

SHIRE OF KOJONUP  
**Kojonup**



# **MINUTES**

Special Council Meeting

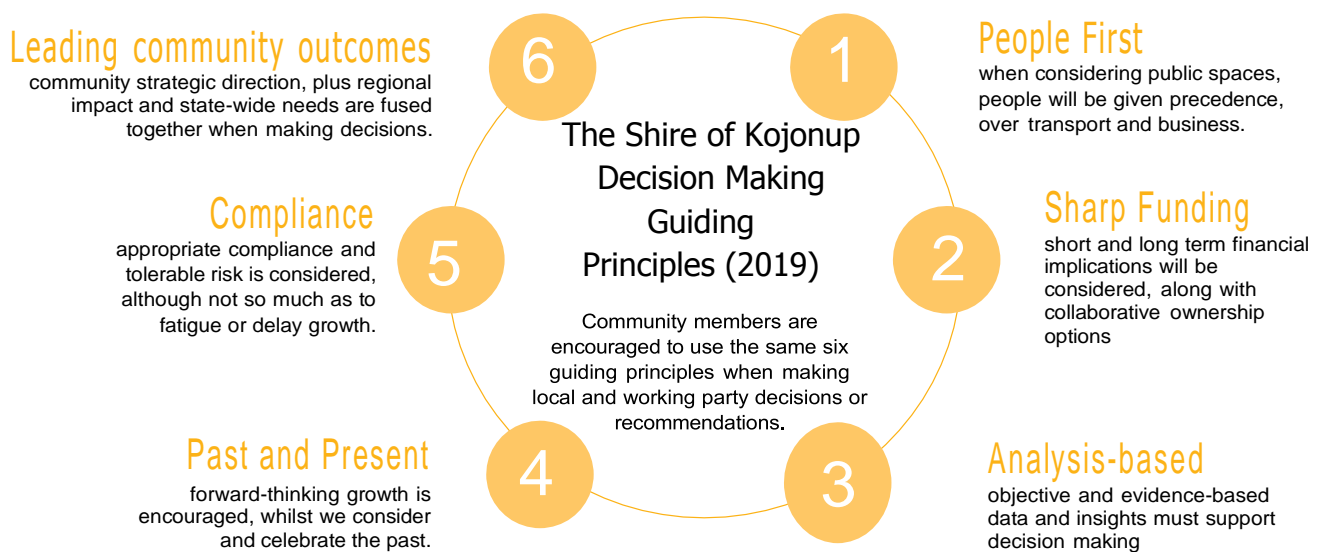
6 May 2021

**MINUTES FOR THE SPECIAL COUNCIL MEETING HELD ON 6 MAY 2021**

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The Shire of Kojonup has a set of six guiding principles it uses when making decisions. These principles are checked and enhanced every two years; in line with the Strategic Community Plan review schedule.



MINUTES

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

The Shire President declared the meeting open at 1.00pm and drew the meeting's attention to the disclaimer below:

*Disclaimer*

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

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

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

**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 Elizabeth. 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**

**COUNCILLOR**

Cr Benn

Shire President

Cr Radford

Deputy Shire President

Cr Fleay

Cr Gale

Cr Webb

Cr Singh

**STAFF**

Rick Mitchell-Collins

Chief Executive Officer

Anthony Middleton

Manager Corporate and Community Services

Emily Sleight

Sport and Recreation Officer

Lorraine Wyatt

Executive/Human Resource Coordinator

**LEAVE OF ABSENCE**

Nil

**APOLOGIES**

Cr Wieringa

Cr Pedler

**GUESTS**

Mark Weller – Great Southern Consulting

Mark Toohey – Great Southern Consulting

**GALLERY**

Reno Guidi

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

Nil

**4 PUBLIC QUESTION TIME**

Nil

**5 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 CONFIRMATION OF MINUTES**

Nil

**8 ANNOUNCEMENTS by the Presiding Member without discussion**

Nil

**9 DECLARATIONS OF INTEREST**

Nil

**10    KEY PILLAR 1 – ‘PLACE’ REPORTS**

Nil

**11**    **KEY PILLAR 2 – ‘CONNECTED’ REPORTS**

Nil



**12**    **KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS**

Nil

**13**    **KEY PILLAR 4 – ‘PROSPERITY’ REPORT**

Nil

**14**    **KEY PILLAR 5 – ‘DIGITAL’ REPORTS**

Nil

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

Nil

**16 NEW BUSINESS**

Nil

**17 CONFIDENTIAL REPORTS**

**17.1 REQUEST FOR TENDER (RFT) 2/2020/21 – DESIGN AND CONSTRUCTION OF ROOFTOP STRUCTURE, NETBALL COURTS, KOJONUP**

<b>AUTHOR</b>	Anthony Middleton – Manager Corporate & Community Services Mark Toohey (External Consultant) – Consulting Great Southern
<b>DATE</b>	Tuesday, 4 May 2021
<b>FILE NO</b>	CP.DAC.12

**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**

**37/21 Moved Cr Fleay, seconded Cr Gale**

**That the meeting proceed behind closed doors in accordance with Section 5.23(2)(a) of the *Local Government Act 1995* at 1.03pm.**

**CARRIED BY ABOSOLUTE MAJORITY 6/0**

Reno Guidi left the meeting 1.03pm and did not return.

**OFFICER'S RECOMMENDATION/COUNCIL DECISION**

**38/21 Moved Cr Fleay, seconded Cr Radford**

**That Council resolution 29/12 from the 20 April 2021 Council meeting be rescinded (i.e. Netball Court Reconstruction and Roof Project return to the site of the current netball courts as per original project scope).**

**CARRIED 6/0**

**OFFICER'S RECOMMENDATION/COUNCIL DECISION**

**39/21 Moved Cr Radford, seconded Cr Gale**

**That the tender offer submitted in accordance with Request for Tender 2 of 2020/21 for the design and construction of a rooftop structure over the redeveloped netball courts from MCB Construction Pty Ltd, for option three (3) (roof over all four courts) of \$638,606.55 be accepted.**

**CARRIED 6/0**

**OFFICER'S RECOMMENDATION/COUNCIL DECISION**

**40/21 Moved Cr Fleay, seconded Cr Radford**

**That the Kojonup Sporting Precinct Master Plan be amended by the inclusion of the following points:**

- 1. Extension of bowling green "B" westwards to increase green from a seven (7) rink green to a ten (10) rink green and the decommissioning of the Eastern rink; and**
- 2. New Car Park to the north and west of bowling green B, including kitchen/bar loading area on south west corner of Bowling Club House building; and**

**CARRIED 6/0**

**PROCEDURAL MOTION**

**41/21 Moved Cr Gale, seconded Cr Singh**  
**That the meeting be reopened to the public at 1.24pm.**

**CARRIED 6/0**

**18 NEXT MEETING**

Ordinary Council Meeting Tuesday, 18 May 2021 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 1.26pm.

**20    ATTACHMENTS (SEPARATE)**

Nil