

SHIRE OF KOJONUP



Council Minutes

19th April 2006

SHIRE OF KOJONUP

AGENDA FOR THE COUNCIL MEETING HELD ON 19 APRIL 2006

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SHIRE OF KOJONUP

MINUTES

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The President declared the meeting open at 3.00pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points.

The President read the following statement:

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 licence 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 Pat Bunny

Cr Will Carrington-Jones

Cr Ernie Graham

Cr Rosie Hewson

Cr Greg Marsh

Cr Frank Pritchard *arrived at 4.03pm*

Cr Geoff Thorn

Mr Stephen Gash Chief Executive Officer

Ms Melissa Wilson Environmental Development Manager

Mr John Crothers Acting Financial Manager *left at 3.46pm*

Mrs Heather Marland Senior Finance Officer *left at 3.46pm*

Mrs Rosemary Cussons Personal Assistant

APOLOGIES

3. **PUBLIC QUESTION TIME**

Nil

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

Nil

5. **APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

6. **CONFIRMATION OF MINUTES**

ORDINARY MEETING 21st March 2006

Corrections: Nil

COUNCIL DECISION

40/06 MOVED Cr Bunny that the Minutes of the Ordinary Meeting of Council held on 21st March 2006 be confirmed as a true record.

CARRIED 9/0

7. **ANNOUNCEMENTS** by the Presiding Member without discussion

Nil

8. **PETITIONS, DEPUTATIONS & PRESENTATIONS**

Mrs Barbara Hobbs made a presentation commenting on the proposed Agenda Item concerning the Kodja Place management structure. Her tabled report is attached to these minutes.

9. **DECLARATIONS OF INTEREST**

Cr John Benn - Item 13.1 Impartiality Interest

Cr Greg Marsh - Item 13.1 Impartiality Interest

10. **FINANCE REPORTS**

10.1 FINANCIAL MANAGEMENT - MONTHLY STATEMENT OF FINANCIAL ACTIVITY

AUTHOR: John Crothers - Acting Financial Manager

DATE: 10 April 2006

FILE NO 06.15.01:

DECLARATION OF INTEREST

Nil

SUMMARY

Preparation and presentation to Council of Monthly reports are a statutory requirement, with specific items needing to be included in such reports.

There are a number of separate attachments to this report, which give 'overview' information as to the position of Council's finances.

It is considered important that Financial reports have clarity and show areas where major attention needs to be focused each month. However, the detailed items need to be looked at on a regular basis as well, and this is now provided at Quarterly Budget Review intervals.

BACKGROUND

The new reporting requirements came into force from 1st July 2005. The reports attached comply with the new Financial Management Regulations.

COMMENTS

There are a number of attachments to this report, and they are as follows:

- 1.1 Bank Reconciliations
- 2.1 Rates Report
- 3.1 Net Current Asset Position [NAP]
- 3.2 Explanations/Comments on Net Current Assets Position
- 3.3 Ratios
- 3.4 Committed Assets Details [NOTE: Not dissected at this time]
- 3.5 Restricted Assets Details
- 3.6 Reserves Details
- 4.1 Status Report - Finance and Accounting Work
- 5.1 Statement of Financial Activity - Summary
- 6.1 Capital Expenditure Listing

7 Plant Purchases and Disposals, and other Asset disposals

8 Operating Statement - Detailed dissection [only produced each quarter]

At its meeting of 22 August 2005 Council adopted a "Material" Variance figure of either \$500 or 8%, whichever is the greater. Variations, in broad terms, are included each month. However, a detailed Operating Statement includes all the relevant information, and every dollar variation, are presented to Council at the end of each Quarter.

As stated previously, this year remains "extremely" tight financially, and Council and staff remain mindful of having to exercise both restraint and discipline for the rest of the 2005/06 year. All involved are aware that a great deal of caution will also be needed for the following, 2006/07, year.

Attachment 1.1 to this report gives details of Council's Bank Reconciliations, and Investments. If sufficient government money is recouped over the next few months then the level of any overdraft will be able to be minimised.

Attachment 2.1 gives details of Council's Rates details. The last Instalment on Rates was due on 7th March 2006. Final notices were sent out for all amounts owing. The Rates Report shows that the collections have significantly increased. A separate report is being composed for those properties where Sale Action is considered the most appropriate course of action. A separate listing will be circulated to Councillors of ratepayers and debtors where debt collection action has been initiated.

Attachment 5.1 is the Statement of Financial Activities for the year.

As previously advised, the projected financial result for the Aged Care service is of most concern, and it is obvious that Council should borrow, via an Interest Only Loan, to fund the capital works at Springhaven that have had to occur in the 2005/06 year. A report will be put forward to Council's May meeting, but the amount of the borrowing proposed will be in the range of \$70,000 - \$85,000. It has been verbally mentioned before that such action may be needed, so as to secure Council's 'bottom line, closing balance' position for the current year.

Investigative action has commenced with regard to Government Department Debtors. The two largest of these is that of the Main Roads Department, and the Pensioner Rebate claims. It would appear that there have been amounts incorrectly raised in prior years, and certain amounts will have to be written off. Details of these will be put to Council's next meeting.

Further, there remains a number of items listed as Assets, which are either no longer on hand [IE: Sold, but not correctly recorded as such], are no longer functional/operational, or are obsolete [outdated technology]. A report on the higher valued items of these items will be submitted to Council's next meeting.

As previously advised, another area of major adjustment is that of Stock. A thorough examination of items previously listed as stock has been undertaken, with the 'count' being different to that which was earlier taken as being on hand. A new control procedure will apply, including introduction of a proper Stock Control system on Council's main financial system. We are currently attempting to identify where certain items may have been used. Once this has been completed, as well as new calculations made, then there will be a resulting net amount which will have to be written off. A 'ball park' allowance has been included in the monthly financial projections, but a final adjustment figure will not be known until late April. Such adjustment will be included in the Budget Review Report, which will be submitted to Council's next ordinary meeting.

The overall End-Of-Year projected result for all of Council's finances allows for a relatively low 'Closing' position. This is very small, and will be monitored every month.

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. The reports submitted exceed those basic requirements.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

Occasionally Council may be asked to authorise certain budget amendments/variations by way of separate reports, but those proposed variations will be taken into account in the monthly Financial Activities report.

STRATEGIC IMPLICATIONS

This will only occur where it involves variations to the multiple year proposals previously put forward.

VOTING REQUIREMENTS - SIMPLE MAJORITY

OFFICER RECOMMENDATION

That the Monthly Financial reports, as attached, be accepted.

COUNCIL DECISION

41/06 MOVED Cr Benn that the Monthly Financial reports, as attached, be accepted.

CARRIED 9 /0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Senior Finance Officer - Heather Marland

DATE: 11.04.2006

FILE NO: 06.15.01

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 15/03/06 to 10/04/06 comprising of Municipal Cheques 8158 to 8200, EFTs 1353 to 1415 and Internal Payment Vouchers 476 to 502 totalling \$518,777.19 and as attached to this agenda, be received.

COUNCIL DECISION

42/06 MOVED Cr Thorn that the Payment Listing from 15/03/06 to 10/04/06 comprising of Municipal Cheques 8158 to 8200, EFTs 1353 to 1415 and Internal Payment Vouchers 476 to 502 totalling \$518,777.19 and as attached to this agenda, be received.

CARRIED 9/0

3.42pm Cr Thorn left the Chamber

3.43pm Cr Thorn returned to the Chamber

3.46pm Mr J Crothers and Mrs H Marland left the Chamber

11. ENGINEERING & WORKS REPORTS

Nil

The President announced that Item 13.1 would now be brought forward in the interests of the members of the Public Gallery who were in attendance.

13.1 THE KODJA PLACE GOVERNANCE REVIEW

AUTHOR: Stephen Gash - Chief Executive Officer

DATE: 15 April 2006

FILE NO 01.01.01

DECLARATION OF INTEREST

Cr Benn declared an impartiality interest in item 13.1 as he is the President of the Kojonup Tourist Association.

Cr Marsh declared an impartiality interest in item 13.1 as he is a member of the Kodja Place Community Fund Committee.

4.00pm Both Cr Benn and Cr Marsh left the Chamber while there was discussion regarding the large cross section of community involvement the Kodja Place has had over the years and the nature of Councillor involvement on various committees over this time.

4.03pm Cr Pritchard entered the Chamber

4.04pm Cr Benn and Cr Marsh returned to the Chambers and each individually read their declaration of interest and that as a consequence there may be the perception that their impartiality on the matter may be affected. They declared that they would consider the matter on its merits and vote accordingly.

SUMMARY

A review of *The Kodja Place (TKP)* governance structure and functions has been conducted to consider the most appropriate model to progress *The Kodja Place*, in accordance with good governance principles and compliance with the Local Government Act.

BACKGROUND

There have been several formal requests from Council for committees and Council officers to review the management structure of The Kodja Place over the last two years. These requests have been driven by a desire from stakeholders and the Council to develop The Kodja Place into a sustainable operation that continues to add value to the community.

The Chief Executive Officer has been requested to review the Governance of the Kodja Place. Governance involves the management structure and also the processes to required to ensure effective management and accountability.

COMMENTS

Several options were considered after consultation with key stakeholder groups. A summary of the stakeholder comments, the methodology of the review and the options are outlined in the attached report "The Kodja Place Governance Review".

CONSULTATION

The following groups have been consulted as part of the review:

- Kojonup Tourist Association (KTA)
- Kojonup Aboriginal Corporation (KAC) and Noongar elders
- Combined Special Interest groups representing the Story place and curatorial group, Rose Maze, and Courtyard volunteers.
- Kojonup Historical Society
- Management Executive of the Shire - MANEX

- Museums WA

- Tourism WA

STATUTORY ENVIRONMENT

The establishment of a committee by Council must be in accordance with Section 5.8, 5.9(2)(c), and 5.17(c) of the Local Government Act. The committee must elect a presiding member from amongst its members; therefore the concept of an appointed independent chair is not possible in the statutory environment.

Council may appoint the CEO to the Advisory Committee but it would then be up to the Committee to elect the CEO to the role of Presiding member to achieve the desire of an independent Chair. The same method would be required if the committee and Council desired someone other than the CEO to take over the role in the future.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

The financial implications of the proposed turnover rental arrangements will only be determined accurately once the percentage rate is agreed and the existing cost structure investigated to determine the sustainable core business of stakeholders minus any existing cross subsidy.

Based on the existing service levels at The Kodja Place the change to a turnover rental model should have nil net effect from the current budget. However, initial examination of the staffing, accreditation requirements and maintenance of TKP building has raised the possibility of a cash shortfall in future requirements of approximately \$50,000 to \$60,000 per annum. This is supported by the budget request for an additional \$78,000 for 2006/2007 by the Kojonup Tourist Association.

The proposed 2006/2007 Kodja Place budget will be examined very closely in Council's overall budget process over the next couple of months. The terms of reference of this review do not specifically include the financial viability of the centre, however, it is an area of concern and the financial sustainability needs to be examined immediately to compliment the sustainable governance structure. The Advisory Committee should also be given the task of reviewing the sustainable funding requirements over the next year once the immediate budget concerns are addressed. Some of these could be offset by increased activity or other funding sources.

Increased activity can already be demonstrated the revenue growth in the Kojonup Tourist Association since 2003/2004. This growth has been in the order of 50% per annum but the benefit of this increased revenue has been offset by the cross subsidization of other operational components within The Kodja Place.

STRATEGIC IMPLICATIONS

All stakeholders have expressed concern that there needs to be better delineation and communication of roles and responsibilities at The Kodja Place. The implementation of an appropriate governance model is crucial to the harmonious interaction of various stakeholders and necessary to ensure a sustainable future for the Kodja Place.

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

OFFICER RECOMMENDATION

1. That the attached document titled "The Kodja Place Governance Review" be received.
2. The Shire establishes a committee under section 5.8 and 5.9(2)(c) of the Local Government Act 1995 as amended called "The Kodja Place Advisory Committee" with the following committee members:
 - The Manager of Community Development - Shire of Kojonup, Ms Cindy North
 - A nominated representative of the Kojonup Tourist Association
 - A nominated member of the Kojonup Aboriginal Corporation or Noongar Elder group
 - A nominated representative from the Rose Maze group

- A nominated representative from the Story Place group
- A nominated representative from the Kodja Place Café Group

- The Chief Executive Officer of the Shire of Kojonup

*Absolute
Majority
Required

3. That Ms Glenys Russell be offered a three (3) month contract extension on her current terms.

COUNCIL DECISION

43/06 MOVED Cr Trethowan that the attached document titled "The Kodja Place Governance Review" be received.

CARRIED 10/0

4.40pm Cr Benn left the Chamber

COUNCIL DECISION

44/06 MOVED Cr Bunny that

The Shire establishes a committee under section 5.8 and 5.9(2)(c) of the Local Government Act 1995 as amended called "The Kodja Place Advisory Committee" with the following committee members:

- The Manager of Community Development - Shire of Kojonup, Ms Cindy North
- A nominated representative of the Kojonup Tourist Association
- A nominated member of the Kojonup Aboriginal Corporation or Noongar Elder group
- A nominated representative from the Rose Maze group
- A nominated representative from the Story Place group
- A nominated representative from the Kodja Place Café Group

- The Chief Executive Officer of the Shire of Kojonup

Cr Bunny accepted the following amendment to the motion, that:

The Shire establishes a committee under section 5.8 and 5.9(2)(c) of the Local Government Act 1995 as amended called "The Kodja Place Advisory Committee" with the following committee members and the condition that no Councillor can be the representative on the Committee for any other body:

- **The Manager of Community Development - Shire of Kojonup, Ms Cindy North**
- **A nominated representative of the Kojonup Tourist Association**
- **A nominated member of the Kojonup Aboriginal Corporation or Noongar Elder group**
- **A nominated representative from the Rose Maze group**
- **A nominated representative from the Story Place group**
- **A nominated representative from the Kodja Place Café Group**

- **The Chief Executive Officer of the Shire of Kojonup**

The Amended Motion was put to the Meeting and CARRIED BY AN ABSOLUTE MAJORITY 9/0

Reason for Change - Council viewed the structure would give adequate governance and opportunity for Councillor input at Council meetings, as required, and wished to support the most transparent process possible..

4.41pm Cr Benn returned to the Chamber

COUNCIL DECISION

45/06 MOVED Cr Thorn that Ms Glenys Russell be offered a three (3) month contract extension on her current terms.

CARRIED 10/0

The Shire President thanked the members of the gallery, who were departing following the consideration of The Kodja Place item, for their attendance and directed elected members back to item 12.1 to resume the normal order of business.

1. ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS

12.1 PLANNING APPLICATION - ALTERATION OF ENTRANCE TO SUPERMARKET

AUTHOR: Melissa Wilson - Environmental Development Manager

DATE: 9th April 2006

FILE NO: 14.09.07

DECLARATION OF INTEREST

Nil

SUMMARY

To consider the proposal made by Peter Rogers to remove the existing veranda, construct a new portico/awning and balustrade at the east entrance to the supermarket located at 116 Albany Highway in Kojonup (see plan of proposal).

BACKGROUND

Mr Rogers applied to Shire of Kojonup in March 2006 to construct a new portico over the entrance on the east side of the supermarket.

The property, 116 Albany Highway, is listed on the Shire of Kojonup Municipal Heritage Inventory as it was originally known as Richardson's Store.

The Shire of Kojonup Town Planning Scheme No 3 governs the developments relating to any properties listed on the Municipal Heritage Inventory.

When considering the purpose and intent of the heritage provisions Clause 5.16.1 of the Town Planning Scheme states that:

"The purpose and intent of the heritage provisions are to:

- a. *ensure the conservation of any place, area, building, object or structure of heritage value;*
- b. *afford the opportunity for existing traditional uses to be continued or allow for the approval of alternative uses which are compatible with the heritage values and amenity of the locality;*

- c. *ensure that development or redevelopment within or adjacent to places of heritage value has due regard to the heritage value of the place and is in harmony with the character of the locality.*

The condition of the shop front presently comprises of a free standing veranda that spans the width of the footpath and a solid white wall below. The existing parapet wall, upper, has a detailed facade that has faded.

Mr Rogers's proposal is to make repairs to the existing parapet detail, remove the existing veranda, paint the existing wall and construct a colourbond roofed portico with a balustrade. The existing veranda, proposed to be removed, is currently in disrepair and offers little protection from the rain due to the structure leaning.

It is proposed that the height of the awning/portico will be 4.7meters with a balustrade 900mm high, located 600mm from the curb. The balustrade is proposed to act as a safety barrier for customers leaving the shop. The three reinforced concrete columns (FRC), which will act as the upright support posts located on the footpath, will each be 260mm in diameter.

Mr Rogers explained that the supermarket would soon be becoming a part of a new franchise, which may require some colour changes to the façade of the building and installation of appropriate signage. The signage is proposed to be installed on the new portico. It is expected that the signage will have a white background with black and red writing. The remainder of the wall will be an off white colour with burgundy coloured inserts at the top of the wall and a tapered section along the base of the wall in a corresponding colour as the inserts.

COMMENT

The proposal to remove the existing veranda will mean that the façade will be visibly different to that of the picture in the Municipal Heritage Inventory however it is believed that the important component of the wall is the detail at the top of the parapet wall which is proposed to be restored.

The Shire of Kojonup Activities of Thoroughfares and Trading in Thoroughfares and Public Places Local Law requires a permit to be obtained before a thoroughfare can be obstructed. Placing a balustrade 600mm from the curb may cause this obstruction.

The Council can, when considering the proposal, place conditions on the approval to preserve the heritage value of the property for example colours and heights of the development.

CONSULTATION

A representative from the Main Roads Department of WA was contacted, to determine if there were any possible implications, however no feedback has been received to date.

Paul Bashall, Planning Consultant, was consulted regarding the proposal and his recommendation was to ensure that the provisions of clause 5.16 (see background section) were considered.

Members of Council, Shire officers, and members of the Historical Society and Townscape Committee met onsite with the applicant, Mr Rogers to discuss the proposal on the 5th of April 2006.

STATUTORY ENVIRONMENT

Clause 5.16.6.1 of the Town Planning Scheme No 3 states

"Without affecting the generality of any other provision of the Scheme specifying the manner in which the Council is obliged or permitted to deal with an application for Planning Consent, the Council in dealing with any such application may, for reasons relating to the conservation of a place of cultural heritage significance or heritage precinct;

- i. *refuse approval;*

- ii. *grant approval without conditions; or*
- iii. *grant approval with conditions including conditions aimed at the conservation of the place or precinct."*

The Development Table of the Town Planning Scheme No. 3 indicates that setbacks for a shop are "*as determined by Council*".

"Without affecting the generality of any other provision of the Scheme specifying the manner in which the Council is obliged or permitted to deal with an application for Planning Consent, the Council in dealing with any such application may, for reasons relating to the conservation of a place of cultural heritage significance or heritage precinct;

- iv. *refuse approval;*
- v. *grant approval without conditions; or*
- vi. *grant approval with conditions including conditions aimed at the conservation of the place or precinct."*

The Shire of Kojonup Activities of Thoroughfares and Trading in Thoroughfares and Public Places Local Law requires a permit to be obtained before a thoroughfare can be obstructed.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION

1. That planning approval be granted to Mr Peter Rogers to remove the existing veranda, paint the existing wall and parapet detail and construct a portico/awning structure on the east side 116 Albany Highway, Kojonup subject to the following conditions:

- That the parapet detail is painted the existing colours being off white wall and burgundy coloured inserts (or similar).
- That a plaque be erected depicting pictures of the original Richardson's Store on the exterior of the east wall of the supermarket.
- That the new structure meet all requirements of the Building Code and related legislation.

2. That the application by Mr Peter Rogers to construct a balustrade 600mm from the Albany Highway on the east end of 116 Albany Highway be rejected as it may obstruct the thoroughfare.

COUNCIL DECISION

46/06 MOVED Cr Thorn

That planning approval be granted to Mr Peter Rogers to remove the existing veranda, paint the existing wall and parapet detail and construct a portico/awning structure on the east side 116 Albany Highway, Kojonup subject to the following conditions:

- **That the parapet detail is painted the existing colours being off white wall and burgundy coloured inserts (or similar).**
- **That the new structure meet all requirements of the Building Code and related legislation.**

Reason for Change - Council were concerned at the type of plaque that would be required given the nature of the elements on the East facing wall and thought it not necessary for the application.

COUNCIL DECISION

47/06 MOVED Cr Trethowan that the application by Mr Peter Rogers to construct a balustrade 600mm from the Albany Highway on the east end of 116 Albany Highway lay on the table pending expected correspondence from the Insurance Company

CARRIED 10/0

Reason for change:

Further information is required regarding the liability risk.

5.04pm Cr Thorn left the Chamber

5.05pm Cr Thorn returned to the Chamber

12.2 OVERSIZED SHED - SOLDIER ROAD KOJONUP

AUTHOR: Melissa Wilson - Environmental Development Manager

DATE: 9th April 2006

FILE NO: 14.04.02

OWNER: Mr and Mrs G Bow

LOCATION: Lot 2 Soldier Road, Kojonup

DECLARATION OF INTEREST

Nil

SUMMARY

To consider the application made by Mr and Mrs Bow to construct a shed on Lot 2 Soldier Road, Kojonup.

BACKGROUND

Mr and Mrs Bow contacted the Shire of Kojonup regarding an application to construct a 108m² (floor area) shed on their property located at Lot 2 Soldier Road, Kojonup. The location of the property can be seen on the attached map.

The Town Planning Scheme No. 3 zones the property in question as Residential and Rural (as can be seen on the attached Town Planning Scheme map). The portion of the property that Mr and Mrs Bow intend to build the shed on is

zoned residential. The property is surrounded by land that is zoned rural or residential by the Town Planning Scheme.

Policy 9 of the Shire of Kojonup Town Planning Scheme No.3 states that:

"Sheds not be permitted on 'Residential' or 'Special Rural' zoned blocks in the Kojonup Shire unless a habitable residence is (or is to be) constructed on that block."

" If there is no habitable residence currently on the block that a person wishes to erect a shed upon, then house plans must be submitted with the shed plans, and the house construction must be commenced within 12 months and completed within 24 months of the building permit being issued."

It also states that:

"The shed floor area for Residential zoned land is to be no larger than 65 square metres."

COMMENT

Mr and Mrs Bow propose to construct a shed, which will be 9 metres by 12 metres (108m²) in size and constructed of non reflective material. According to Town Planning Policy No. 9 the size of the proposed shed is larger than is permitted.

The shed is proposed to be constructed approximately 52 metres from the front boundary and 102 metres from the northern boundary (the next closest boundary). The shed is proposed to be constructed behind the site of the future residence. In this location it is not expected to cause annoyance to any of the surrounding landowners.

Mr and Mrs Bow, when submitting the application, explained that they have entered into a agreement with a builder for a transportable home to be delivered on the 8th December 2006 however at the time of submitting the shed application the plans were not available. It is expected that the builder will submit the plans for the residence in the near future.

In their application letter Mr and Mrs Bow stated that they intend to use the shed to house a caravan, gardening equipment and hobby equipment.

CONSULTATION

Mr and Mrs Bow have been consulted on the requirements of the Town Planning Policy 9.

The neighbouring property owners have been contacted asking for any feedback about the proposal. At the time of writing this report no feedback had been received.

STATUTORY ENVIRONMENT

Policy 9 of the Shire of Kojonup Town Planning Scheme No.3 states that:

"Sheds not be permitted on 'Residential' or 'Special Rural' zoned blocks in the Kojonup Shire unless a habitable residence is (or is to be) constructed on that block."

" If there is no habitable residence currently on the block that a person wishes to erect a shed upon, then house plans must be submitted with the shed plans, and the house construction must be commenced within 12 months and completed within 24 months of the building permit being issued."

"The shed floor area for Residential zoned land is to be no larger than 65 square meters."

Clause 7.6.4 of the Town Planning Scheme no 3 states that:

"A Town Planning Scheme Policy shall not bind the Council in respect of any application for planning consent but the Council shall take into account the provisions of the Policy and objectives which the Policy was designed to achieve before making its decision."

POLICY IMPLICATIONS

The Shire of Kojonup Town Planning Scheme Policy No. 9 restricts the size of sheds on residentially zoned land.

Although the proposed shed is larger than recommended by the policy it is supported on this occasion, as it is not expected to have a negative effect on the amenity of the surrounding properties.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC IMPLICATIONS

There no known strategic implications.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION

That the planning application made by Mr and Mrs Bow to build a shed on lot 2 Soldier Road be approved, subject to the following conditions:

- The shed shall not be used as a habitable residence at any time,
- The shed must meet all conditions and statutory requirements of the Residential Design Codes, the Building Code of Australia and associated legislation,
- The floor area of the shed be no larger than 108m²
- That a habitable residence be constructed on the property within 24 months and be substantially completed within 12 months of the planning approval being issued and
- In the event of the non-compliance of the above conditions, the shed be ordered to be demolished under the provisions of the Town Planning Act 1928.

COUNCIL DECISION

48/06 MOVED Cr Carrington-Jones that the planning application made by Mr and Mrs Bow to build a shed on lot 2 Soldier Road be approved, subject to the following conditions:

- **The shed shall not be used as a habitable residence at any time,**
- **The shed must meet all conditions and statutory requirements of the Residential Design Codes, the Building Code of Australia and associated legislation,**
- **The floor area of the shed be no larger than 108m²**
- **That a habitable residence be constructed on the property within 24 months and be substantially completed within 12 months of the planning approval being issued and**

In the event of the non-compliance of the above conditions, the shed be ordered to be demolished under the provisions of the Town Planning Act 1928. CARRIED 10/0

5.11pm Cr Carrington-Jones left the Chamber

1. CORPORATE & COMMUNITY SERVICES REPORTS

13.1 THE KODJA PLACE GOVERNANCE REVIEW was considered after Item 11

13.2 CENTRAL GREAT SOUTHERN SHARED RECREATION OFFICER was considered at Item 16

2. **OCCUPATIONAL SAFETY & HEALTH COMMITTEE MINUTES**

OFFICER RECOMMENDATION

That the Minutes of the Occupational Safety and Health Committee Meeting held Tuesday 7th March 2006 be endorsed by Council.

COUNCIL DECISION

49/06 MOVED Cr Thorn that the Minutes of the Occupational Safety and Health Committee Meeting held Tuesday 7th March 2006 be endorsed by Council.

CARRIED 9/0

3. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

4. **NEW BUSINESS** of an urgent nature, introduced by a decision of the meeting_

COUNCIL DECISION

50/06 MOVED Cr Hewson that the Late Item 13.2 as circulated to Councillors re Central Great Southern Shared Recreation Officer be received.

CARRIED 9/0

5.12pm Cr Carrington-Jones returned to the Chamber

13.2 CENTRAL GREAT SOUTHERN SHARED RECREATION OFFICER - LATE ITEM

AUTHOR: Stephen Gash - Chief Executive Officer

DATE: 17th April 2006

FILE NO: 03.03.09

DECLARATION OF INTEREST

Nil

SUMMARY

To consider the proposal for a shared recreation officer between the Shires of the Central Great Southern Local Government Alliance.

BACKGROUND

The Central Great Southern Local Government Alliance consists of the Shires of Broomehill, Gnowangerup, Jerramungup,

Kent, Kojonup & Tambellup.

At the meeting of the Central Great Southern Local Government Alliance on 28th March 2006 a report was considered regarding a shared recreation officer for the Central Great Southern Alliance of Local Governments. The Alliance members were generally supportive of the concept but needed to refer the matter back to their respective Councils.

A copy of the report is attached where the following resolution was passed:

LGA280304 Moved Cr Hmeljak seconded Cr Young

That Alliance members provide to the Community Directorate (Shire of Gnowangerup) if it wishes to participate in the three-year pilot Be-Active coordinator pilot programme by 30 April 2006, and the results be presented to the next Alliance meeting held in May 2006.

CARRIED 5-0

COMMENT

The CEO of Gnowangerup, who presented the report to the Alliance, outlined the following comments in his report:

Following a number of workshops conducted by the Department of Sport and Recreation in September 2005, it was found that many local sporting clubs and associations are in need of support. In particular, it was found that:

- *volunteers were getting more difficult to find and hold on to;*
- *there is no succession planning within sporting clubs and associations;*
- *there were very few business plans developed;*
- *there was a lack of coordination for junior sport;*
- *there was little local and regional coordination.*

A Be-Active coordinator would greatly assist in addressing the five concern areas above, as well as assist in developing programmes aimed at increasing activity in sport and recreation for all ages.

The discussion at the Alliance meeting of the 28 March 2006 reinforced that all Shires are facing the difficulties outlined above and highlighted the benefits of capacity building and support of local sporting clubs on community well being.

The Be-Active coordinator would be funded as part of a Healthway pilot project and partnership with the Department of Sport and Recreation, with contributions from member Shires of the Central Great Southern Alliance for accommodation, vehicle and vehicle running costs.

CONSULTATION

As per the attached report.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

The position would support activities and priorities from the "Great Southern Regional Recreation Strategy" endorsed by Council in December 2005, and the "Shire of Kojonup Local Recreation Plan" endorsed by Council in July 2003.

FINANCIAL IMPLICATIONS

As outlined in the attached report the following budget provisions would need to be made in the Shire of Kojonup budget:

2006/2007 \$9,160

2007/2008 \$3,160

2008/2009 \$3,160

This is based on support of the five Councils present at the meeting. An apology was received from the Kent representative for the 28 March 2006 meeting and therefore Shire of Kent's interest has not been ascertained.

STRATEGIC IMPLICATIONS

At a briefing session in January 2006 Councillors first discussed the opportunities for resource sharing in the region, and a recreation officer was identified as Kojonup's top priority from the regional services listed.

OFFICER RECOMMENDATION

That Council support the regional recreation officer for the Central Great Southern Alliance, subject to the successful application for the Healthways grant, to the value of \$15,480 over the next three years, and that provision initially be made in the 2006/2007 budget.

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL DECISION

51/06 MOVED Cr Benn that Council support the regional recreation officer for the Central Great Southern Alliance, subject to the successful application for the Healthways grant, to the value of \$15,480 over the next three years, and that provision initially be made in the 2006/2007 budget.

**CARRIED
10/0**

16.1 TONE ROAD AND BLACKWOOD ROAD JUNCTION

COUNCIL DECISION

52/06 MOVED Cr Pritchard that Council discuss the matter of the road works proposed at the Tone Road and Blackwood Road junction.

CARRIED 10/0

5.15pm Mrs R Cussons left the Chamber

5.20pm Mrs R Cussons returned to the Chamber

5.21pm Cr Marsh left the Chamber

5.25pm Cr Marsh returned to the Chamber

Concern was expressed regarding whether the plans for the Black Spot Funded Tone Road Intersection realignment would address the underlying safety issue and be an appropriate use of Council money. Council noted that the issues could be addressed with the planned meeting on-site with the Regional Manager of Main Roads Great Southern.

16.2 UNCHLORINATED WATER AT GOLF CLUB

COUNCIL DECISION

53/06 MOVED Cr Trethowan that the issue of unchlorinated water being used by the Golf Club on the tee boxes be discussed as an urgent item for the meeting.

**CARRIED
10/0**

Cr Trethowan outlined the concern from the Golf Club regarding the possible requirements for the use of the water from the showground dam and its potential cost implications on the club, suggesting that the previous correspondence from the Water Corporation and its involvement in the setup needed urgent clarification.

1. **CONFIDENTIAL REPORTS**

COUNCIL DECISION

54/06 MOVED Cr Marsh that the meeting be closed to the public pursuant to Section 5.23 (2) (a) of the Local Government Act as the following item contains confidential information.

CARRIED 10/0

6.00pm Miss Melissa Wilson and Mrs Rosemary Cussons left the Chamber

COUNCIL DECISION

55/06 MOVED Cr Marsh that the meeting be reopened to the public

CARRIED 10/0

2. **NEXT MEETING**

Tuesday 16th May 2006 commencing at 3:00pm.

3. **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 6:55 pm.

4. **APPENDICES AND TABLED DOCUMENTS**

5. ATTACHMENTS

Item 10.1 1.1 Bank Reconciliations

2.1 Rates Report

3.1 Net Current Asset Position [NAP]

3.5 Restricted Assets Details

3.6 Reserves Details

4.1 Status Report - Finance and Accounting Work

5.1 Statement of Financial Activity - Summary

6.1 Capital Expenditure Listing

7.1 Plant Purchases and Disposals, and other Asset disposals

Item 10.2 Monthly Payment Listing

Item 12.1 Plans of proposed alterations to the Kojonup Supermarket

Item 12.2 Zoning map of lot 2 Soldier Road, Kojonup

Item 13.1 The Kodja Place Governance Review

Item 13.2 Extract from Minutes Central Great Southern Local Government Alliance

Item 14 Minutes of Occupational Safety and Health Committee