

# SHIRE OF KOJONUP



## Council Minutes

***19<sup>th</sup> August 2008***

**SHIRE OF KOJONUP****TABLE OF CONTENTS**

<b>1</b>	<b>DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS</b>	<b>3</b>
<b>2</b>	<b>ATTENDANCE, APOLOGIES &amp; LEAVE OF ABSENCE</b>	<b>3</b>
<b>3</b>	<b>PUBLIC QUESTION TIME</b>	<b>3</b>
<b>4</b>	<b>SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE</b>	<b>3</b>
<b>5</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>3</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES</b>	<b>4</b>
<b>7</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>4</b>
<b>8</b>	<b>PETITIONS, DEPUTATIONS &amp; PRESENTATIONS</b>	<b>4</b>
<b>9</b>	<b>DECLARATIONS OF INTEREST</b>	<b>4</b>
<b>10</b>	<b>FINANCE REPORTS</b>	<b>4</b>
10.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY	4
10.2	MONTHLY PAYMENTS LISTING	5
<b>11</b>	<b>ENGINEERING &amp; WORKS REPORTS</b>	<b>6</b>
11.1	BUDGET AMENDMENT – PLANT REPLACEMENT PROGRAM	6
<b>12</b>	<b>ECONOMIC &amp; ENVIRONMENTAL DEVELOPMENT REPORTS</b>	<b>8</b>
12.1	REFERRAL OF SUBDIVISION APPLICATION FOR LOT 1 HONNER STREET, KOJONUP.	8
12.2	APPLICATION FOR REDUCED SIDE SETBACK TO DWELLING ADDITIONS AT 8 ALBANY HIGHWAY CNR ROBINSON STREET, KOJONUP	11
12.3	APPLICATION FOR ABOVE VERANDAH SIGN AT KOJONUP CO-OPERATIVE LTD 113 ALBANY HIGHWAY KOJONUP	13
<b>13</b>	<b>CORPORATE &amp; COMMUNITY SERVICES REPORTS</b>	<b>14</b>
13.1	DRAFT FINAL REPORT OF THE SYSTEMIC SUSTAINABILITY STUDY	14
<b>14</b>	<b>COMMITTEES OF COUNCIL</b>	<b>16</b>
<b>15</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>16</b>
<b>16</b>	<b>NEW BUSINESS</b>	<b>16</b>
<b>17</b>	<b>CONFIDENTIAL REPORTS</b>	<b>16</b>
17.1	LEGAL ACTION – W LENYSZYN	16
<b>18</b>	<b>NEXT MEETING</b>	<b>17</b>
<b>19</b>	<b>CLOSURE</b>	<b>17</b>
<b>20</b>	<b>APPENDICES AND TABLED DOCUMENTS</b>	<b>17</b>
<b>21</b>	<b>ATTACHMENTS</b>	<b>17</b>

## 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 draw the meetings attention to the disclaimer below:

Disclaimer

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

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

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

### 2 ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Cr Jill Mathwin	Shire President
Cr Jane Trethowan	Deputy Shire President
Cr Michael Baulch	<i>entered at 3.04pm</i>
Cr John Benn	
Cr Ernie Graham	
Cr Rosie Hewson	
Cr Frank Pritchard	

Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mr Craig McVee	Works Manager
Mrs Heather Marland	Senior Finance Officer
Mrs Rosemary Cussons	Executive Support Officer

APOLOGIES

Cr Greg Marsh	Leave of Absence granted on 15 <sup>th</sup> July 2008
Cr Will Carrington-Jones	Applying for Leave of Absence

### 3 PUBLIC QUESTION TIME

Nil

### 4 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

### 5 APPLICATIONS FOR LEAVE OF ABSENCE

#### **COUNCIL DECISION**

<b>227/08</b>	<b>MOVED Cr Hewson seconded Cr Pritchard that Leave of Absence be granted to Cr Carrington-Jones for Ordinary Council Meeting of 19<sup>th</sup> August 2008.</b>
---------------	---

**CARRIED**

**6/0**

**6 CONFIRMATION OF MINUTES**ORDINARY MEETING – 15<sup>th</sup> July 2008

Corrections: Nil

**COUNCIL DECISION**

**228/08                    MOVED Cr Benn seconded Cr Hewson that the Minutes of the Ordinary Meeting of Council held on 15<sup>th</sup> July 2008 be confirmed as a true record.**

**CARRIED****6/0****7 ANNOUNCEMENTS by the Presiding Member without discussion**

Nil

**8 PETITIONS, DEPUTATIONS & PRESENTATIONS**

Nil

**9 DECLARATIONS OF INTEREST**

Nil

*3.04pm Cr Baulch entered the Chamber***10 FINANCE REPORTS****10.1 FINANCIAL MANAGEMENT – Monthly Statement of Financial Activity**

AUTHOR:                    Kim Dolzadelli – Manager Corporate Services  
 DATE:                      Friday, 15 August 2008  
 FILE NO:                  06.15.01  
 ATTACHMENT:            Monthly Statement of Financial Activity 1<sup>st</sup> July 2007 to 30<sup>th</sup> June 2008

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Preparation and presentation to Council of monthly reports are a statutory requirement, with these to be presented to the next ordinary meeting following the close of a month, or it may be presented to the ordinary meeting in the following month after that.

**BACKGROUND**

The reporting requirements, as per Financial Management Regulation 34, for the Statement of Financial Activity came into force from 1<sup>st</sup> July 2005.

**COMMENTS**

Extensive work has been completed in preparation for the completion of Annual Financial Statements for the 2007/08 year with only minor entries with respect to Assets to be finalised. These entries will not impact on the Closing Balance for the 2007/08 year.

The attached Statement of Financial Activity for the period 1 July 2007 to 30 June 2008 shows our closing balance for the 2007/08 year to be \$911,101 compared to the opening balance as adopted in the 2008/09 Budget of \$923,186. The reason for this variance is that there had been purchases made outside of the electronic purchase order system which resulted in these items not being account for when projecting the closing balance. The Purchase Order system is now being fully utilised, this will ensure there is no repeat of this issue in the future.

The shortfall in closing balance has already been covered by savings to Budget in the 2008/09 year on insurance premiums where a one off 10% discount has been allowed on workers compensation

premiums. Final confirmation of the closing balance will occur once the audit of Annual Financial Statements has been finalised.

#### **CONSULTATION**

None necessary

#### **STATUTORY ENVIRONMENT**

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

#### **POLICY IMPLICATIONS**

None applicable

#### **FINANCIAL IMPLICATIONS**

Occasionally Council may be asked to authorise certain budget amendments/variations by way of separate Senior Officer Reports, but those proposed variations will be taken into account in the monthly Statements of Financial Activity when a full budget review is put before Council. Amendments are not being sought from Council in the attached reports.

#### **STRATEGIC IMPLICATIONS**

This will only occur where it involves variations to the multiple year proposals previously put forward. Impacts to the "Closing Balance" position will also occur or where a Budget Review highlights the requirement for amendments to occur.

#### **VOTING REQUIREMENTS – SIMPLE MAJORITY**

#### **OFFICER RECOMMENDATION**

That the Monthly Statement of Financial Activity, as attached, be accepted.

#### **COUNCIL DECISION**

**229/08            MOVED Cr Trethowan seconded Cr Graham that the Monthly Statement of Financial Activity, as attached, be accepted**

**CARRIED**

**7/0**

#### 10.2 MONTHLY PAYMENTS LISTING

AUTHOR:            Finance Officer  
DATE:                14<sup>th</sup> August 2008  
FILE NO:            06.15.01  
ATTACHMENT:      Monthly Payment Listing

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

To receive a list of payments made since the last similar list was received.

#### **BACKGROUND**

Not applicable.

#### **COMMENT**

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

#### **CONSULTATION**

No consultation was required.

**STATUTORY ENVIRONMENT**

Regulations 13 (2) of the Local Government (Financial Management Regulations) 1996 requires such a list to be “presented” whenever payments have been made under a delegated authority. (Reference Delegation #18).

**POLICY IMPLICATIONS**

Council’s Policy F3 provides authorities and restrictions relative to purchasing commitments.

**FINANCIAL IMPLICATIONS**

All payments made are for items where Council has provided a budget authority.

**STRATEGIC IMPLICATIONS**

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

**VOTING REQUIREMENTS** – Simple Majority**OFFICER RECOMMENDATION**

That the Payment Listing from 08/07/2008 to 14/08/08 comprising of Municipal Cheques 9806 to 9882, EFTs 3448 to 3561 and Internal Payment Vouchers 1498 to 1535 totalling \$786,683.54 and as attached to this agenda, be received.

**COUNCIL DECISION**

**230/08**            **MOVED** Cr Trethowan seconded Cr Hewson that the Payment Listing from 08/07/2008 to 14/08/08 comprising of Municipal Cheques 9806 to 9882, EFTs 3448 to 3561 and Internal Payment Vouchers 1498 to 1535 totalling \$786,683.54 and as attached to this agenda, be received.

**CARRIED**

**7/0**

3.22pm Mrs Heather Marland left the Chamber

**11     ENGINEERING & WORKS REPORTS****11.1    BUDGET AMENDMENT – PLANT REPLACEMENT PROGRAM**

AUTHOR:        Stephen Gash - Chief Executive Officer  
DATE:            14<sup>th</sup> August 2008  
FILE:            06.15.01

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To consider the grader proposed for replacement in the 2008/09 budget.

**BACKGROUND**

The replacement of the Shire’s Volvo grader was proposed in the current budget year. This was nominated by management based on the plant inspections with Councillors and assessment of financial risk of possible major repairs. Although nominated in the budget Council requested further information before the final choice of which grader was to be replaced out of the Volvo or the Caterpillar 12G.

**COMMENT**

Plant considered for trade or sale:  
Volvo G710B (2004) 4,177 hours  
Cat 12G (1996) 13,261 hours

Both machines were assessed as having the same current market value based on two independent estimates. Although the proposed value of the Volvo is a concern given its age and number of

hours, it also means that the depreciation in value should be less in future years. If the machine continues to perform to the standard assured by CJD when the machine was purchased there should be minimal further financial risk in retaining the machine. Its future replacement will be scheduled within the Shire's plant replacement program.

The risk of major component failure on the Volvo, based on feedback from other Shires, was assessed as being similar to the 12G. The same contingency is required for major repairs for both machines and the future operating costs would be similar over the next 2 years, when the \$7 per hour increased fuel usage of the Volvo is offset against the extra routine maintenance on the Cat 12G, given its age.

Management consulted the grader operators and Occupational Safety and Health representative and it was unanimously agreed that the Cat 12G should be the grader that is sold or traded. Operators were happy with the performance of the Volvo too date.

### **CONSULTATION**

The Council considered options during a briefing session in June associated with inspection of all plant.

Operators were consulted, as outlined above, and with minimal financial difference management gave a greater weighting to operator feedback and Occupational Safety and Health issues when reaching a recommendation.

Minutes of this consultation meeting with staff will be available for review by Councillors, if required, but are not included as an attachment as they identify the comments made by staff. Management encouraged free and honest discussion and it is not appropriate for circulation of these comments in a public forum in case any third party views them as defamatory.

### **STATUTORY ENVIRONMENT**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

There are no financial implications in the 2008/09 budget given there is no change to the proposed proceeds from sale, maintenance and operating costs for either grader.

### **STRATEGIC IMPLICATIONS**

Optimal changeover of plant and assessment of whole of life costs are part of effective asset management, which is a strategic imperative for the Shire.

### **VOTING REQUIREMENTS - ABSOLUTE MAJORITY**

### **OFFICER RECOMMENDATION**

That Council authorises a 2008/09 budget amendment to sell or trade the Cat12G grader instead of the Volvo G710B.

### **COUNCIL DECISION**

**231/08                      MOVED Cr Trethowan seconded Cr Benn that Council authorises a 2008/09 budget amendment to sell or trade the Cat12G grader instead of the Volvo G710B.**

**CARRIED BY AN ABSOLUTE MAJORITY**

**6/1**

*3.49pm Mrs Rosemary Cussons left the Chamber*

*3.50pm Mrs Rosemary Cussons entered the Chamber*

**12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS****12.1 REFERRAL OF SUBDIVISION APPLICATION FOR LOT 1 HONNER STREET, KOJONUP.**

AUTHOR: Phil Shephard – Town Planner  
 DATE: 7<sup>th</sup> August 2008  
 FILE NO: 14.06.01  
 APPLICANT: RAS Machin Licensed Surveyor  
 OWNER: BD & RJ Hope  
 ATTACHMENTS: Plan of Subdivision for Lot 1 Honner Street

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To consider a proposal to subdivide the above property into four (4) lots as shown on the plan of subdivision.

The landowners have stated the purpose of the subdivision is to “isolate and protect historical precincts from potential development and make lots C and D available for sale/redevelopment.”

**BACKGROUND**

The subdivision proposal has been referred by the Western Australian Planning Commission (WAPC) to Council with a request for any information, comment or recommended conditions that Council seek to have the Commission consider in assessing the application.

Council is reminded that all applications for subdivision/amalgamation are submitted to, and determined by, the WAPC in consultation with relevant stakeholders (State Government bodies and local government). The WAPC provides forty-two (42) days for comments to be received from stakeholders. It is the WAPC’s decision to act on any advice or recommendation received from Council.

**COMMENT**

Under Council’s Town Planning Scheme No 3, Town Planning Scheme Policy No. 11 ‘Applications for Subdivision’; the requirements for the subdivision in townsite areas are that block sizes, setbacks and septic tank locations be in accordance the prescribed Residential Planning Codes and Health Act requirements.

The application requires consideration of the following matters:

Density

The subject land is contained within the Residential Development zone with a density coding of R10/20 under Town Planning Scheme No. 3 (TPS3). Clause 5.7 (in part) ‘Residential Development’ of TPS3 states:

- (b) *Residential development with the R10/20 code shall be permitted at the R10 density, however, the Council may approve developments up to the R20 density as an ‘AA’ use (Note: ‘AA’ means that Council, may at its discretion, permit the use).*
- (c) *Any development proposed at a density greater than R10, subject to clause (b) above, will only be considered by the Council if it can be proven that an effective method of effluent disposal, or connection to the reticulated sewer network, satisfactory to the Council’s requirements, can be provided. If this cannot be provided, development of residential uses shall be permitted to the R10 code.”*

The density codes allow for the following lot sizes:

R10	minimum lot size	875m <sup>2</sup>
	average lot size	1,000m <sup>2</sup>
R20	minimum lot size	440m <sup>2</sup>
	average lots size	500m <sup>2</sup>

At this stage, the proposal is for the creation of the four (4) larger lots (1.08 – 3.48has) with proposed Lot C showing the future subdivision into twenty-five (25) residential lots of approximately



1,000m<sup>2</sup> in area. The lots sizes comply with the scheme and the prescribed Residential Planning Codes and Health Act requirements.

#### Subdivision Design

The design of the subdivision needs to be modified as follows:

- The areas designated as 'Not Suitable for Building' needs to be extended over those lower portions of Lot A and B that are also affected by the watercourse that traverses the property. Staff does not believe there is a need at this stage to seek public ownership or create a reserve/easement over the watercourse, but the area needs to preclude building development due to the dampness of the site.
- The proposed access points to the future residential subdivision of Lot C off Newstead Road and Newton Street is considered problematic and other alternatives need to be explored by the landowner/consultant. The proposed Newton Street access involves a number of corners to gain entry to the subdivision area and the proposed subdivisional road off Newstead Road is not owned by the applicant.
- The proposed access at the west end to Lot D off Newstead Road will require a high level of construction given the existing stormwater drainage issues in the area and an alternative access possibly from the east end may be more suitable.
- Lot D should include a Building Envelope or similar approach to control development to the most capable portions of the lot away from the watercourse.

#### Deep Sewer Connection

The proposed residential lots will require connection to the Water Corporation reticulated sewerage network.

The proposed four (4) larger lots are expected to be able to be serviced by traditional septic tank leach drain systems at this stage.

#### Drainage Infrastructure

The complete subdivision of the land will increase the amount of stormwater runoff in this area and impact on the existing drainage system in the area. Given the constraints to this system, it is recommended that the subdivider be advised that any upgrading of the drainage system required to support the subdivision will be at their cost. The subdivider should be encouraged to contain as much stormwater as possible within their own land through sumps or basins and release the stormwater into the system at a rate that matches pre-development flow rates.

The proposed residential component would require the preparation of a full geo-technical analysis to prove the site was capable of sustaining the development and services required.

It is suggested that the provision of rainwater tanks with the future housing may also assist in reducing the amount of stormwater runoff from the development.

#### Heritage

The property is contained on the Shire's Municipal Heritage Inventory (Place No. 40 'Quin Quin') and TPS3. This listing includes the house, cottage, stables and well. The well is also recognised as having some Aboriginal heritage significance in the local area.

#### Public Open Space

The WAPC require that subdivisions involving four (4) or more lots provide 10% of the total subdivisible area for open space purpose (in this case that is approximately 9,250m<sup>2</sup> in area). The proposed plan of subdivision shows no allocation. It is suggested that if open space is to provided an option may be to combine it with the watercourse area.

### **CONSULTATION**

There has been no consultation on this matter.

### **STATUTORY ENVIRONMENT**

The land is zoned Residential Development with a split density code of R10/20 under Town Planning Scheme No. 3.

Clause 5.7.3 (in part) of Town Planning Scheme No. 3 states:

- “(b) Residential development with the R10/20 code shall be permitted at the R10 density, however, the Council may approve developments up to the R20 density as an ‘AA use. Any development proposed at a density greater than R10, subject to clause (b) above, will only be considered by the Council if it can be proven that an effective method of effluent disposal, or connection to the reticulated sewer network, satisfactory to the Council’s requirements, can be provided. If this cannot be provided, development of residential use shall be permitted to the R10 code.”*

### **POLICY IMPLICATIONS**

Complies with Town Planning Scheme Policy No. 11 ‘Applications for Subdivision’.

### **FINANCIAL IMPLICATIONS**

Nil. All costs in completing the subdivision conditions are to be met by the subdivider.

### **STRATEGIC IMPLICATIONS**

The completion of the subdivision will provide an additional 25+ lots offering a variety of sizes whilst allowing for the protection of the heritage sites and protecting the watercourse from inappropriate development.

### **VOTING REQUIREMENTS - Simple Majority**

### **OFFICER RECOMMENDATION**

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lot 1 Honner Street, Kojonup into four (4) lots as proposed on WAPC File 138218 and request the following conditions and advice be placed upon the approval:

1. All lots being provided with a vehicle crossover located designed and constructed to the satisfaction of Council at the subdivider’s cost.
2. The provision of adequate stormwater drainage system and the maintenance of natural drainage paths to the satisfaction of Council.
3. Any property connections to stormwater drainage system to be to the satisfaction of Council.
4. That the attenuation of stormwater flow to the watercourse to pre-development flows is achieved.
5. Lots A, B and D be provided with a suitable building envelope (maximum of 20% of the lot size) to control development away from the watercourse area to the satisfaction of Council.
6. That a notification be placed on the Certificate of Titles advising that any additional subdivision will require the connection of the lots to the Water Corporation deep sewer and water supply infrastructure.
7. That a notification be placed on the Certificate of Title for Lot B advising of the heritage listing of the buildings and well on the Shire’s Municipal Heritage Inventory.
8. The land being filled and/or drained to create suitable building areas on all of the lots.

### **Advice Notes**

- i) *The subdivision design is required to be modified as follows:*
  - *The areas designated as ‘Not Suitable for Building’ needs to be extended over those lower portions of Lot A and B that are also affected by the watercourse that traverses the property.*
  - *The proposed access points to the future residential subdivision of Lot C off Newstead Road and Newton Street is not supported and other alternatives need to be explored by the landowner/consultant.*
  - *The proposed access at the west end to Lot D off Newstead Road will require a high level of construction given the existing stormwater drainage issues in the area and an alternative access possibly from the east end may be more suitable.*
- ii) *The future subdivision of Lot C will require:*
  - *The provision of sealed, kerbed and drained subdivisional roads to the satisfaction of Council at the subdividers cost.*
  - *The provision of 10% of the subdivisible area for public open space purposes.*
  - *The preparation of a geo-technical analysis to prove the site is capable of sustaining the proposed residential development.*
  - *The preparation and implementation of a drainage management strategy to ensure that stormwater flows to the watercourse are maintained at pre-development flow rates.*

- *The provision of fire hydrant points within the water reticulation network.*
- *The provision of underground power and street lighting to the lots.*
- *Connection of all lots to the Water Corporation deep sewer and water supply infrastructure.*

### COUNCIL DECISION

**232/08**

**MOVED Cr Benn seconded Cr Hewson**

that Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lot 1 Honner Street, Kojonup into four (4) lots as proposed on WAPC File 138218 and request the following conditions and advice be placed upon the approval:

1. All lots being provided with a vehicle crossover located designed and constructed to the satisfaction of Council at the subdivider's cost.
2. The provision of adequate stormwater drainage system and the maintenance of natural drainage paths to the satisfaction of Council.
3. Any property connections to stormwater drainage system to be to the satisfaction of Council.
4. That the attenuation of stormwater flow to the watercourse to pre-development flows is achieved.
5. Lots A, B and D be provided with a suitable building envelope (maximum of 20% of the lot size) to control development away from the watercourse area to the satisfaction of Council.
6. That a notification be placed on the Certificate of Titles advising that any additional subdivision will require the connection of the lots to the Water Corporation deep sewer and water supply infrastructure.
7. That a notification be placed on the Certificate of Title for Lot B advising of the heritage listing of the buildings and well on the Shire's Municipal Heritage Inventory.
8. The land being filled and/or drained to create suitable building areas on all of the lots.

**CARRIED**

**6/1**

#### 12.2 APPLICATION FOR REDUCED SIDE SETBACK TO DWELLING ADDITIONS AT 8 ALBANY HIGHWAY CNR ROBINSON STREET, KOJONUP

AUTHOR: Phil Shephard – Town Planner  
 DATE: 14 August 2008  
 FILE NO: 14.09.01  
 APPLICANT: DJ & NC Rowe  
 OWNER: DJ & NC Rowe  
 ATTACHMENTS: Site Plan of 8 Albany Highway

#### DECLARATION OF INTEREST

Nil.

#### SUMMARY

An application for planning consent has been received to construct additions to the existing dwelling on the above property. The additions involve consideration of a reduced side setback of 1.7m to Robinson Street.

It is recommended that the application be approved.

#### BACKGROUND

Mr & Mrs Rowe wish to construct additions to the existing dwelling including lounge/games room, verandahs and garage. The additions necessitate a variation to the Residential Design Codes and as such require Council approval.

**COMMENT**

The subject lot is zoned Residential with a density coding of R2.5 under Town Planning Scheme No. 3. The following setbacks from the Residential Design Codes apply to the R2.5 density coding:

MINIMUM SETBACK (m)	
Front	15
Secondary Street	7.5
Other/Rear	7.5

The subject lot is approximately 2,200m<sup>2</sup> in area which is about half the normal lot size found in the R2.5 coded areas of 4,000m<sup>2</sup> and this causes difficulties in achieving the required setbacks given the smaller lot size.

The variation requested has been referred to the neighbours for comment and they have advised that they have no objection to the proposal.

Given that the proposal:

- Is consistent with the objectives and performance criteria of the Residential Design Codes;
- Is consistent with the existing side setback to the outbuilding on the site; and
- Has received support from affected neighbours,

the proposal should be approved.

**CONSULTATION**

Mr & Mrs Rowe have consulted with affected neighbours.

**STATUTORY ENVIRONMENT**

Complies with Town Planning Scheme No 3 and the Residential Design Codes. A separate Building Licence will be required to construct the additions.

**POLICY IMPLICATIONS**

There are no known policy implications.

**FINANCIAL IMPLICATIONS**

There are no known financial implications.

**STRATEGIC IMPLICATIONS**

There are no known strategic implications.

**VOTING REQUIREMENTS – SIMPLE MAJORITY****OFFICER RECOMMENDATION**

That Council approve the proposed reduced side setback of 1.7m to the proposed dwelling additions for 8 Albany Highway, Kojonup and the applicant be advised that this is planning consent approval only and that a building licence must be obtained prior to construction of the additions.

**COUNCIL DECISION**

**233/08**      **MOVED** Cr Graham seconded Cr Pritchard that Council approve the proposed reduced side setback of 1.7m to the proposed dwelling additions for 8 Albany Highway, Kojonup and the applicant be advised that this is planning consent approval only and that a building licence must be obtained prior to construction of the additions.

**CARRIED**

**7/0**

4.06pm The meeting was adjourned for 10 minutes

4.16pm The Chief Executive Officer requested further extension of meeting adjournment as the Manager of the Kojonup Co-Operative, Mr Leith Johnston, would be attending the meeting.  
This extension was granted by the Presiding Officer.

4.20pm The Meeting was reopened. All Council Members and Officers who were present before the adjournment returned to the Chamber.

Mr Leith Johnston, the Manager of the Kojonup Co-Operative entered the Chamber.

Mr Johnston, the Manager of the Kojonup Co-Operative Ltd, was invited by the Presiding Member to address the members of Council providing further background information and comment regarding Item 12.1.

12.3 APPLICATION FOR ABOVE VERANDAH SIGN AT KOJONUP CO-OPERATIVE LTD 113 ALBANY HIGHWAY KOJONUP

AUTHOR: Phil Shephard – Town Planner  
DATE: 14 August 2008  
FILE NO: 14.09.01  
APPLICANT: Signmanager  
OWNER: Kojonup Co-operative Ltd  
ATTACHMENTS: Elevation Plan

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

An application for planning consent has been received to erect an illuminated sign above the verandah (Sign 3) at the Kojonup Co-op as shown on the attached elevation plan.

It is recommended that the application be approved.

**BACKGROUND**

The illuminated sign is not an exempt sign and as such requires Council approval.

**COMMENT**

The subject lot is zoned Commercial under Town Planning Scheme No. 3. The scheme requires all signs that are not exempt, to gain Council approval before they can be erected/displayed. In this case, Sign 3 is to be above the verandah/awning and Council approval is required. Proposed Sign 2 which is painted/affixed to the building windows is exempt from approval.

The proposed illuminated sign is consistent with other such signs in Kojonup and does not adversely affect the character or amenity of the commercial area and proposal should be approved.

**CONSULTATION**

Nil required.

**STATUTORY ENVIRONMENT**

Complies with Town Planning Scheme No 3. A separate Building Licence will be required to construct the sign.

**POLICY IMPLICATIONS**

Complies with Town Planning Scheme Policy No. 7 'Signs, Hoardings and Billposting'.

**FINANCIAL IMPLICATIONS**

There are no known financial implications.

**STRATEGIC IMPLICATIONS**

There are no known strategic implications.

**VOTING REQUIREMENTS – SIMPLE MAJORITY**

**OFFICER RECOMMENDATION**

That Council approve the proposed 1.8m x 1.2m illuminated sign above the verandah for the Kojonup Co-operative Ltd at 113 Albany Highway, Kojonup and the applicants be advised:

1. That this is planning consent approval only and that a building licence must be obtained prior to construction of the sign.
2. Sign 2 is exempt from Council approval and may be erected/displayed immediately.

**COUNCIL DECISION**

**234/08**            **MOVED** Cr Graham seconded Cr Benn that Council approve the proposed 1.8m x 1.2m illuminated sign above the verandah for the Kojonup Co-operative Ltd at 113 Albany Highway, Kojonup and the applicants be advised:

1. That this is planning consent approval only and that a building licence must be obtained prior to construction of the sign.
2. Sign 2 is exempt from Council approval and may be erected/displayed immediately.

**THE MOTION WAS WITHDRAWN WITH THE APPROVAL OF THE MOVER AND SECONDER**

*The Officer recommendation was considered and rejected because it came to the attention of the members of Council that the Board of Management of the Kojonup Co-Operative had not been notified of the application to the Shire for the sign to be approved.  
The Manager of the Kojonup Co-Operative requested Council not make a decision on the application at this meeting.*

4.25pm Mr Leith Johnston, the Manager of the Kojonup Co-Operative left the Chamber.

**13    CORPORATE & COMMUNITY SERVICES REPORTS****13.1    DRAFT FINAL REPORT OF THE SYSTEMIC SUSTAINABILITY STUDY**

AUTHOR:            Stephen Gash - Chief Executive Officer  
DATE:                14<sup>th</sup> August 2008  
FILE:                 01.01.02  
ATTACHMENT:      Draft Final SSS report and supporting WALGA State Council Documentation

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To consider the draft final report of the Systemic Sustainability Study (SSS).

**BACKGROUND**

The Systemic Sustainability Study draft report: *The Journey: Sustainability into the Future* was released on 28<sup>th</sup> February 2008. The SSS Taskforce invited feedback from Local Governments and other stakeholders on the draft report.

The Shire of Kojonup's submission was one of 105 dealing with the themes and content of the report, raising some common concerns with specific recommendations and themes.

Member comments have guided the editing process and have led to a number of significant amendments and the recommendations have been reduced from sixty one (61) to thirty nine (39) in response to sector feedback.

Endorsement of the amendments is proposed, prior to printing and releasing the final report.

**COMMENT**

The recommendations of the draft final SSS report were included in the WALGA State Council Agenda for endorsement. A copy is attached as it provides relevant background on the reasons for change.

At the WALGA Annual General Meeting concerns were expressed that only the recommendations were presented and that there was limited time between the State Council Agenda being received on 17<sup>th</sup> July 2008 and the Zone meetings, mostly held on 1<sup>st</sup> August 2008, to consider the report.

Delegates advised that, as the report was going to be the blueprint for industry wide change and guide the future of local government in WA, they wanted to see the whole written report and have time to consult with their constituents.

The final draft report has now been released and is attached to this agenda. A special meeting of WALGA has been called to consider the issue on 15<sup>th</sup> September 2008.

Most of the concerns raised in the Shire of Kojonup submission have been addressed. Council have already expressed support for the principles of the previous report and the benefits of regional collaboration. The final report clarifies the flexibility for local governments to support a voluntary regional approach that best suits their needs.

The report provides further discussion on shared services and “functional reform” versus amalgamation as the imperative for “structural reform”. Councils with an existing policy position seeking forced structural reform will be disappointed with the report as it does not support forced amalgamation of Shires.

### **CONSULTATION**

The process of drafting the SSS report was consultative by the nature of the study with many workshops, forums, and feedback mechanisms.

If the ability for individual local governments to consider a regional approach, that suits their needs and still maintains local representation, is supported through the endorsement of the final SSS report, then most of the community consultation will be undertaken in the next six (6) months. This will allow the discussions regarding the best regional model to serve the Kojonup community.

### **STATUTORY ENVIRONMENT**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

The financial implications of various regional structures will be considered prior to agreement on a final approach.

### **STRATEGIC IMPLICATIONS**

This vision and framework in the final report will guide the strategic direction of the entire local government industry in WA.

### **VOTING REQUIREMENTS - SIMPLE MAJORITY**

### **OFFICER RECOMMENDATION**

That Council endorse the final draft of the Systemic Sustainability Study Report titled “The Journey: Sustainability into the Future”.

### **COUNCIL DECISION**

**235/08                      MOVED Cr Hewson seconded Cr Pritchard that Council endorse the final draft of the Systemic Sustainability Study Report titled “The Journey: Sustainability into the Future”.**

**CARRIED**

**7/0**

**OFFICER RECOMMENDATION**

That Councillors \_\_\_\_\_ and \_\_\_\_\_ are the nominated delegates for the special meeting on 15<sup>th</sup> September 2008.

That Councillor \_\_\_\_\_ is nominated as a proxy in case a delegate cannot attend.

**COUNCIL DECISION**

**236/08**            **MOVED Cr Benn seconded Cr Hewson that Councillors Mathwin and Trethowan be the nominated delegates for the special WALGA meeting of the on 15<sup>th</sup> September 2008 to discuss the Systemic Sustainability Study Report.**

**CARRIED**            **7/0**

*REASON FOR CHANGE: the meeting asked that the purpose of the meeting on 15<sup>th</sup> September be included in the motion for the purpose of clarity.*

**COUNCIL DECISION**

**237/08**            **MOVED Cr Graham seconded Cr Baulch that Councillor Pritchard be nominated as a proxy in case a delegate cannot attend the special WALGA meeting of the on 15<sup>th</sup> September 2008 to discuss the Systemic Sustainability Study Report.**

**CARRIED**            **7/0**

*REASON FOR CHANGE: the meeting asked that the purpose of the meeting on 15<sup>th</sup> September be included in the motion for the purpose of clarity.*

**14**     **COMMITTEES OF COUNCIL**

Nil

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

Nil

**16**     **NEW BUSINESS**

of an urgent nature, introduced by a decision of the meeting  
Nil

**17**     **CONFIDENTIAL REPORTS****17.1**    LEGAL ACTION – W Lenyszyn

*The CEO will provide a confidential verbal briefing on the status of the current legal action.*

**COUNCIL DECISION**

**238/08**            **MOVED Cr Hewson seconded Cr Benn that the meeting be closed to the public pursuant to Section 5.23 (2) (d) of the Local Government Act as Item 17.1 relates to legal advice and contains confidential information.**

**CARRIED**            **7/0**

*4.30pm Mr Kim Dolzadelli and Mrs Rosemary Cussons left the Chamber*

*4.36pm Cr John Benn left the Chamber*



**COUNCIL DECISION**

<b>239/08</b>	<b>MOVED Cr Hewson seconded Cr Pritchard that the meeting be opened to the Public.</b>	<b>CARRIED</b>	<b>6/0</b>
---------------	--	----------------	------------

5.13pm Cr John Benn and Mr Kim Dolzadelli entered the Chamber.

**18**     **NEXT MEETING**

Tuesday 16<sup>th</sup> September 2008 commencing at 3:00pm.

**19**     **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 5.15pm.

**20**     **APPENDICES AND TABLED DOCUMENTS****21**     **ATTACHMENTS**

Item 10.1	Financial Statement of Financial Activity 1 <sup>st</sup> July to 30 <sup>th</sup> June 2008
Item 10.2	Monthly Payment Listing details
Item 12.1	Plan of Subdivision for Lot 1 Honner Street
Item 12.2	Site Plan of 8 Albany Hwy
Item 12.3	Elevation Plan for sign at Kojonup Co-Op 113 Albany Hwy
Item 13.1	Draft Final SSS report and supporting WALGA State Council Documentation

\_\_\_\_\_  
Presiding Member

\_\_\_\_\_  
Date