

# Kojonup



## SHIRE OF KOJONUP

# AGENDA

Special Council Meeting

3 September 2019

TO: THE SHIRE PRESIDENT AND COUNCILLORS

NOTICE is hereby given that a Special meeting of the Council will be held in the Council Chambers, Administration Building, 93 Albany Highway, Kojonup on Tuesday, 3 September 2019 commencing at 3:00pm.

Qualified Persons Advice, etc.

I certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii. Where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Your attendance is respectfully requested.

**RICK MITCHELL-COLLINS**  
**CHIEF EXECUTIVE OFFICER**

30 August 2019

AGENDA FOR THE SPECIAL COUNCIL MEETING TO BE HELD ON 3 SEPTEMBER 2019

TABLE OF CONTENTS

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS	3
2	ATTENDANCE AND APOLOGIES	4
3	SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	4
4	PUBLIC QUESTION TIME	4
5	PETITIONS, DEPUTATIONS AND PRESENTATIONS	4
6	APPLICATIONS FOR LEAVE OF ABSENCE	4
7	CONFIRMATION OF MINUTES	5
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	5
9	DECLARATIONS OF INTEREST	5
10	KEY PILLAR 1 – ‘PLACE’ REPORTS	6
12	KEY PILLAR 2 – ‘CONNECTED’ REPORTS	7
13	KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS	8
13	KEY PILLAR 4 – ‘PROSPERITY’ REPORTS	9
14	KEY PILLAR 5 – ‘DIGITAL’ REPORTS	10
15	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	11
16	NEW BUSINESS	11
17	CONFIDENTIAL REPORTS	11
17.1	REQUEST FOR TENDER 03/2019/20 – 3 x INDEPENDENT LIVING UNITS 73A, 73B & 73C (PL 361) SOLDIER ROAD, KOJONUP	11
	REQUEST FOR TENDER 04/2019/20 – 1 X UNIT, 8 (LOT 119) NEWTON STREET, KOJONUP	11
	REQUEST FOR TENDER 05/2019/20 – GROUPED DWELLING, 12 (LOT 38) ELVERD STREET KOJONUP	11
17.2	INDUSTRIAL LAND REQUEST.	11
17.3	CHIEF EXECUTIVE OFFICER – 2018/2019 PERFORMANCE REVIEW	11
17.3	DISPOSAL OF CEO VEHICLE KO 629 (2017 HOLDEN CAPRICE)	11
18	NEXT MEETING	13
19	CLOSURE	13
20	ATTACHMENTS (SEPARATE)	14

AGENDA

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

The Shire President shall declare the meeting open at 3.00pm and alert the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meeting's attention to the disclaimer below:

*Disclaimer*

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

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

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

**Acknowledgement of Country**

*The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.*

*We pay our respect to their Elders past, present and emerging*

**Prayer**

*Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elisabeth. Grant to her good health and strength in the executing of her duties.*

*We pray for all Ministers and Cabinet members of the Australian Federal and State Government. Grant to them wisdom in the welfare of Australia, so that truth and justice is established for all Australians.*

*Lastly Gracious Father, we pray for ourselves. We ask that you might grant to us the ability to speak with integrity and to work with uncompromising diligence. Grant to us the wisdom to make good decisions, remembering that we are one community. Grant to us the good humour to keep things in perspective in a community that is a diverse population.*

*We ask that we might always be mindful of the safety and welfare of the people of Kojonup. Grant to all who serve on Public Committees the ability to listen and work together with mutual respect for one another. Bless us with the personal joy of knowing that we have done our best.*

**2 ATTENDANCE and APOLOGIES**

Cr Ronnie Fleay	President
Cr Ned Radford	
Cr John Benn	
Cr Graeme Hobbs	
Cr Jill Mathwin	
Cr Ian Pedler	
Cr Sandra Pedler	
Cr Judith Warland	

**STAFF**

Rick Mitchell-Collins	Chief Executive Officer
Anthony Middleton	Manager Corporate and Community Services
Michelle Dennis	Development Services Coordinator
Judy Stewart	Senior Administration Officer
Lorraine Wyatt	Executive Assistant

**LEAVE OF ABSENCE**

Nil

**APOLOGIES**

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

**4 PUBLIC QUESTION TIME**

**5 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

7 CONFIRMATION OF MINUTES

Nil

8 ANNOUNCEMENTS by the Presiding Member without discussion

9 DECLARATIONS OF INTEREST

10 KEY PILLAR 1 – ‘PLACE’ REPORTS

Nil

12 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

Nil

13 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

Nil



13 KEY PILLAR 4 – ‘PROSPERITY’ REPORTS

Nil

14 KEY PILLAR 5 – ‘DIGITAL’ REPORTS

Nil

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS

17 CONFIDENTIAL REPORTS

- 17.1 REQUEST FOR TENDER 03/2019/20 – 3 x INDEPENDENT LIVING UNITS 73A, 73B & 73C (PL 361) SOLDIER ROAD, KOJONUP  
 REQUEST FOR TENDER 04/2019/20 – 1 X UNIT, 8 (LOT 119) NEWTON STREET, KOJONUP  
 REQUEST FOR TENDER 05/2019/20 – GROUPED DWELLING, 12 (LOT 38) ELVERD STREET, KOJONUP

<b>AUTHOR</b>	Michelle Dennis – Development Services Coordinator
<b>DATE</b>	Tuesday, 27 August 2019
<b>FILE NO</b>	FM.TND.3; A12104; A7971; CP.DAC.1; CP.DAC.2
<b>ATTACHMENT(S)</b>	17.1.1 - Request for Tender – Dwelling Construction, Kojonup 17.1.2 – Request for Tender – Addendum 1 17.1.3 – Request for Tender – Addendum 1 (Plan)

- 17.2 INDUSTRIAL LAND REQUEST.

<b>AUTHOR</b>	Rick Mitchell-Collins – Chief Executive Officer
<b>DATE</b>	Wednesday, 28 August 2019
<b>FILE NO</b>	A22323; LP.PLN.2
<b>ATTACHMENT(S)</b>	17.2.1 - Kojonup Industrial Estate Stage 2 plan 17.2.2 – Application for Development Approval Letter 17.2.3 – Application for Development Approval 17.2.4 – Conceptual Plans from CBH 17.2.5 – Agreement for least Part Lot 999 Thornbury Close – CBH and Shire of Kojonup

- 17.3 CHIEF EXECUTIVE OFFICER – 2018/2019 PERFORMANCE REVIEW

<b>AUTHOR</b>	Cr Ronnie Fleay, Shire President
<b>DATE</b>	Wednesday, 28 August 2019
<b>FILE NO</b>	Personnel File
<b>ATTACHMENT(S)</b>	17.3.1 – CEO Review Scores

- 17.3 DISPOSAL OF CEO VEHICLE KO 629 (2017 Holden Caprice)

<b>AUTHOR</b>	Cr Ronnie Fleay, Shire President
<b>DATE</b>	Wednesday, 28 August 2019
<b>FILE NO</b>	Personnel File
<b>ATTACHMENT(S)</b>	NIL

### STATUTORY REQUIREMENTS

*Section 5.23(2) of the Local Government Act 1995* permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
  - (i) a trade secret; or
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
  
- (f) a matter that if disclosed, could be reasonably expected to —
  - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
  - (ii) endanger the security of the local government’s property; or
  - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
  
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting and the reason for the decision to be recorded in the minutes.

**PROCEDURAL MOTION**

*That the meeting proceed behind closed doors.*

**PROCEDURAL MOTION**

*That the meeting be reopened to the public.*

18 NEXT MEETING

**Ordinary Council Meeting** Tuesday, 17 September 2019 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      pm.

20 ATTACHMENTS (SEPARATE)

Confidential Attachments – Distributed under separate cover