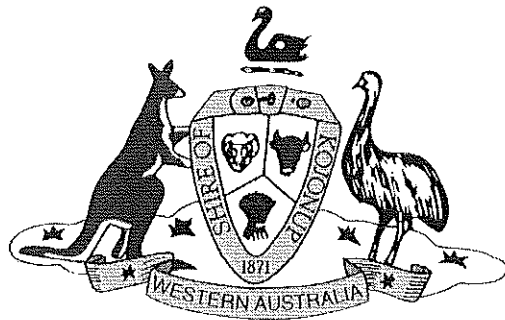


# SHIRE OF KOJONUP



## Council Minutes

***18<sup>th</sup> December 2007***

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**SHIRE OF KOJONUP****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 John Benn	
Cr Will Carrington-Jones	
Cr Ernie Graham	
Cr Rosie Hewson	
Cr Greg Marsh	

Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mrs Heather Marland	Senior Finance Officer
Mrs Rosemary Cussons	Personal Assistant

**APOLOGIES**

Cr Michael Baulch  
Cr Frank Pritchard

**3 PUBLIC QUESTION TIME**

Nil

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

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE****COUNCIL DECISION**

**125/07            MOVED Cr Carrington-Jones seconded Cr Hewson that Leave of Absence be granted to Cr Baulch and Cr Pritchard for the Ordinary Council Meeting of 18<sup>th</sup> December 2007.**

**CARRIED**

**7/0**

**6 CONFIRMATION OF MINUTES**ORDINARY MEETING 20<sup>th</sup> November 2007

Corrections: Nil

**COUNCIL DECISION**

**126/07            MOVED Cr Trethowan seconded Cr Graham that the Minutes of the Ordinary Meeting of Council held on 20<sup>th</sup> November 2007 be confirmed as a true record.**

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

Nil

**8 PETITIONS, DEPUTATIONS & PRESENTATIONS**

Nil

**9 DECLARATIONS OF INTEREST**

Nil

**10 FINANCE REPORTS****10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

**AUTHOR:** Kim Dolzadelli – Manager Corporate Services  
**DATE:** Monday, 10<sup>th</sup> December 2007  
**FILE NO:** 06.15.01  
**ATTACHMENT:** Monthly Statement of Financial Activity 1<sup>st</sup> July to 30<sup>th</sup> November 2007

**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 new reporting requirements came into force from 1<sup>st</sup> July 2005.

**COMMENTS**

The attached Statement of Financial Activity for the period 1 July 2007 to 30 November 2007 shows a solid position with 87.03% of rates collected to 30<sup>th</sup> November 2007 and a total amount of cash holdings of \$3,162,086.05 of which \$1,172,043.89 is held in cash backed Reserves.

Cash holdings continue to be managed to maximise investment return, with the level of interest earnings well on track to meet and potentially exceed budget expectations.

With the completion of the Audit of the 2006/07 Annual Financial Report I am able to confirm that an adjustment of the "Opening Balance" carried forward to the 2007/08 Budget in the amount of \$5,035 is necessary. This is down from \$342,839 to \$337,804 and will have minimal impact on the year's closing position.

I have reviewed individual Operating and Capital accounts and am happy to report that Council's Budget is tracking well with no material variations, and any variance shown between Year to Date Budget and Actuals relating to timing issues.

A complete Budget Review will be put before Council at its February 2008 meeting where any amendments will be dealt with if necessary.

#### **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. No amendments are 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 Financial reports, as attached, be accepted.

#### **COUNCIL DECISION**

**127/07            MOVED Cr Carrington-Jones seconded Cr Marsh that the Monthly Financial reports, as attached, be accepted.**

**CARRIED**

**7/0**

#### 10.2 MONTHLY PAYMENTS LISTING

AUTHOR:            Finance Officer  
DATE:                11<sup>th</sup> December 2007  
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 13/11/07 to 11/12/2007 comprising of Municipal Cheques 9346 to 9345, EFTs 2773 to 2854 and Internal Payment Vouchers 1222 to 1258 totalling \$916,663.21 and as attached to this agenda, be received.

**COUNCIL DECISION**

**128/07            MOVED Cr Hewson seconded Cr Graham that the Payment Listing from 13/11/07 to 11/12/2007 comprising of Municipal Cheques 9346 to 9398, EFTs 2773 to 2854 and Internal Payment Vouchers 1222 to 1258 totalling \$916,663.21 and as attached to this agenda, be received.**

**CARRIED**

**7/0**

*The Presiding Member thanked the Senior Finance Officer and informed her of the Auditor's congratulatory remarks at the Audit Committee meeting held 18<sup>th</sup> December 2007 and asked that this be passed on to all relevant staff.*

*3.20pm Mrs Heather Marland left the Chamber*

*3.22pm Mr Allan Mortimer entered the Chamber*

**10.3 AMENDMENT TO FEES & CHARGES – Kevin O'Halloran Memorial Swimming Pool**

**AUTHOR:** Kim Dolzadelli – Manager Corporate Services  
**DATE:** Friday, 7<sup>th</sup> December 2007  
**FILE NO:** 06.15.01  
**ATTACHMENT:** Letter from YMCA requesting amendment to Fees & Charges

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Council is being asked to consider a request by YMCA to amend Fees & Charges associated with operation of the Kevin O'Halloran Memorial Swimming Pool.

**BACKGROUND**

YMCA currently manages the Shire of Kojonup's swimming pool facilities and annually submits a budget for the coming year; this includes the proposed level of Fees & Charges. This budget is submitted to the Shire prior to compilation of the Shire's Annual Budget and is incorporated in the Shire's Budget for adoption by Council.

YMCA has advised that they submitted the incorrect fee structure for the 2007/08 financial year and are requesting that Council allow amendment to the schedule of adopted Fees and Charges.

The adopted Fees & Charges and requested amendments are show in the table below:

<u>Daily Admission Charges</u>	<u>GST Inc.</u>	<u>Adopted Charges</u>	<u>Proposed Charge</u>	
Adults	Y	\$ 4.40	\$ 4.50	*
Seniors (New Fee)	Y		\$ 3.40	N
Children	Y	\$ 3.30	\$ 3.40	*
Spectators	Y	\$ 1.50	\$ 1.50	
Swimming Carnival	Y	\$ 100.00	\$ 100.00	
Vacation Swimming	Y	\$ 2.50	\$ 3.40	*
In Term Swimming	Y	\$ 2.00	\$ 2.25	*
<u>Seasonal Passes</u>				
Child Single Season Pass	Y	\$ 95.50	\$ 100.00	*
Adult Single Season Pass	Y	\$ 127.50	\$ 135.00	*
Seniors Single Season Pass (New Fee)	Y		\$ 100.00	N
Family (2 Adults & 2 Children under 16 years)	Y	\$ 233.40	\$ 245.00	*
Family (2 Adults & more than 2 Children under 16 years)	Y	\$ 286.50	\$ 305.00	*
<u>Other Charges</u>				
Birthday Parties	Y	\$ 11.70	\$ 11.70	
Aquatic Education Class fee	Y	\$ 8.50	\$ 8.50	
Aqua Aerobics	Y	\$ 8.00	\$ 8.00	
Children Birthday Parties (per participant)	Y	\$ 11.70	\$ 11.70	
Facility Rental	Y	\$ 23.40	\$ 23.40	
Concession – Season tickets purchased from 1st February annually		50%	50%	
* - indicates amendment N - indicates New Fee				

#### COMMENTS

The new Fee structure shows only minimal increases to the currently adopted Fees & Charges, introduces a new reduced Fee for seniors and will match YMCA's overall Operational Budget for the year.

#### CONSULTATION

None required.

#### STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.16 - "Imposition of fees and charges" and Section 6.19 "Local government to give notice of fees and charges".

#### POLICY IMPLICATIONS

None applicable.

#### FINANCIAL IMPLICATIONS

The proposed changes will have a minimal impact of approximately \$1000 on the Operational Budget for the swimming pool. This may impact any profit share the Shire might be entitled to.

#### STRATEGIC IMPLICATIONS

Nil

#### VOTING REQUIREMENTS – ABSOLUTE MAJORITY

**OFFICER RECOMMENDATION**

1. That in accordance with section 6.16 of the Local Government Act 1995 Council adopts the proposed new Fee structure for the swimming pool facility, and
2. That in accordance with section 6.19 of the Local Government Act 1995 Council gives Local Public Notice of the new fee structure.

**COUNCIL DECISION****129/07****MOVED Cr Hewson seconded Cr Carrington-Jones**

1. **that in accordance with section 6.16 of the Local Government Act 1995 Council adopts the proposed new Fee structure for the swimming pool facility, and**
2. **that in accordance with section 6.19 of the Local Government Act 1995 Council gives Local Public Notice of the new fee structure.**

**CARRIED BY AN ABSOLUTE MAJORITY****7/0****11 ENGINEERING & WORKS REPORTS****12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS****12.1 APPLICATION TO BUILD A RESIDENCE AT 160 ALBANY HIGHWAY KOJONUP: Mr & Mrs C & J Campbell**

AUTHOR: Allan Mortimer  
 DATE: 3<sup>rd</sup> December 2007  
 FILE NO: 14.07.02  
 ATTACHMENT: Letter of application

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To consider an application to build a residence at 160 Albany Highway Kojonup.

**BACKGROUND**

160 Albany Highway is currently zoned commercial under Council's Town Planning Scheme No 3 and as such, a single residential development is an 'SA' use. 'SA' means that Council may, at its discretion, permit the use after notice has been given in accordance with clause 6.2 of the Scheme.

Clause 6.2 requires the proposal to be advertised for a period of twenty one (21) days and in a newspaper circulating in the Scheme area and notice of the proposed development being served on the owners and occupiers of land within an area determined by Council as likely to be affected by the granting of planning consent. This notice gives the owners and occupiers twenty one (21) days to make submissions if they wish to do so.

**COMMENT**

The lot on Albany Highway is one of those affected by a rezoning change between Schemes two (2) and three (3). Under Town Planning Scheme No 2, the block was zoned 'Residential' and therefore a single residential building was a permitted use and would not have required advertising or Council approval, other than a building permit.

Advertising of the proposal has commenced and a letter has been sent to adjoining owner/occupiers in the immediate vicinity advising of the proposal. Comments or objections can be made within a twenty one (21) day period following the appearance of the advertisement in the local paper.



**CONSULTATION**

The proposal is currently being advertised for public comment.

**STATUTORY ENVIRONMENT**

Compliance with Council's Town Planning Scheme No 3.

**POLICY IMPLICATIONS**

There are no policy implications

**FINANCIAL IMPLICATIONS**

There are no financial implications.

**STRATEGIC IMPLICATIONS**

There are no strategic implications.

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

That Council grant development approval for the erection of a single residential building at lot 3 (house No 160) Albany Highway Kojonup subject to the following conditions:

1. No objections or adverse comments being received during the advertising period
2. Payment of the appropriate development application fee
3. The approval being valid for two (2) years. If the structure is not substantially commenced within this period, the approval will lapse.

**COUNCIL DECISION**

**130/07            MOVED Cr Carrington-Jones seconded Cr Benn that Council grant development approval for the erection of a single residential building at lot 3 (house No 160) Albany Highway Kojonup subject to the following conditions:**

- 1. No objections or adverse comments being received during the advertising period**
- 2. Payment of the appropriate development application fee**
- 3. The approval being valid for two (2) years. If the structure is not substantially commenced within this period, the approval will lapse.**

**CARRIED**

**7/0**

**13    CORPORATE & COMMUNITY SERVICES REPORTS****13.1    EXPRESSIONS OF INTEREST – LOC 162 BLACKWOOD ROAD**

AUTHOR:                    Kim Dolzadelli – Manager Corporate Services  
 DATE:                        Tuesday, 11<sup>th</sup> December 2007  
 FILE NO:                    01.04.02

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Authorisation is being sought for the Chief Executive Officer to call for expressions of interest for a lease of Loc 162 Blackwood Road and to consider any conditions of use, prior to expression of interest being sought.

**BACKGROUND**

The current lease of Loc 162 Blackwood Rd was granted to the Kojonup Football Club until 15<sup>th</sup> February 2008 at the Council meeting held 21<sup>st</sup> August 2007. The lease gave opportunity for grazing only given the timing of granting of the lease. Prior to this the lease gave the opportunity to crop and/or graze and was also held by the Kojonup Football Club.

**COMMENT**

The land in question is flagged for future industrial development, with this in mind it is important to consider an appropriate lease term and relevant conditions that will ensure that if opportunities for this development arise Council has the ability to progress such activity. Given the possible future use of the block the Officer's recommendation is to give public notice calling for expressions of interest on the following basis:

- Lease for grazing and/or cropping
- Lease term of 2 years with 1 year option at full discretion of Council.
- Provision for early termination of lease or reduction in area of land for lease, by Council, should the opportunity arise for industrial development within the lease period.
- In the case of grazing use the maximum stocking rate to be determined by the Chief Executive Officer, based on stock and land condition at the time of any request from the lessee.
- The lessee will be required to comply with the conditions of the Shire Fire Break Order.
- The lessee will be required to pay the annual Shire rates (or pro rata proportion of). This will be calculated at the time of advertising.

Selection would be based on the value offered to the Shire (cash and non cash such as fencing etc), ability to comply with required conditions, any additional considerations that a prospective lessee wished to put forward. The highest cash bid, or any bid may not necessarily be accepted.

**CONSULTATION**

Nil required

**STATUTORY ENVIRONMENT**

Section 3.58 of the Local Government Act 1995

**POLICY IMPLICATIONS**

There are no known Policy Implications.

**FINANCIAL IMPLICATIONS**

The lease will generate nominal income for the Shire

**STRATEGIC IMPLICATIONS**

The lease will manage the fire risk on the Shire property and for the adjacent industrial estate.

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

That the Chief Executive Officer be authorised to call for expressions of interest for a grazing and /or cropping lease of Loc 162 Blackwood Road Kojonup from 16<sup>th</sup> February 2008 for a period of two (2) years.

**COUNCIL DECISION**

131/07

**MOVED** Cr Marsh seconded Cr Benn that the Chief Executive Officer be authorised to call for expressions of interest for a grazing and /or cropping lease of Loc 162 Blackwood Road Kojonup from 16<sup>th</sup> February 2008 for a period of two (2) years.

CARRIED

5/2

**14 COMMITTEES OF COUNCIL****14.1 Springhaven Advisory Committee****OFFICER RECOMMENDATION**

That the attached minutes and following recommendations SR 08/07, SR 09/07 and SR 10/07 from the Minutes of the Springhaven Advisory Committee meeting held Thursday 22<sup>nd</sup> November 2007 be received and endorsed by Council.

SR 08/07	<p>MOVED Cr Mathwin seconded Cr Hewson that the community nominations</p> <ul style="list-style-type: none"> <li>• Mr Malcolm Watson</li> <li>• Mrs Pat Bunny</li> <li>• Mrs Marie Duncan and the Friends of Springhaven representative nominations</li> <li>• Mrs Marion Wood</li> <li>• Mrs Shirley McKenney</li> </ul> <p>be accepted to form the Springhaven Advisory Committee.</p>	CARRIED
SR 9/07	<p>MOVED M Watson seconded M Duncan that the minutes of the meeting held on the 5<sup>th</sup> July 2007 be adopted as a true and accurate record.</p>	CARRIED 5/0
SR 10/07	<p>MOVED M Watson seconded P Bunny that a recommendation from the committee be made that the Springhaven Manager speak with the Shire CEO and the Manager of Building Services re a quote for security locks to be fixed to the sliding glass doors in the residents' rooms which would still allow good ventilation, easy access for emergency situations and furniture removal.</p>	CARRIED 5/0

**COUNCIL DECISION**

<b>132/07</b>	<p><b>MOVED Cr Hewson seconded Cr Trethowan that the attached minutes and following recommendations SR 08/07, SR 09/07 and SR 10/07 from the Minutes of the Springhaven Advisory Committee meeting held Thursday 22<sup>nd</sup> November 2007 be received and endorsed by Council.</b></p>	
SR 08/07	<p>MOVED Cr Mathwin seconded Cr Hewson that the community nominations</p> <ul style="list-style-type: none"> <li>• Mr Malcolm Watson</li> <li>• Mrs Pat Bunny</li> <li>• Mrs Marie Duncan and the Friends of Springhaven representative nominations</li> <li>• Mrs Marion Wood</li> <li>• Mrs Shirley McKenney</li> </ul> <p>be accepted to form the Springhaven Advisory Committee.</p>	CARRIED
SR 9/07	<p>MOVED M Watson seconded M Duncan that the minutes of the meeting held on the 5<sup>th</sup> July 2007 be adopted as a true and accurate record.</p>	CARRIED 5/0
SR 10/07	<p>MOVED M Watson seconded P Bunny that a recommendation from the committee be made that the Springhaven Manager speak with the Shire CEO and the Manager of Building Services re a quote for security locks to be fixed to the sliding glass doors in the residents' rooms which would still allow good ventilation, easy access for emergency situations and furniture removal.</p>	CARRIED 5/0
	<b>CARRIED</b>	<b>7/0</b>



**17**     **CONFIDENTIAL REPORTS**

Nil

**18**     **NEXT MEETING**Tuesday 19<sup>th</sup> February 2008 commencing at 3:00pm.**19**     **CLOSURE**

*The President and Chief Executive Officer thanked the Health and Planning Consultant Mr Allan Mortimer for his professional and diligent work at the Shire of Kojonup over the last 12 months which has been much appreciated by Councillors, Staff and community members of the Shire of Kojonup.*

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4.25pm.

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

Item 10.1	Monthly Statement of Financial Activity
Item 10.2	Monthly Payment Listing
Item 10.3	Letter from YMCA requesting amendment to Fees & Charges
Item 12.1	Letter of application to build residence
Item 14.1	Springhaven Advisory Committee Minutes
Item 14.2	Kojonup Townscape Committee Minutes
Item 14.3	Safer Kojonup Committee Minutes

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Presiding Member

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Date