers specialist health services, which attracts other specialist health services (e.g. women's health, x-ray, preventative health)*
- *Current set-up and layout considered below par to current customers*
- *Low levels of privacy witnessed in current facility*
- *Existing rooms too small for provision of specialists services*
- *Attracts specialists and general practitioners who could settle in the town*
- *Strategic development could attract government, grant and private investment or support*
- *Ensures current residents shop in Kojonup, not other towns*
- *A well-attended medical site attracts visitors who shop in town (e.g. lunch, pharmacy, petrol)*
- *Creates a meeting place for Kojonup residents and visitors*
- *Initial investment has been made with the purchase of the block and the collection of the bequest*

1.2 *Reasons against the development of the Kojonup Health Services Precinct:*

- *Costs incurred in initial construction, with potential blow-out against quotes*
- *The design is not grand enough for future prosperity*
- *Costs incurred in long-term asset management*
- *Costs incurred in long-term short-fall of revenue*
- *Customers are not engaged and continue to use health services in other towns*

There is still work to do in changing customer behaviours as future primary health care is not based around a GP facility. Primary Care is wider than GP's. As well as financial risks to build the facility, there are risks if the project is not completed such as:

- *Risk of community disharmony and trust*
- *Risk of not using the lot of land*
- *Risk of not using the bequest*
- *Risk of losing community members for medical visits*
- *Risk of losing community members permanently*
- *Risk of not being able to capitalise on future prosperity plan*

CEO Comment

- There is merit in advancing a Health Services Precinct Plan for the Shire of Kojonup as distinct from constructing another building and calling it a Medical Centre.
- The Kodja Place Precinct is already a point of interest but has not realised its full potential because it lacks a detailed and fully costed Master Plan. Council has a 'Duty' to explore all options, risks, opportunities and financial requirements (Capital/Operational) which together forms the Health Services Precinct Plan.
- Kojonup "already has the potential" to become a town with modern-day facilities but ultimately investors need to balance risk against return. Council's strategic objective is to ensure the foundations for success (infrastructure provision and an appealing/vibrant town, main street, sport/recreation/community facilities) compliment access to good education and business development which in turn creates employment opportunities to attract and retain community members.
- Do all current customers consider current set-up and layout is below par as unless verified the consultant's comments are not factually correct!
- Is the low level of privacy due to layout, reception in wrong place as this can be rectified through building modifications?

- What are the roles of the Public and Private sector in Health Service provision? For example: the diagram showing the future of primary health in WA does not expand on who should provide such services and what is a realistic distance to travel for such services?
 - Was Dr DuPreez approached in the consultation phase prior to drafting the report to obtain his perspective as the major GP Practice in Kojonup and building layout concerns?
 - What is the capacity and capability of the Kojonup Hospital to include allied health services, etc.?
 - Residential/Industry development and new housing stock is needed to attract new residents which Council is progressing in order to provide some degree of sustainability for existing businesses as the alternative is closure.
2. ***The consulting team suggests further work is required to determine the formula for the ongoing management of the Precinct, which may not be completely managed by the Shire.***

The Precinct Plan and management model should contain:

- *Definition of Scope of Works formed through Stakeholder Engagement (by June 2017)*
- *List potential building costs (by June 2017)*
- *List potential management costs (by September 2017)*
- *List potential funding options (by June 2017)*
- *Include Hames and Sharley Needs Assessment (already completed)*
- *Include architectural drawings (designs to date are based on sample considerations only)*
- *Include associated costs (heritage, parking, lighting, environment etc. by June 2016)*

The consulting team recommends, if the Shire Council decides to progress the Kojonup Health Services Plan, the Shire co-ordinates the project, manages planning and engineering, sources funding, co-ordinates shared services and be the communication channel with the community.

The consulting team does not recommend the Shire owns nor manages the Precinct. The consulting team recommends the Shire engages an external service provider in the building, ownership and operation of a Precinct. It recommends inducements, such as land equity and initial leasing to stimulate the potential market place, be explored with an appropriate procurement model to leverage interest and investment...

However, until an Asset Management Assessment is completed, the current management position is still unknown...A range of ownership/management models exist, including:

- *Completely owned by third party*
- *Shared model being 50:50, joint ownership/joint operations*
- *Shire owns and maintains with a third part operating the service*
- *Shire owns and operates completely by itself.*

The decision will not be purely based on finances.

CEO Comment:

It is essential that Council via the 2016/2017 Budget allocates funds to enable an Asset Management Assessment Plan to be undertaken on all Council land and buildings as this information is critical for existing and future planning.

3. ***The consulting team believes the Shire of Kojonup should complete a study to determine its asset management which will help ascertain the Precinct's short-term and long-term affordability.***

According to the Corporate Plan, ascertaining Kojonup's asset management status has been budgeted for and could be completed within the next three months. The Shire has allowed \$22,000 to complete this task in this three-year planning cycle.

The Shire is responsible for \$500 million of infrastructure assets, with roads accounting for \$400 million. The Shire has a limited understanding of the composition, location and extent of its asset portfolio, and is not able to define the status of stormwater, pathways, parks and community meeting sites.

The Shire wishes to consider which assets need enhancement, replacement or rationalised. If the Shire is considering increasing its pool of assets (such as a Health Services Precinct) it needs to understand its current and ongoing affordability of assets.

While the Shire has a check-list of assets, a well-defined asset management plan will show management and affordability over a 10-year period. This knowledge will affect decision making in regard to the Health Services Precinct. To solve this issue either external or internal asset management solutions are available.

CEO Comment

Agree

4. ***The consulting team believes if Kojonup residents choose to build the Health Services Precinct, they may wish to increase the town's prosperity which could increase the commercialisation of the new Precinct.***

For future growth of the area, in conjunction with the development of this Plan, the Shire could consider the preparation of an Economic Development Plan.

CEO Comment

Agree

5. ***The consulting team recommends a thorough stakeholder engagement process to communicate the pathways forward and effect of the proposed Health Services Precinct and to educate all regarding changing behaviours and trends in the use of medical services worldwide.***

Kojonup's community shows a degree of fatigue regarding its Health Services with the process being recorded since 2003. There are some emotional matters in the town which have swayed decision making, and have the potential to sway decision making in the future. The Shire is acting appropriate considering non-emotional decision making to determine the best outcome for its community, whilst considering long-term financial sustainability. The Kojonup internal stakeholders' expectation in capacity, costs and co-operation, is different to the Shire's actual capacity.

It is recommended a thorough and strong stakeholder engagement process is undertaking to better match expectations with reasons for and against development. Unfortunately, the stakeholder perceptions have become the project's reality and not the reality of

Kojonup's health needs, nor needs of the region, state and country. The expectations are also not in-line with suggested future primary health processes.

It is recommended therefore a thorough stakeholder engagement process is undertaken to better match expectations, perceptions and understandings with any Precinct Plan actions going forward and also increase the potential for better collaborative outcomes due to greater stakeholder investment before, during and after development.

CEO Comment

Agree

6. The consulting team offers to help with funding and business case strategies to expedite the creation of the Health Services Precinct.

The Shire of Kojonup is to consider its level of support it wishes to provide the project. In doing so, the Council may wish to create a business case with the aim to best attract funding and interest in the development. The current consulting team is able to assist with the process.

Within the business case, a list of deliverables will need to be formed. This resulting business case will be used to:

- apply for funding
- attract investment
- attract developer/s
- facilitate government approval processes
- attract customer/practitioner interest
- leverage partnerships
- influence political agenda
- attract philanthropy
- inform and educate stakeholders

The consulting team can assist with government approval processes to expedite the creation of the Health Services Precinct, as well as assistance with overarching project management, delivery timeframes and data collection.

CEO Comment

The skillsets of existing Council Team Members will be used where possible with external assistance provided as/when required.

7. *The Shire considers developing an Expression of Interest (EOI) process to test the market to see if a developer/service provider can propose a construction, maintenance and service delivery model which is feasible and sustainable.*

The EOI process includes the proponent considering a model whereby they can develop a health precinct which is commercially viable and sustainable. This model needs to take into consideration factors such as:

- *land equity options,*
- *construction and build costs,*
- *government contribution,*
- *private leveraging,*
- *operational and maintenance models,*

- *service delivery options (addressing issues such as demand, sector competition and population triggers),*
- *ownership, heritage and*
- *Any other Shire commitments.*

This report is based on feedback gathered through a Stakeholder Engagement process. The consultants strongly advise the Shire that this report answers the question: Is there merit in advancing the Health Services Precinct Plan. The consultants found, through stakeholder Engagement that there is merit in advancing the Plan. The Consultants do, however, believe there is a large mismatch between stakeholder expectations and actual short and long-term costs to create such a Precinct.

Therefore, the Shire can say yes, we support stakeholders in their desire to create a Precinct, and yes, we believe the current health provisions are not as good as other towns; however the Shire is not going to place the town in a poor management financial position, if outside financial backing is not achieved for this Precinct. Consequently, it is recommended the Shire considers developing an Expression of Interest to test the market to determine external financial interest, real development costs and ongoing management costs.

The consultants can summarise by saying:

- *The Shire supports the stakeholders in the desire to advance the Health Services Precinct Plan*
- *The Shire progresses the Health Services Precinct Plan by going to market through an Expression of Interest for third party involvement/development*
- *The Shire will decide to progress the Precinct if it's financially viable to do so*
- *If the market supports the Precinct, the Shire will work hard to support this Precinct and, on as well, work hard to initiate further prosperity of Kojonup.*

The consultants recommend to the Shire to add up stakeholder feedback, with financially sound considerations along with future or prosperity planning, and only advance the Precinct if all three elements are considered satisfactory.

CEO Comment

Agree

CONSULTATION

Stakeholder Workshops – 11 March 2016

Southern Inland Health Initiative Stream 2b: Primary Health Services Report

Royalties for Regions Service Plan, Central Great Southern Health District (2011/2012 to 2012/2022)

STATUTORY REQUIREMENTS

Local Government Act 1995

POLICY IMPLICATIONS

3.12 – Council Advisory Committees

FINANCIAL IMPLICATIONS

The reality of Council raising in excess of \$2 million in the short/medium term is an unrealistic expectation given the present and future economic outlook of the State and

Federal Governments and Council's own Long Term Financial Planning. Provision has been made in the 2016/2017 Budget.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations.
- G1.3 – Support regional collaboration and resource sharing.
- G1.5 – Develop and maintain Councillors skills.
- S2.1 – Promote Kojonup as a place to live and visit.
- S2.2 – Maintain an active, healthy and social community.
- S3.1 – Ensure and promote adequate health services are available in Kojonup.

Corporate Business Plan 2013 – 2017

Objectives:

- G1.2.1 – Undertake an asset management planning process to review and rationalise Shire buildings to maximise their use and value to the community.
- G1.2.3 – Incorporate strategic, operational and asset management plans into a long term financial plan.
- G1.2.4 – Develop financial models for scenario planning and sensitivity analysis.
- G1.2.5 – Maintain an effective asset management policy that defines co-location and rationalisation.
- G1.3.1 – Explore shared service options with neighbouring local governments to improve efficiencies.
- G1.5.3 – Implement strategies to improve Councillors role as community leaders and asset custodians.
- S2.2.2 – Prepare a master plan for the Kojonup recreational precinct.
- S3.1.2 – Advocate for the Department of Health to maintain the presence of existing health services and promote their availability throughout the region.
- S3.1.3 – Draft a strategy to increase the number of medical doctors residing in Kojonup and servicing the local community.
- S3.1.4 – Undertake a feasibility study to confirm the financial viability and anticipated use of a medical centre in Kojonup.

RISK MANAGEMENT IMPLICATIONS

Consultant Recommendation 1.2 above duly recognises the risks involved.

ASSET MANAGEMENT IMPLICATIONS

The Asset Management Plan (AMP) specifically states *“The most significant recurring theme for all local government organisations is the sustainability concerns related to financing the renewal gap. Ageing community infrastructure, cumulative infrastructure renewal backlog and changing community expectations for the assets being replaced contribute to an industry wide challenge.”*

The Shire of Kojonup has limited resources and is the custodian of a large number of assets. Therefore, when making decisions in relation to infrastructure assets, the Shire is committed to the philosophy of renewing assets before acquiring new assets. In addition, where possible, rationalising assets that are no longer used or do not provide the agreed level of service.

Asset Management is the systematic process of effectively planning for, maintaining, upgrading and operating assets. The benefits to both the council and the community of improved asset management are:

- Strong governance and accountability in the delivery of efficient and effective services;
- Sustainable infrastructure investment decisions through the appropriate consideration of all options and the recognition of life cycle costs;
- Improved understanding of customer requirements and the alignment of the performance of assets to the community expectations; and
- Effective risk management.

The AMP in relation to Buildings lists a minimum estimated annual renewal expenditure target of 53% or in dollar terms \$580,000 per annum yet Council is presently only managing to allocate 16% or \$172,000. As a result Council has buildings that require roof/gutter replacements, have structural issues, remain vacant/underutilised/no longer “fit for purpose” or not on separate title and therefore not capable of being sold to provide funds for new facilities. Council must address Asset Management as a high priority!

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) STRATEGIC PLAN IMPLICATIONS

Southern Link VROC Strategic Directions 2015 – 2020

Regional Economic Development

1.1 - Support the implementation of wider regional initiatives

Regional Community Development

5.2.2 – Explore options for integrated and co-located health facilities

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

103/16 Moved Cr Pedler, seconded Cr Pritchard that Council receives the Kojonup Health Services Precinct Plan and undertake the following actions:

- 1. Engage external professional to:**
 - a) Complete a study of Council’s current assets to determine which assets need enhancement, replacement or rationalisation prior to March 2017.**
 - b) Prepare a well-defined 10 year Asset Management Plan which incorporates forward planning not only regarding the Health Services Precinct but also buildings/infrastructure within the Shire of Kojonup prior to May 2017.**
- 2. Consider stakeholder feedback, with financially sound considerations along with future or prosperity planning, and only advance the Health Services Precinct if all three elements are considered satisfactory.**

CARRIED 6/0

13.2 RSL HALL/APEX PARK/CWA/MEN'S SHED AREA – COMMUNITY PRECINCT DEVELOPMENT PLAN

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Monday, 4 July 2016
FILE NO: CS.PLN.2
ATTACHMENT: **13.2 NAJA Consulting Community Precinct Development Plan March 2016**

DECLARATION OF INTEREST

Nil

SUMMARY

To receive and comment on the Kojonup Community Precinct Development Plan undertaken by NAJA Consulting Services and Green Eleven Strategy, following a Stakeholder Workshop conducted 10 March 2016.

BACKGROUND

Council received requests from various community groups/organisations, sporting clubs, etc. to undertake certain developments/works/improvements, etc. at various locations independently of an overall arching and agreed Master Plan.

One such example is The Kodja Place where the Rose Maze, Black Cockatoo Café, Storyplace/Gallery and Visitor Information Centre have had an initial vision but have been subsequently added onto or developed without any overriding Master Plan or linkages regarding ongoing operational or capital considerations and human/IT resources.

The RSL Area consisting of Apex Park, Potts Memorial/Cenotaph, RSL Building, Men's Shed and CWA building which is adjacent to Benn Parade and the Main Street, has in the past been dealt with on an individual group by group basis which does not align to good asset management or strategic decision making to ensure scarce funds benefit the majority of stakeholders rather than a few.

Importantly, do we really know and understand the present costs of maintaining and operating existing community spaces?

COMMENT

The Consultants have at the very least provided answers to a suggested decision making pathway as below:

- Do we need to renew or upgrade any of the community spaces? **Yes**
- Do we need to rationalise any of our community spaces? **Yes**
- Do we understand how much each space is costing us per use? **No**
- Do we have other plans that can influence these decisions going forward? **Yes,**
(Main Street Master Plan and The Kodja Place Master Plan, Community Strategic Plan and Corporate Plan)
- Do we understand the impact of the Community Precinct Development Plan on the Shire's asset management costs? **No**
- Are there other community spaces we need to consider, beyond those listed in the Scope? **Yes.** *(Including the Show Grounds)*
- Have we considered how to maximise visitation to Kojonup and point of difference features, with the current and future use of our community spaces? **No**

- Do all stakeholders understand the need to have an agreed Development Plan for all of our community buildings going forward? **No**

CONSULTATION

Stakeholder Workshop – 10 March 2016

STATUTORY REQUIREMENTS

Local Government Act 1995

Public Health Act 1911 & Public Health Bill 2014

Food Act 2008

Occupational Safety & Health Regulations (1996)

AS/NZS 31000:2009 Risk Management – Principles and guidelines

POLICY IMPLICATIONS

Fees & Charges Review

Buildings and Facilities Hiring Policies

Contract, Leases, Agreement Register Reviews

FINANCIAL IMPLICATIONS

Council and community members have the necessary skill-sets to progress the Decision Making Pathway as recommended by the Consultant. Budget allocations will need to adequately resource preparation of the various development plans, concept designs, etc. which will then form part of the overarching Master Plan including asset management assessment and planning.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- E1.1 – Improve retail sustainability by enhancing the appeal of the town centre.
- E2.1 – Building local economic capacity to generate wealth and provide a variety of local employment opportunities.
- N1.3 – Creating sustainable and inviting public spaces.
- 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.
- G1.3 – Support regional collaboration and resource sharing.
- G1.5 – Develop and maintain Councillors skills.

Corporate Business Plan 2013 – 2017

Objectives:

- E1.1.1 – Undertake a study to identify opportunities to enhance the Main Street, taking into consideration current and future uses.
- E2.1.3 – Identify opportunities to source funding and resources for local projects.
- N1.3.2 – Develop environmental management plans for significant shire reserves.
- S2.1.4 – Preserve and promote our history & culture.
- S2.2.3 – Plan and develop appropriate passive recreation facilities.
- S2.2.4 – Improve disability access to infrastructure and services.
- S2.2.5 – Investigate community interest and land availability to establish a community garden.

- G1.2.1- Undertake an asset management planning process to review and rationalize shire buildings to maximize their use and value to the community.
- G1.2.5 – Maintain an effective asset management policy that defines co-location and rationalization

RISK MANAGEMENT IMPLICATIONS

Ensure buildings, grounds, amenity, public and disability access is compliant with the appropriate controls, signage, policies and agreements in place to inform users of their and the Shire's responsibilities.

Any further upgrades and improvements considered in the future, need to be considered wisely in keeping with the overarching Development Plan and not as individual items or sub-brands, underneath the Development Plan.

Public places invariably have risks given people's behaviour and Council cannot be expected to monitor everyone using our facilities but such insurance protection does come at a cost.

ASSET MANAGEMENT IMPLICATIONS

The Asset Management Plan (AMP) specifically states *“The most significant recurring theme for all local government organisations is the sustainability concerns related to financing the renewal gap. Ageing community infrastructure, cumulative infrastructure renewal backlog and changing community expectations for the assets being replaced contribute to an industry wide challenge.”*

The Shire of Kojonup has limited resources and is the custodian of a large number of assets. Therefore, when making decisions in relation to infrastructure assets, the Shire is committed to the philosophy of renewing assets before acquiring new assets. In addition, where possible, rationalizing assets that are no longer used or do not provide the agreed level of service.

Asset Management is the systematic process of effectively planning for, maintaining, upgrading and operating assets. The benefits to both the council and the community of improved asset management are:

- Strong governance and accountability in the delivery of efficient and effective services;
- Sustainable infrastructure investment decisions through the appropriate consideration of all options and the recognition of life cycle costs;
- Improved understanding of customer requirements and the alignment of the performance of assets to the community expectations; and
- Effective risk management.

The AMP in relation to Buildings lists a minimum estimated annual renewal expenditure target of 53% or in dollar terms \$580,000 per annum yet Council is presently only managing to allocate 16% or \$172,000. As a result Council has buildings that require roof/gutter replacements, have structural issues, remain vacant/underutilised/no longer “fit for purpose” or not on separate title and therefore not capable of being sold to provide funds for new facilities.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) STRATEGIC PLAN IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

3:31pm – Cr Hobbs declared an ‘Impartiality’ interest and departed from the Chamber.

COUNCIL DECISION/OFFICER RECOMMENDATION

104/16 Moved Cr Radford, seconded Cr Mathwin that Council receives the Kojonup Community Precinct Development Plan Report and proceeds with the preparation of a well-defined 10 year Asset Management Plan.

CARRIED 5/0

3:34pm – Cr Hobbs returned to the Chamber.

14 AGED CARE SERVICES REPORTS

Nil

15 COMMUNITY DEVELOPMENT & TOURISM REPORTS

15.1 KOJONUP NOONGAR ORAL HISTORY PROJECT

AUTHOR: Rick Mitchell-Collins – Chief Executive Officer
DATE: Friday, 1 July 2016
FILE NO: RC.PRG.2
ATTACHMENT: 15.1 MOU and Knowledge Recording Release

DECLARATION OF INTEREST

Nil

SUMMARY

To seek Council endorsement of the Kojonup Noongar Oral History Project with the WA Museum in order to facilitate the recording of oral histories from people nominated through the recommendations of the Kojonup Aboriginal Corporation (KAC) and the sharing of these recordings (audio and video), transcripts and any photographs of the interviewees taken by the interviewer.

BACKGROUND

The 25 February 2016 meeting of the Kodja Place Advisory Committee (KPAC) was presented with the detailed proposal that Craig McVee and Margaret Robertson submitted to the WA Museum (with included background information) proposed interview topics and a list of 25 proposed interviewees, including many former Kojonup residents.

On 18 March 2016, Sue Graham-Taylor sent an email and budget proposal to the WA Museum (Philippa Rogers) for the engagement of her services as the oral historian.

On 2 May 2016, advice was received from Philippa that the WA Museum had agreed to fund \$29,496 (exc GST) to cover the cost of an agreed contractor for 25 oral history interviews, their transcription and sitting fees of \$300 each for the interview participants.

KPAC at its meeting held 5 May 2016 applauded the WA Museum's decision and discussed the following:

- The dilemma of oral histories vs video interviews:
- In-depth life history vs documentary style product drawn from site visits to farms, reserves, special sites, etc.
- Whether KPAC endorses Margaret's ongoing support role for this project, in relation to the WA Museum, Sue Graham-Taylor and KAC

KPAC endorsed Margaret's ongoing support role for this project but recognised that assistance will be needed if and when the project commences. Zahra Shirazee (Manager Community Development & Tourism) offered administration assistance from the Community Development team who will take direction from both Craig and Margaret as to what is needed. The timeframe for the project is currently being discussed as Sue Graham-Taylor is finishing her current project and is looking to commence with this project in the second half of this year. Council subsequently received the KPAC minutes at the 17 May 2016 Council Meeting.

COMMENT

The Memorandum of Understanding (MOU) and Recording Release documentation has now been finalised for this important project and the Chief Executive Officer seeks Council endorsement to execute same on behalf of the Shire of Kojonup.

CONSULTATION

WA Museum (Philippa Rogers) & new Museum Project Director
Kodja Place Advisory Committee
Sue Graham-Taylor
Kojonup Aboriginal Corporation – Craig McVee

STATUTORY REQUIREMENTS

Copyright Act 1968 (as amended)

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Currently there is no policy specifically related to the need for collecting photos, images, etc. related to Kojonup's heritage and culture. Officers will prepare a draft policy for Council's consideration.

FINANCIAL IMPLICATIONS

The 2016/2017 Budget contains the following provisions:

- Account 8434 – Oral & Video Histories - \$75,556
- Account TBA – WA Museum Grant for Oral Histories - \$29,556
- Account TBA – Lotterywest Grant for Oral Histories - \$15,000

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- S2 – Staying Active and Entertained
- G1 – Being Well Governed
- E1 – Supporting Main Street
- E2 – Building Prosperity
- N1 – Feeling Good about Living in Kojonup

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
- E1.1 – Improve retail sustainability by enhancing the appeal of the town centre.
- E2.1 – Building local economic capacity to generate wealth and provide a variety of local employment opportunities
- N1.3 – Creating sustainable and inviting public spaces
- N1.4 – Providing community support and development

RISK MANAGEMENT IMPLICATIONS

The loss of knowledge (particularly local history) by not documenting, filming or recording locals warrants Council supporting this excellent project as such information is priceless to our community.

ASSET MANAGEMENT IMPLICATIONS

Access to the VROC Archive Repository at Broomehill ensures Council will always have a record of photos, films, videos, etc. under controlled conditions which is vital for the preservation of our history past, present and future.

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

Regional & Economic Development:

Goal 5 – Build capacity to enable communities to achieve.

5.1 – Support skills development across the communities.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION/OFFICER RECOMMENDATION

105/16 Moved Cr Radford, seconded Cr Pedler that Council endorses the Chief Executive Officer executing the Western Australian Museum and Shire of Kojonup – Kojonup Noongar Oral History Project as tabled.

CARRIED 6/0

The Chief Executive Officer commended the work done by Margaret Robertson and Craig McVee regarding the Noongar Oral History Project.

The Manager Works & Services in his capacity as the Chairperson of the Kojonup Aboriginal Corporate thanked Council for their support for the Noongar Oral History Project on behalf of the local Noongar community.

Attachment 15.1



WESTERN AUSTRALIAN MUSEUM, SHIRE OF KOJONUP & KOJONUP ABORIGINAL CORPORATION: MEMORANDUM OF UNDERSTANDING

KOJONUP NOONGAR ORAL HISTORY PROJECT 28 June 2016

Rationale:

The purpose of this Memorandum of Understanding (MOU) is to facilitate the recording of oral histories from people nominated through the recommendations of the Kojonup Aboriginal Corporation and the sharing of these recordings (audio and video), transcripts, and any photographs of the interviewees taken by the interviewer (all of which are collectively called 'the recordings' in the rest of this MOU).

Roles and responsibilities:

The WA Museum is responsible for the provision of funding to \$29,496 ex GST to cover the cost of an agreed contractor for 25 oral history interviews, their transcription and sitting fees of \$300 each for the interview participants.

The Shire of Kojonup will be responsible for the coordination of interviews and the contractor. At the commencement of the project, the Shire of Kojonup will invoice the WA Museum - New Museum Project for the full cost of the sitting fees and this money will be held in a Trust account. The Shire will report to the WA Museum - New Museum Project on the expenditure of the sitting fees and in the event that these funds are not fully spent, then the Shire will fully reimburse these unspent funds to the WA Museum - New Museum Project.

The WA Museum and the Shire of Kojonup will be responsible for meeting their obligations under the 'WA Museum and Shire of Kojonup: Aboriginal Knowledge Recording Release – Kojonup Noongar Oral History Project'.

The WA Museum and the Shire of Kojonup will inform each other of any change of address details received from an interview participant or his/her representative.

Western Australian Museum, Shire of Kojonup & Kojonup Aboriginal Corporation – MOU
Kojonup Noongar Oral History Project

The Kojonup Aboriginal Corporation will liaise with the Kojonup Noongar community about this oral history project and initiate contact with the nominated participants to:

- Invite their participation in the project;
- Explain the purpose of the oral histories, the individual rights of the participants and the potential use of their recordings; and
- Provide an introduction for the interviewer.

Outcome:

Interviewees are to sign the 'WA Museum and Shire of Kojonup: Aboriginal Knowledge Recording Release – Kojonup Noongar Oral History Project', which sets out their rights and governs the use of the recordings. In accordance with the signed Recording Release, the resulting recordings are to be duplicated and a copy lodged with both the WA Museum and the Shire of Kojonup.

The Kojonup Aboriginal Corporation will be supported by the Shire of Kojonup to help maintain a repository of the recordings at The Kodja Place (or a mutually agreed location).

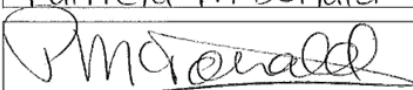
The WA Museum and the Shire of Kojonup will have the rights to use the recordings in the way agreed by the interviewees, who will retain copyright ownership and intellectual property rights.

The WA Museum and the Shire of Kojonup will both have the rights to use any additional material such as photographs provided by the interviewees in the way agreed by the interviewees. Each agency will supply their own image / media agreement to be signed by the interviewee.

Signed for and on behalf of the Shire of Kojonup:

Name		
Signed		Date:
Witness		
Signed		Date:

Signed for and on behalf of Western Australian Museum:

Name	Patricia McDonald – New Museum Project Director	
Signed		Date: 1/7/16

Western Australian Museum, Shire of Kojonup & Kojonup Aboriginal Corporation – MOU
Kojonup Noongar Oral History Project

Witness

Signed Date:

Signed for and on behalf of Kojonup Aboriginal Corporation:

Name

Signed Date:

Witness

Signed Date:

16 COMMITTEES OF COUNCIL

16.1 COMMITTEES OF COUNCIL UNCONFIRMED MINUTES

COUNCIL DECISION/OFFICER RECOMMENDATION

106/16 Moved Cr Pritchard, seconded Cr Mathwin that the attached unconfirmed minutes of the Natural Resource Management Advisory Committee meeting held 23 June 2016 be received by Council.

CARRIED 6/0

17 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18 NEW BUSINESS

Nil

19 CONFIDENTIAL REPORTS

Nil

20 NEXT MEETING

Tuesday, 16 August 2016 commencing at 3:00pm.

21 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 3:37pm.

22 ATTACHMENTS (SEPARATE)

- Item 10.1 Monthly Statement of Financial Activity – June 2016
- Item 10.2 Monthly Payment Listing 01/06/2016 – 30/06/2016
- Item 10.4 Information Statement 2016/2017
- Item 10.5 List of Fees & Charges
- Item 10.7 2016/2017 Draft Annual Budget
- Item 12.2.2 LGIS OSH & Public Liability Assessment of Kojonup Saleyards (March 2015)
- Item 13.1 Health Services Precinct Plan – Report on Findings
- Item 13.2 NAJA Consulting Community Precinct Development Plan (March 2016)
- Item 16.1 Unconfirmed Natural Resource Management Advisory Committee Minutes – Thursday, 23 June 2016

Presiding Member

Date