

SHIRE OF KOJONUP

Kojonup



MINUTES

Ordinary Council Meeting

29 November 2022

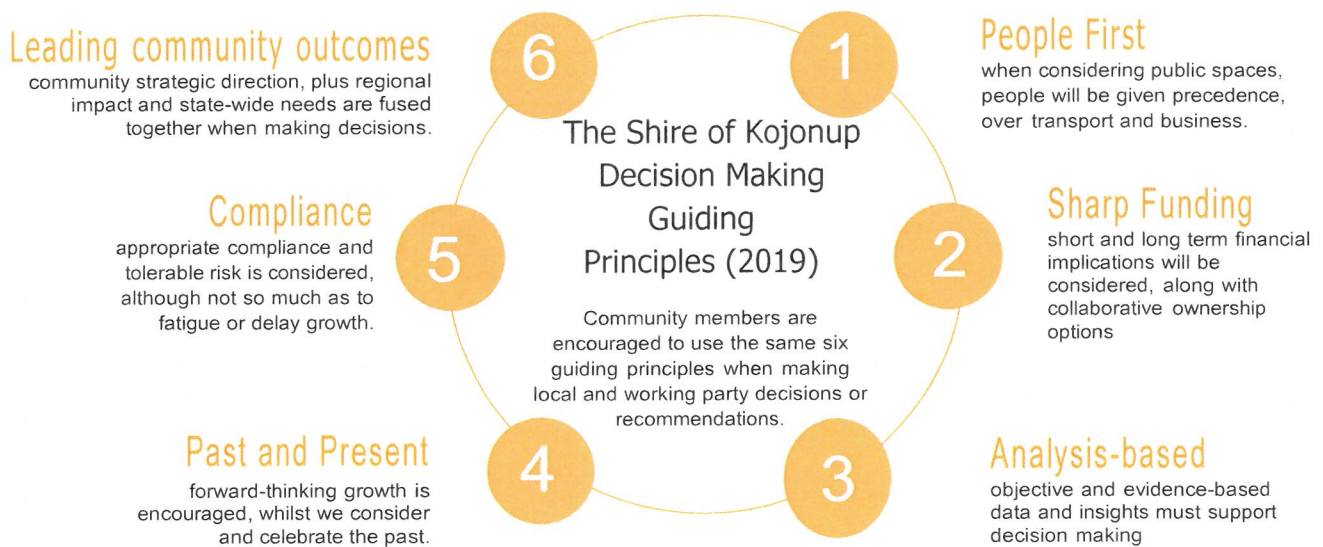
MINUTES OF THE COUNCIL MEETING HELD ON 29 NOVEMBER 2022

TABLE OF CONTENTS

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS.....	5
2	ANNOUNCEMENTS FROM THE PRESIDING MEMBER.....	6
2.1	CERTIFICATE OF APPRECIATION FOR 40 YEARS' SERVICE – CRAIG MCVEE	6
3	ATTENDANCE.....	6
3.1	APOLOGIES	6
3.2	APPROVED LEAVE OF ABSENCE	6
4	DECLARATION OF INTEREST.....	6
10	APPLICATIONS FOR LEAVE OF ABSENCE.....	7
5	PUBLIC QUESTION TIME	7
5.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	7
5.1.1	S BILNEY - KOJONUP HISTORICAL SOCIETY – CORRESPONDENCE	7
5.1.2	FLAT ROCKS WIND FARM GROUP	7
5.2	PUBLIC QUESTION TIME	7
6	CONFIRMATION OF MINUTES.....	7
6.1	ORDINARY COUNCIL MEETING 18 OCTOBER 2022	7
6.2	SPECIAL COUNCIL MEETING 9 NOVEMBER 2022	7
7	PRESENTATIONS	8
7.1	PETITIONS	8
7.2	PRESENTATIONS	8
7.3	DEPUTATIONS.....	8
7.4	DELEGATES' REPORTS.....	8
7.4.1	CR EGERTON-WARBURTON – GREAT SOUTHERN (GS) ZONE OF WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) MEETING – 28 OCTOBER 2022.....	8
8	METHOD OF DEALING WITH AGENDA BUSINESS.....	8
9	REPORTS.....	9
9.1	KEY PILLAR 1 – 'PLACE' REPORTS	9
9.1.1	REVIEW OF VOLUNTEER HANDBOOK	9
9.2	KEY PILLAR 2 – 'CONNECTED' REPORTS	12
9.2.1	LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MEETING MINUTES – 7 NOVEMBER 2022	12
9.2.2	BUSH FIRE ADVISORY COMMITTEE (BFAC) MEETING MINUTES – 8 NOVEMBER 2022.....	14
9.3	KEY PILLAR 3 – 'PERFORMANCE' REPORTS.....	16
9.3.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (OCTOBER 2022).....	16
9.3.2	MONTHLY PAYMENTS LISTING – OCTOBER 2022	18
9.3.3	MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 2 NOVEMBER 2022.....	20
9.3.4	INSURANCE POLICIES 2022/2023	22
9.3.5	ORDINARY COUNCIL MEETING DATES FOR 2023.....	24

9.3.6	COMMITTEES OF COUNCIL – MEETING DATES FOR 2023	29
9.3.7	ADMINISTRATION OFFICE, LIBRARY AND DEPOT CLOSURE DURING THE 2022/2023 CHRISTMAS AND NEW YEAR PERIOD	34
9.3.8	POLICY MANUAL REVIEW	38
9.3.9	PURCHASE OF LAND – 122 (LOT 30), ALBANY HIGHWAY, KOJONUP.....	41
9.3.10	REQUEST TO WRITE-OFF INTEREST ON RATES.....	44
9.3.11	162 BLACKWOOD ROAD, KOJONUP – UPCOMING LEASE OPPORTUNITY.....	47
9.3.12	GREAT SOUTHERN NORTHERN YOUTH NETWORK BUSINESS CASE – REQUEST FOR SUPPORT	50
9.3.13	RESERVE ACCOUNT FINANCIAL REVIEW – 2021/2022	54
9.3.14	SPRINGHAVEN AGED CARE FACILITY – EXPRESSION OF INTEREST	57
9.4	KEY PILLAR 4 – ‘PROSPERITY’ REPORTS	62
9.5	KEY PILLAR 5 – ‘DIGITAL’ REPORTS.....	62
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	62
12	QUESTIONS FROM MEMBERS WITHOUT NOTICE	63
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	63
13.1	20 SEPTEMBER 2022 ORDINARY MEETING – RETRACTION OF ITEM 13.1 – RESIGNATION OF CR ROGER BILNEY FROM COUNCIL	63
14	MEETING CLOSED TO THE PUBLIC	63
14.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	63
14.1.1	10 ELVERD STREET, KOJONUP – LEASE - WANSLEA	63
14.1.2	RESIDENTIAL ASSET PURCHASE – 14 PENSIONER ROAD, KOJONUP	64
14.2	PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC	65
14.2.1	10 ELVERD STREET, KOJONUP – LEASE – WANSLEA.....	65
14.2.2	RESIDENTIAL ASSET PURCHASE – 14 PENSIONER ROAD, KOJONUP	65
15	CLOSURE.....	66
16	ATTACHMENTS (SEPARATE)	67

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 3.00pm 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 – Cr Gale

Almighty God, we pray for wisdom for our reigning monarch King Charles.

We ask for guidance in our decision making and pray for the welfare of all the people of Kojonup.

Grant us grace to listen and work together as a Council to nurture the bonds of one community.

Amen

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

2.1 CERTIFICATE OF APPRECIATION FOR 40 YEARS' SERVICE – CRAIG MCVEE

The President thanked Craig McVee, Manager Works and Services, for 40 years of service in varying capacities over the past 40 years.

Mr McVee responded with an account of his working life and personal experiences during the past 40 years.

Craig McVee left the meeting at 3.18pm.

3 ATTENDANCE

COUNCILLORS

Cr N Radford

Cr P Webb

Cr F Webb

Cr Wieringa

Cr Gale

Cr Singh

Cr R Bilney

Cr A Egerton-Warburton

Shire President

Deputy Shire President

STAFF

Grant Thompson

Judy Stewart

Chief Executive Officer

Senior Administration Officer

MEMBERS OF THE PUBLIC

Jill Mathwin

Springhaven Working Group

3.1 APOLOGIES

Nil

3.2 APPROVED LEAVE OF ABSENCE

Nil

4 DECLARATION OF INTEREST

Nil

10 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL MOTION

127/22 Moved Cr Gale

Seconded Cr F Webb

That Cr Singh be granted a Leave of Absence for Council's 13 December 2022 Ordinary Meeting.

CARRIED 8/0

5 PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.1.1 S BILNEY - KOJONUP HISTORICAL SOCIETY – CORRESPONDENCE

18 October 2022 Ordinary Meeting - Communication Complaint - response

(Attachment 5.1.1)

5.1.2 FLAT ROCKS WIND FARM GROUP

9 November 2022 Special Council Meeting – Wind Farm matters - response

(Attachment 5.1.2)

5.2 PUBLIC QUESTION TIME

Nil

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING 18 OCTOBER 2022

Unconfirmed Minutes of the Ordinary Council Meeting held on 18 October 2022 are at [Attachment 6.1.1](#).

OFFICER RECOMMENDATION/COUNCIL DECISION

128/22 Moved Cr Wieringa

Seconded Cr Egerton-Warburton

That the Minutes of the Council Meeting held on 18 October 2022 be confirmed as a true record.

CARRIED 8/0

6.2 SPECIAL COUNCIL MEETING 9 NOVEMBER 2022

Unconfirmed Minutes of the Special Council Meeting held on 9 November 2022 are at [Attachment 6.2.1](#).

OFFICER RECOMMENDATION/COUNCIL DECISION

129/22 Moved Cr Singh

Seconded Cr P Webb

That the Minutes of the Special Council Meeting held on 29 November 2022 be confirmed as a true record.

CARRIED 8/0

7 PRESENTATIONS

7.1 PETITIONS
 Nil

7.2 PRESENTATIONS
 Nil

7.3 DEPUTATIONS
 Nil

7.4 DELEGATES' REPORTS

7.4.1 CR EGERTON-WARBURTON – GREAT SOUTHERN (GS) ZONE OF WESTERN AUSTRALIAN
LOCAL GOVERNMENT ASSOCIATION (WALGA) MEETING – 28 OCTOBER 2022
Notes of a GS Zone of WALGA Meeting held 28 October 2022 are at **Attachment**
7.4.1.

8 METHOD OF DEALING WITH AGENDA BUSINESS

Section 10 of the Agenda was brought forward to follow Section 4.

9 **REPORTS**9.1 **KEY PILLAR 1 – ‘PLACE’ REPORTS**9.1.1 **REVIEW OF VOLUNTEER HANDBOOK**

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Friday, 4 November 2022
FILE NO	CM.POL.1
ATTACHMENT(S)	9.1.1.1 - Volunteer Handbook – existing (2021) copy showing proposed changes 9.1.1.2 - Volunteer Handbook - clean copy (2022)

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 1 - Place	1.2 – Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.1.3 – Grow the Kodja Place to become an iconic WA attraction.
KP 3 – Performance	3.1 – Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group.	3.1.3 – Encourage interaction and input to the Shire of Kojonup, particularly through contemporary working party teams.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to review the Shire of Kojonup’s (Shire) Volunteer Handbook.

BACKGROUND

The Shire’s Volunteer Management Handbook (Handbook) was originally produced in 2016 in line with Council’s adoption of its Volunteer Management Policy (Policy 2.3.8). Significant changes were made in November 2018 to form a less cumbersome and more user friendly Handbook and further reviews have been undertaken on an annual basis. With the exception of volunteer firefighters who are recognised and supported via the Bush Fire Advisory Committee and relevant legislation, the Handbook represents a detailed point of reference for other Shire volunteers, provides guidance to managers overseeing volunteer programmes and recognises volunteers as an integral part of our organisation. The provision of a Handbook for volunteers is also in keeping with Work Health and Safety best practice principles, working to protect the employer and the volunteer.

The Shire has many different activities that volunteers engage in (mainly at the Kodja Place precinct, Springhaven Frail Aged Lodge, the Kojonup Library and as Friends of Myrtle Benn) working alongside staff to deliver and enhance services and initiatives offered by the Shire. Without the support and contribution provided by volunteers, some of these services and initiatives would be difficult to sustain into the future.

COMMENT

Suggested updates are minor and inconsequential in nature ([Attachment 9.1.1.1](#)).

CONSULTATION

Chief Executive Officer

Managers

Senior Horticulturist

Senior Library Officer

STATUTORY REQUIREMENTS

Section 5.40 (e) of the *Local Government Act 1995*

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its employees —

(e) employees are to be provided with safe and healthy working conditions in accordance with the Work Health and Safety Act 2020;

Division 4, Subdivision 1 - 4. - *Work Health and Safety Act 2020 (replacing OSH Act 1984)* - Definitions –

volunteer means a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses);

Section 7. Meaning of worker

(1) A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as —

(h) a volunteer;

POLICY IMPLICATIONS

Policy 2.3.8 – Volunteer Management

FINANCIAL IMPLICATIONS

In addition to the social and community benefits associated with volunteering, the value adding that occurs without incurring wage expenses contributes to the ongoing provision of services and initiatives that otherwise may not happen.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
5 - Employment Practices	Failure to effectively manage and lead human resources (full-time, part-time, casuals, temporary and volunteers).	Induction process	Nil
14 - Safety and Security	Inadequate induction practices. Inadequate policy, frameworks, systems and structure to prevent the injury of visitors, staff, volunteers, contractors and/or tenants.	Contractor/Staff/Volunteer site inductions	Nil
Risk rating – Adequate/Adequate			
IMPLICATIONS			
A Volunteer Handbook ensures that the Shire's volunteers, and their managers, are provided with the necessary information to ensure duties are undertaken in a safe manner and volunteers are informed of their rights and obligations.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

130/22 Moved Cr Gale

Seconded Cr Singh

That the revised Volunteer Handbook 2022, as attached, be adopted.

CARRIED 8/0

9.2 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

9.2.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MEETING MINUTES – 7 NOVEMBER 2022

AUTHOR	Estelle Lottering – Regulatory Services Administration Officer
DATE	Tuesday, 8 November 2022
FILE NO	ES.MET.1
ATTACHMENT(S)	9.2.1.1 – Unconfirmed minutes of the LEMC Meeting held 7 November 2022

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximize community safety through safe urban design and advocate for enhanced emergency service provisions.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the unconfirmed minutes of the LEMC meeting held 7 November 2022.

BACKGROUND

The LEMC is established under Section 38 of the *Emergency Management Act 2005* and plays an important role in the Council’s decision-making process. Minutes of these meetings are presented to Council to be received.

COMMENT

All matters contained within the minutes are considered in this agenda item.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Section 38 of the *Emergency Management Act 2005*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2 - Business Disruption	Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.	Regular LEMC, DEMC Meetings	Nil
Risk Rating - Adequate			
IMPLICATIONS			
Local governments are legislated to establish and maintain a LEMC. The risk of not having a LEMC would include lack of guidance for Staff, Councillors and relevant Community members who need to be able to work together under pressure in times of extreme stress should an emergency situation arise.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

131/22 Moved Cr Egerton-Warburton Seconded Cr Gale
That the unconfirmed minutes of the Local Emergency Management Committee Meeting held 7 November 2022 be received.

CARRIED 8/0

9.2.2 BUSH FIRE ADVISORY COMMITTEE (BFAC) MEETING MINUTES – 8 NOVEMBER 2022

AUTHOR	Estelle Lottering – Regulatory Services Administration Officer
DATE	Friday, 18 November 2022
FILE NO	ES.CIR.2
ATTACHMENT(S)	9.2.2.1 – Unconfirmed minutes of the BFAC Meeting held 8 November 2022

STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017-20217 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 -2021 “Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the unconfirmed minutes of the Bush Fire Advisory Committee (BFAC) meeting held 8 November2022.

BACKGROUND

The Bush Fire Advisory Committee is established under Section 67 of the *Bush Fires Act 1954* and plays an important role in the Council’s decision-making process. Minutes of these meetings are presented to Council to be received.

COMMENT

Nil

CONSULTATION

Members - Bush Fire Advisory Committee

STATUTORY REQUIREMENTS

Section 38, 40 & 67 of the *Bush Fires Act 1954*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2) Business Disruption	Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.	Regular LEMC, DEMC Meetings	Nil
Risk Rating - Adequate			
IMPLICATIONS			
Under legislation, the Shire of Kojonup (Shire) may establish and maintain a BFAC. The risk of not having a BFAC is that staff and Councillors do not necessarily possess the relevant knowledge or experience regarding bush fires. The Shire is reliant on the Bush Fire Advisory Committee to be able to provide this knowledge and to support volunteer bushfire efforts, training and resourcing requirements in protecting community safety and assets.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

132/22 Moved Cr P Webb

Seconded Cr Bilney

That the unconfirmed minutes of the Bush Fire Advisory Committee Meeting held 8 November 2022 be received.

CARRIED 8/0

9.3 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

9.3.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (OCTOBER 2022)

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Tuesday, 15 November 2022
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.1.1 – October 2022 Monthly Financial Statements

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021+”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 October 2022.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

COMMENT

The attached Statement of Financial Activity for the period 1 July 2022 to 31 October 2022 represents four (4) months, or 33% of the year.

The following items are worthy of noting:

- Closing surplus position of \$3.53m;
- Capital expenditure achieved 14.8% of budgeted projects;
- Cash holdings of \$7.36m of which \$4.027 is held in cash backed reserve accounts and \$3.337 is unrestricted cash;
- Rates debtors outstanding equate to 25% of total rates raised for 2022/2023 with the second instalment payment being due on 10 November 2022; and
- Page 11 of the statements detail major variations comparing year to date (amended) budgets to year to date actuals in accordance with Council Policy 2.1.6.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Council Policy 2.1.6 defines the content of the financial reports.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire of Kojonup. The recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

133/22 Moved Cr Gale

Seconded Cr Singh

That the monthly financial statements for the period ending 31 October 2022, as attached, be noted.

CARRIED 8/0

9.3.2 MONTHLY PAYMENTS LISTING – OCTOBER 2022

AUTHOR	Tonya Pearce - Finance Officer
DATE	Friday, 4 November 2022
FILE NO	FM.AUT.1
ATTACHMENT	9.3.2.1 – Monthly Payments Listing 1 October 2022 to 31 October 2022

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of October 2022.

BACKGROUND

Not applicable

COMMENT

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

Any comments or queries regarding the list of payments is to be directed to the Chief Executive Officer prior to the meeting.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer then a

list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

POLICY IMPLICATIONS

Council's Policy 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments are made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

134/22 Moved Cr Wieringa

Seconded Cr Singh

That in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:

FROM – 1 October 2022		TO – 31 October 2022
Municipal Cheques	Nil	
EFTs	30898 - 31060	\$578,172.84
Direct Debits		\$548,145.74
Total		\$1,126,318.58

be received.

CARRIED 8/0

9.3.3 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 2 NOVEMBER 2022

AUTHOR	Heather Marland – Senior Finance Officer
DATE	Wednesday, 2 November 2022
FILE NO	GO.CNM.96
ATTACHMENT(S)	9.3.3.1– Unconfirmed minutes of the Audit and Risk Committee Meeting held 2 November 2022

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management	3.4.2 – Act with sound long term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the unconfirmed minutes of the Audit and Risk Committee meeting held 2 November 2022.

BACKGROUND

The Audit and Risk Committee is established under Section 71A of the *Local Government Act 1995* ensuring transparency in the Shire of Kojonup’s financial management and decision making process. The Audit and Risk Committee was established with defined terms of reference and a membership consisting of six (6) committee members being four (4) Councillors and two (2) Community Members.

COMMENT

This item is solely the Council receiving the minutes of its Audit and Risk Committee meeting held 2 November 2022.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Sections 7.1A to 7.1C of the *Local Government Act 1995*

POLICY IMPLICATIONS

Nil

9.3.4 INSURANCE POLICIES 2022/2023

AUTHOR	Heather Marland – Senior Finance Officer
DATE	Thursday, 27 October 2022
FILE NO	RM.REG.1
ATTACHMENT(S)	9.3.4.1 - Vehicle and Plant Register 9.3.4.2 - Property Register

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 – Performance	3.4 Be organised and transparent with our financial management	3.4.2 Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to inform the Council of the insurance levels and associated costs held by the Shire of Kojonup (Shire) for the 2022/2023 financial year.

BACKGROUND

Insurance is one of the Shire’s largest annual expenses and most important risk management tasks and, therefore, it is appropriate that the Council, in addition to staff, be comfortable with the levels of insurance taken out.

COMMENT

The Shire of Kojonup obtains insurance cover through LGIS (Local Government Insurance Services). LGIS is partly owned by WALGA and offers insurance through its Scheme Membership and also through policies taken out with insurers. They are able to obtain policies from main stream insurance at a reduced rate as they broker on behalf of all scheme members.

Below is a list of insurances held by the Shire for the 2022/2023 financial year including the insurance provider, limit of liability and the cost of premium.

There has been an overall cost increase of 12.10% on last year. This is, however, lower than the predicted 15% forecast. The three larger increases are LGIS Property which is a result of increased assets, Workcare (due to a loss ratio of 146.2 over the past three years), and LGIS Bushfire (as a flow on from weather related catastrophes on the east coast of Australia).

Policy	2021/2022 Premium	2022/2023 Premium	Insurer	Liability	Interest Protected
LGIS Bushfire	\$31,500	\$36,775	Scheme	\$500k	Volunteer Bushfire members, medical expenses, loss of salary/wages and death benefits
LGIS Liability	\$37,499	\$40,920	Scheme	\$500m	Public liability - Death or Personal Injury, Loss or Damage to Property
Casual Hirers Liability	\$ 0	\$0	Covered by Scheme	\$10m	Legal liability to third parties for death, illness or personal injury and loss of damage to property at hired facility
Commercial Crime and Cyber Liability	\$3,426	\$4,025	Scheme	\$400k	Direct financial loss sustained by member
LGIS Property	\$112,168	\$122,431	Scheme	\$600m	Physical loss, destruction or damage to property including machinery breakdown and electronic equipment
LGIS Workcare	\$113,850	\$140,662	Scheme	\$500k	Workers Compensation and Injury Management including Journey Accident Cover
Corporate Travel	\$825	\$878	Scheme	\$10m	External Journey beyond 50km
Management Liability	\$34,643	\$37,518	Scheme	\$4.25m	Councillors and Officers Liability and Employment Practices Liability
Marine Cargo	\$660	\$693	QBE	\$400k	All goods &/or interests belonging &/or appertaining whilst in transit by land, air, water and parcel post
Motor Vehicle	\$67,395	\$70,966	Scheme	\$3.2m	All motor vehicles and trailers owned leased or mortgaged under hire purchase or hired in or let out. Includes volunteer bushfire brigade members' vehicles
Personal Accident - Volunteers , Councillors	\$467	\$517	Scheme	\$300k	Elected members and volunteers if injured or die whilst engaged in work for the Shire if said work is authorised by the Shire
Medical Malpractice Liability	\$6,990	\$7,518	Vero Insurance	\$20m	Cover of Medical Practice lawsuits for Springhaven
Less Contribution Assistance	-\$9,078	-\$26,349			Surplus Credit
TOTAL	\$400,345	\$436,554			

CONSULTATION

David Woods – Account Manager LGIS
Chief Executive Officer

STATUTORY REQUIREMENTS

Local Government Act 1995 Section 5.42(1)

Delegation Register – Admin 007 – Entering into Contracts of Insurance

The Chief Executive Officer (CEO) is Delegated Authority to enter into appropriate contracts of insurance. In exercising the delegation, the CEO is to have regard to the provisions of the Annual Budget.

Section 5.49(2) (Workers' compensation arrangement) of the *Local Government Act 1995* states:

(2) *WALGA is to establish and manage, for the benefit of itself and any eligible body that chooses to participate, a group self insurance arrangement against liability to pay compensation under the Workers Compensation Injury Management Act 1981.*

POLICY IMPLICATIONS

2.1.8 – Financial Governance – Management of financial risk prudently, having regard to economic circumstances.

FINANCIAL IMPLICATIONS

Insurance is the most important risk management task undertaken each year. Insurance is our single largest ongoing external cost and, without adequate cover, the Shire is extremely exposed to financial and property loss and open to liability.

RISK MANAGEMENT IMPLICATIONS

Without sufficient insurance cover we run the risk of being unable to maintain our current level of service in the event of a major/catastrophic loss and possibly expose ourselves to litigation costs if not adequately insured.

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION/COUNCIL DECISION

136/22 Moved Cr P Webb

Seconded Cr Egerton-Warburton

That the information regarding the levels of the Shire of Kojonup's insurance for the 2022/2023 financial year be noted.

CARRIED 8/0

AUTHOR	Judy Stewart – Senior Administration Officer
ATE	Tuesday, 1 November 2022
FILE NO	GO.CNM.6
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.2 – Be exceptional in two-way communication within our community, and market our brand outside of our community.	3.2.2 - Engage with our residents and industry members through increased use of social media.

DECLARATION OF INTEREST

Nil

SUMMARY

Council to consider its Ordinary Meeting schedule for the 2023 calendar year.

BACKGROUND

In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, local governments are required to give local public notice and publish on their websites the date, time and place of ordinary council meetings and committee meetings which are proposed to be open to members of the public and shall be held within the proceeding 12 month period.

COMMENT

In October 2005 it was resolved that Council’s ordinary meetings would be held on the third Tuesday of each month commencing at 3:00pm except where dates clash with a public holiday or internal staffing management.

Occasionally, timeframes associated with specific matters may alter scheduled ordinary meeting dates. The following represent changes to the scheduled third Tuesday of each month for the holding of Council’s Ordinary Meetings in 2023:

- There is no ordinary meeting of Council held during the month of January.
- The Local Government Advisory Board (LGAB) requires Council to forward an Election Transition Arrangements Formal Review Report to the LGAB by 14 February 2023. As the Election Transition Arrangements process includes community consultation and Council does not hold a meeting in January, it is recommended that the February 2023 Ordinary Meeting be brought forward to 7 February 2023. This coincides with the Councillors’ Briefing Session normally scheduled for the first Tuesday in a month and will allow officers time to forward an adopted Formal Review Report to the LGAB by 14 February 2023.
- The July ordinary meeting of Council includes budget adoption. To ensure the end of financial year processes are completed, the July ordinary meeting of Council has

historically been held on the fourth Tuesday of the month rather than the third; it is recommended that this practice continues.

- Local Government ordinary elections are held on the third Saturday in October every biennial, uneven year meaning there will be an ordinary election on 21 October 2023. The third Tuesday of October 2023 is 17 October and it is recommended that this remain as Council's ordinary meeting date for October and a Special Council Meeting be called for a date soon after the 21 October 2023 for the election of the President and Deputy President and appointment of members to Committees.
- The December ordinary meeting date has typically been held on the second Tuesday of December and it is recommended that this practice continues.

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires that Council's scheduled ordinary meetings, which will be open to the public, are published on the local government's official website before the beginning of the year in which the meetings are to be held and that the notice should include the date, time and location of the meetings.

Given the above information, the proposed 2023 ordinary meeting schedule for Council is as follows:

7 February 2023
21 March 2023
18 April 2023
16 May 2023
20 June 2023
25 July 2023
15 August 2023
19 September 2023
17 October 2023
21 November 2023
12 December 2023

CONSULTATION

Chief Executive Officer

STATUTORY REQUIREMENTS

Section 5.25 (1) (g) - *Local Government Act 1995* –

5.25. Regulations about council and committee meetings and committees

(1) *Without limiting the generality of s. 9.59, regulations may make provision in relation to—*

- (g) *the giving of public notice of the date and agenda for council or committee meetings;*

Regulation 12 - *Local Government (Administration) Regulations 1996* –

12. Publication of meeting details [Act s. 5.25(1) (g)]

(1) *In this regulation —*

meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

(2) *The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held—*

- (a) *ordinary council meetings;*

- (b) *committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.*
- (3) *Any change to the meeting details for a meeting referred to in sub-regulation (2) must be published on the local government's official website as soon as practicable after the change is made.*
- (4) *If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 - Compliance	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation.	Councillor/Staff Induction Process Councillor/Staff training	Nil
6 - Engagement Practices	Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members.	Policies and Procedures	Nil
Risk rating - Adequate			
IMPLICATIONS			
Allows compliance with s. 5.25 (1) (g) of the <i>Local Government Act 1995</i> and r. 12 – <i>Local Government (Administration) Regulations 1996</i> - publication of meeting details.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

137/22 Moved Cr Singh

Seconded Cr Gale

That:

1. Ordinary Meetings of Council be scheduled to be held in the Shire of Kojonup (Shire) Council Chambers, 93 Albany Highway, Kojonup the third Tuesday of each month in 2023 commencing at 3:00pm with the following exceptions:
 - No scheduled meeting to be held in January;
 - The February meeting to be brought forward to the first Tuesday being 7 February;
 - The July meeting be held on the fourth Tuesday (25 July) to make allowance for the Annual Budget adoption; and
 - The December meeting be held on the second Tuesday (12 December) given timing to the Christmas break period.
2. The following dates be approved for the 2023 calendar year for Ordinary Meetings of Council:
 - 7 February 2023
 - 21 March 2023
 - 18 April 2023
 - 16 May 2023
 - 20 June 2023
 - 25 July 2023
 - 15 August 2023
 - 19 September 2023
 - 17 October 2023
 - 21 November 2023
 - 12 December 2023
3. That Council's approved Ordinary Meeting schedule for 2023, as above, be published on the Shire website and local public notice given.

CARRIED 8/0

9.3.6 COMMITTEES OF COUNCIL – MEETING DATES FOR 2023

AUTHOR	Judy Stewart – Senior Administration Officer
ATE	Tuesday, 1 November 2022
FILE NO	GO.CNM.6
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.2 – Be exceptional in two-way communication within our community, and market our brand outside of our community.	3.2.2 - Engage with our residents and industry members through increased use of social media.

DECLARATION OF INTEREST

Nil

SUMMARY

Council to adopt a schedule of meeting place, dates and times for Committees of Council for the 2023 calendar year.

BACKGROUND

In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, local governments are required to give local public notice and publish on their websites the date, time and place of meetings of Council committees which are proposed to be open to members of the public and shall be held within the proceeding 12 month period.

COMMENT

Committee meetings required to be open to the public include:

- Audit and Risk Committee (required to meet quarterly)
- Kojonup Natural Resource Management (NRM) Advisory Committee (required to meet at least half yearly)
- Bush Fire Advisory Committee (required to meet biannually).

It is proposed that the Audit and Risk Committee continues to schedule its meetings to be held on the first Tuesday of February, May, August and November for the 2023 calendar year.

It is proposed that the NRM meetings be held on the third Thursday of February and August for the 2023 calendar year.

It is proposed that the Bush Fire Advisory Committee (BFAC) schedule its meetings to be held on the second Wednesday in February (as scheduled at the 14 October 2021 BFAC meeting) and August for the 2023 calendar year.

CONSULTATION

Chief Executive Officer
Manager Regulatory Services

STATUTORY REQUIREMENTS

Section 5.25 (1) (g) - *Local Government Act 1995* –

5.25. Regulations about council and committee meetings and committees

- (1) *Without limiting the generality of s. 9.59, regulations may make provision in relation to—*
- (g) *the giving of public notice of the date and agenda for council or committee meetings;*

Regulation 12 - *Local Government (Administration) Regulations 1996* –

12. Publication of meeting details [Act s. 5.25(1) (g)]

- (1) *In this regulation —*
- meeting details***, for a meeting, means the date and time when, and the place where, the meeting is to be held.
- (2) *The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held—*
- (a) *ordinary council meetings;*
- (b) *committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.*
- (3) *Any change to the meeting details for a meeting referred to in sub-regulation(2) must be published on the local government's official website as soon as practicable after the change is made.*
- (4) *If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2 – Business Disruption	Failure to adequately prepare and respond to events that cause disruption to the local community and/or normal business activities.	Maintain regular communications with agencies and support services.	Draft Bushfire Risk Management Plan
3 – Compliance	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and legislative changes.	Audit & Risk Committee	Nil
6 – Engagement Practices	Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members.	Advisory committees/groups	Nil
7 - Environment	Inadequate prevention, identification, enforcement and management of environmental issues.	Support and work with environmental & land care groups.	Nil
Risk rating – Moderate/Low/Moderate/Low			
IMPLICATIONS			
Scheduled meetings with Advisory Committees of Council lessens risk by meeting legislative requirements and maintaining regular communication that may assist in preventing disconnect with community members and groups who perform vital roles within the Shire of Kojonup.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS
Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. Meetings of advisory committees of Council be scheduled to be held in the Shire of Kojonup Administration Reception Lounge, 93 Albany Highway, Kojonup in 2023 as follows:
 - Audit and Risk Committee – first Tuesday of February, May, August and November 2023 commencing at 9.00am;
 - Kojonup Natural Resource Management Advisory Committee (NRM) – third Thursday of February and August 2023 commencing at 2.00pm; and
 - Bush Fire Advisory Committee – second Wednesday in February and August 2023 – commencing at 7.00pm.
2. The following dates be approved for the 2023 calendar year for advisory committee meetings of Council:
 - Audit and Risk Committee:
 - 7 February
 - 2 May
 - 1 August
 - 7 November
 - NRM Committee:
 - 16 February
 - 17 August
 - Bush Fire Advisory Committee:
 - 8 February
 - 9 August
3. The approved meeting schedule for advisory committees of Council for 2023, as above, be published on the Shire website, local public notice given and each advisory committee chairperson advised.

COUNCIL DECISION

Moved Cr F Webb

Seconded Cr Singh

That:

1. Meetings of advisory committees of Council be scheduled to be held in the Shire of Kojonup Administration Reception Lounge, 93 Albany Highway, Kojonup in 2023 as follows:

- Audit and Risk Committee – first Tuesday of February, May, August and November 2023 commencing at 9.00am;
- Kojonup Natural Resource Management Advisory Committee (NRM) – third Thursday of February and August 2023 commencing at 2.00pm; and
- Bush Fire Advisory Committee – second Wednesday in February and August 2023 – commencing at 7.00pm.

2. The following dates be approved for the 2023 calendar year for advisory committee meetings of Council:

Audit and Risk Committee:

- 7 February
- 2 May
- 1 August
- 7 November

NRM Committee:

- 16 February
- 17 August

Bush Fire Advisory Committee:

- 8 February
- 9 August

3. The approved meeting schedule for advisory committees of Council for 2023, as above, be published on the Shire website, local public notice given and each advisory committee chairperson advised.

AMENDMENT TO THE MOTION

138/22 Moved Cr Bilney

Seconded Cr F Webb

That the NRM Committee meeting normally scheduled for February be postponed to a later date and advertised accordingly when that date is determined.

CARRIED 8/0

THE AMENDMENT BECAME PART OF THE MOTION
THE MOTION WAS PUT

139/22 Moved Cr F Webb

Seconded Cr Singh

That:

1. Meetings of advisory committees of Council be scheduled to be held in the Shire of Kojonup Administration Reception Lounge, 93 Albany Highway, Kojonup in 2023 as follows:

- Audit and Risk Committee – first Tuesday of February, May, August and November 2023 commencing at 9.00am;
- Kojonup Natural Resource Management Advisory Committee (NRM) – third Thursday of February and August 2023 commencing at 2.00pm; and
- Bush Fire Advisory Committee – second Wednesday in February and August 2023 – commencing at 7.00pm.

2. The following dates be approved for the 2023 calendar year for advisory committee meetings of Council:

Audit and Risk Committee:

- 7 February
- 2 May
- 1 August
- 7 November

NRM Committee:

- To be advised
- 17 August

Bush Fire Advisory Committee:

- 8 February
- 9 August

3. The approved meeting schedule for advisory committees of Council for 2023, as above, be published on the Shire website, local public notice given and each advisory committee chairperson advised.

CARRIED 8/0

Reason for change to the Officer Recommendation: New information to hand indicated that a Natural Resource Management/Landcare Officer may not be available by 16 February 2023 to attend a Natural Resource Management/Landcare Committee meeting.

9.3.7 ADMINISTRATION OFFICE, LIBRARY AND DEPOT CLOSURE DURING THE 2022/2023 CHRISTMAS AND NEW YEAR PERIOD

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Tuesday, 1 November 2022
FILE NO	CM.PRO.1
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
"Smart Possibilities – Kojonup 2027+"		"Smart Implementation – Kojonup 2021 +"
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.2 – Be exceptional in two-way communication within our community, and market our brand outside of our community.	3.2.2 - Engage with our residents and industry members through increased use of social media.

DECLARATION OF INTEREST

The author is a Shire of Kojonup employee and, as such, is affected by the outcome of this report.

SUMMARY

To approve the Administration Office, Library and Depot closure during the 2022/2023 Christmas and New Year period.

BACKGROUND

The temporary closure of the Administration Office, Library and Depot during the Christmas and New Year holiday period has occurred for several years; it is suggested that the same arrangements take place during the 2022/2023 Christmas and New Year period.

COMMENT

In 2022 Christmas Day and Boxing Day fall on Sunday, 25 December and Monday, 26 December with the public holidays to be observed on Monday, 26 December and Tuesday, 27 December. New Year's Day falls on Sunday, 1 January 2023 with the public holiday to be observed on Monday, 2 January 2023.

It is proposed that the Administration Office, Library and Depot be closed from 12 noon on Friday, 23 December 2022 through until usual hours Tuesday, 2 January 2023 as follows:

Friday, 23 December 2022 – Administration Office, Library and Depot close at 12 noon
 Sunday, 25 December 2022 – Christmas Day
 Monday, 26 December 2022 – Boxing Day observed public holiday
 Tuesday, 27 December 2022 – Christmas Day observed public holiday
 Wednesday, 28 December 2022 – Offices closed - leave required
 Thursday, 29 December 2022 - Offices closed - leave required
 Friday, 30 December 2022 – Offices closed – leave required
 Sunday, 1 January 2023 - New Year's Day
 Monday, 2 January 2023 – New Year's Day observed public holiday

Tuesday, 3 January 2023 - Administration Office, Library, and Depot reopen with officers commencing at usual work times.

Staff will be required to utilise leave accruals which can include:

- annual leave
- rostered days off
- Local Government days
- time in lieu; or
- leave without pay (only by prior arrangement with the Chief Executive Officer [CEO]).

Staff planning to work throughout this period can only do so with the approval of the CEO.

CONSULTATION

Senior Management

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no financial implications as staff will be required to utilise leave accruals which are accounted for in the 2022/2023 Annual Budget.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
5 – Employment Practices	Insufficient staff numbers to achieve objectives	Health and Wellbeing initiatives	Nil
Risk Rating: High			
IMPLICATIONS			
Continuing the practice of closing operations over the Christmas/New Year period, as occurs in many local governments and has occurred for many years at the Shire of Kojonup, aligns with health and wellbeing initiatives. Skeleton staff remain present/accessible for essential services.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

140/22 Moved Cr Gale

Seconded Cr Bilney

That approval is granted for:

1. The closure of the Administration Office, Library and Depot during the 2022/2023 Christmas and New Year period from 12 noon Friday, 23 December 2022 to reopen at usual opening times on Tuesday, 3 January 2023; and
2. That the above mentioned closure be advertised on the Shire of Kojonup website and via local public notice.

CARRIED 8/0

9.3.8 POLICY MANUAL REVIEW

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Thursday, 4 November 2022
FILE NO	CM.POL.2
ATTACHMENT(S)	9.3.8.1 - Policy Manual – existing (2021) copy showing proposed changes 9.3.8.2 – Policy Manual – November 2022 – clean copy

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - 3 Performance	3.1 - Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group.	3.1.5 – Implement strategies to improve Councillors’ role as community leaders and asset custodians.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to conduct an annual review of Council’s Policy Manual.

BACKGROUND

Council’s Policy Manual is reviewed, in its entirety, on an annual basis and was last reviewed by Council in November 2021. Amendments to, and formation of, individual policies have been presented to Council for its consideration on an as needs basis in the interim, being incorporated into the Policy Manual at the time of amendment or formation.

COMMENT

The annual review of the Policy Manual has been undertaken by staff and proposed amendments are shown (tracked) in the first of the attachments to this item with a clean copy, inclusive of changes, being the second attachment. A summary of policies with recommended, consequential changes is as follows (other inconsequential changes include amendments relating to improved formatting, consistency throughout the document, and reference to local laws):

Policy 1.5 – Memorial and Lesser Halls Community Usage/Management

- update to website location for hire forms

Policy 2.1.2 – Purchasing and Creditor Control

- Purchasing Thresholds for \$101 to \$5,000 and \$5,001 to \$20,000 – change to authorised officers (Chief Executive Officer [CEO], Senior Management from \$101 to \$20,000 and Manager The Kodja Place, Tourism and Marketing from \$101 to \$5,000 threshold)

- Addition of Point f) – All requisitions must be created by one officer and authorised by a different officer, resulting in a purchase order that has been seen by two different officers prior to dispatch to a creditor. The Authorising Officer must only authorise to the amount prescribed in the Purchasing Thresholds above.

Policy 2.1.3 – Debtor Control

- Policy – Sundry Debtors – point 1
 - Addition of point g. – Planning Plans
 - Addition of point h. – Development Plans
- Last paragraph – removal of *Council delegates authority to the Chief Executive Officer in accordance with Annual Delegation* (there is nil Annual Delegation). The remainder of policy wording is considered sufficient; that is, *'The Manager of Corporate and Financial Services is to ensure that procedures are in place to ensure the timely recovery of outstanding amounts and to limit the risk of debts turning bad'* and *'Debtors who do not pay their accounts within the Shire's terms are not to be offered any further line of credit'*.

Policy 2.2.7 – Staff Housing

- Allocation of specific houses to roles is updated to allow for housing availability at any given time, at the discretion of the CEO.

Policy 4.6 – Gravel and Sand Extraction

- Policy – point 4 – remove the word 'Synergy' (record system is currently ALTUS)

Other amendments include:

- references to Occupational Safety and Health being replaced with references to Work Health and Safety in accordance with the change from the *Occupational Safety and Health Act 1984* to the *Work Health and Safety Act 2020*.
- references to Manager Corporate and *Community* Services being replaced with references to Manager Corporate and *Financial* Services, in line with the position's change of title, as advertised for the present vacancy.

CONSULTATION

Chief Executive Officer and Senior Management Team

Administration Staff via Administration Staff Meetings – review of a different policy on a regular basis to ensure relevance of content

STATUTORY REQUIREMENTS

While policies have no legal status, it is considered best practice for local governments to have a set of policies that provide guidance to staff, effectively negating the need for staff to constantly refer to Council. Council may adopt, amend or waive policies under Section 2.7 (2) of the *Local Government Act 1995*.

POLICY IMPLICATIONS

This item recommends amendments to several existing Council policies, as outlined under *Comment*.

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
8 - Errors, Omissions and Delays	Changes to legislation	Policies and Procedures	Nil
Risk rating - Adequate			
IMPLICATIONS			
Robust systems and controls, including guidance documents such as Council's Policy Manual, reduce inconsistencies and risks associated with Shire operations. A lack of effective policies and processes can contribute to impulsive decision making (causes of compliance risk).			
Timely updating of policies in accordance with legislation amendments assists in reducing the likelihood of non-compliance with legal requirements.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

141/22 Moved Cr Bilney

Seconded Cr Wieringa

That the attached Shire of Kojonup Policy Manual, dated November 2022 and including amendments as presented, be adopted.

CARRIED 8/0

9.3.9 PURCHASE OF LAND – 122 (LOT 30), ALBANY HIGHWAY, KOJONUP

AUTHOR	Heather Marland - Senior Finance Officer
DATE	Friday, 4 November 2022
FILE NO	A23820
ATTACHMENT(S)	9.3.9.1 – Email requesting waiver and purchase of land and Valuation Report

STRATEGIC/CORPORATE IMPLICATIONS		
"Smart Possibilities – Kojonup 2027+"		"Smart Implementation – Kojonup 2018-2022"
Key Pillar	Community Outcomes	Corporate Actions
3.4.2	3.4 - Be organised and transparent with our financial management	3.4.2 - Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to inform the Council of the request made by the land owner of 122 (Lot 30) Albany Highway, Kojonup – A23820 to waive all outstanding rates and purchase the property for a sum of \$10,000.

BACKGROUND

The landowner owned what they believed was one block with one title, but there are two titles - one consisting of a building and one a side access/driveway. The building was sold in 2013 but only the building changed hands leaving the owners with an access/driveway that, given its size, cannot be built on. There is also an easement over the property which prevents building as it is for access only.

COMMENT

In a conversation that the author had with the current landowner, the access/driveway was offered to the owner of the adjacent building whether they wanted to transfer the title of the access/driveway and was informed that they would be required to pay the outstanding rates. The adjacent building owner declined the offer.

The landowner has provided an Unimproved Valuation Report from Landgate dated 04/12/2019 stating that the land valuation as at 01/07/2019 was \$10,000. The valuation provided by the GRV schedule for rating purposes with the effective date of 01/07/2022 is \$500.

The access/driveway is next to a privately owned car park (Commercial Hotel) that many people use as either parking or access off the highway. If, in the future, this carpark was restricted to patrons only of the hotel this could cause issues accessing land owned by the Shire of Kojonup at the rear of the shops opposite the Police Station.

The landowner believes, given the size of the block and the easement, that the block is unlikely to sell, of which the author agrees.

Council has the option to go through the process of selling the land under the three year rule; however, that would only be adding costs to a low value block.

The author of this item recommends that the Council make an offer to the owners to purchase the block for the amount of the outstanding rates, with both sides paying their own legal costs to facilitate the sale.

CONSULTATION

Chief Executive Officer

STATUTORY REQUIREMENTS

Local Government Act 1995 Section 6.43, 6.44 and 6.49:

*6.43 Rates and service charges are a charge on land
Subject to the Rates and Charges (Rebates and Deferments)
Act 1992, rates and service charges imposed under this Act,
together with the costs of proceedings, if any, for the recovery
of the rates or service charges, are a charge on the land rated or
in relation to which the service charge is imposed.*

*6.44. Liability for rates or service charges
(1) The owner for the time being of land on which a rate or service
charge has been imposed is liable to pay the rate or service
charge to the local government.
(2) If there are 2 or more owners of the land they are jointly and
severally liable to pay the rate or service charge, as the case
requires.*

*6.49. Agreement as to payment of rates and service charges
A local government may accept payment of a rate or service
charge due and payable by a person in accordance with an
agreement made with the person.*

POLICY IMPLICATIONS

2.1.8 – Financial Governance – Management of financial risk prudently, having regard to economic circumstances.

FINANCIAL IMPLICATIONS

At the time of writing this agenda there is an amount of \$8,804.73 owing on A23820. Minimum rates are applicable to this block so there would also be a loss of income equivalent to the minimum rate annually.

RISK MANAGEMENT IMPLICATIONS

If the offer is not accepted and rates continue to go unpaid, there is the risk that in the future the cost to sell the property under the three (3) year rule may be greater than the value of the land.

ASSET MANAGEMENT IMPLICATIONS

If the offer is accepted, then 122 (Lot 30) Albany Highway, Kojonup will be added to the asset register and will be maintained by the Shire.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

142/22 Moved Cr Gale

Seconded Cr Singh

That Council offers to purchase 122 (Lot 30) Albany Highway, Kojonup at the substitution cost of the property's outstanding rates (\$8,804.73), in exchange for the title of the property into the Shire's ownership, and both parties to be responsible for their own costs to facilitate the sale.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.10 REQUEST TO WRITE-OFF INTEREST ON RATES

AUTHOR	Heather Marland - Senior Finance Officer
DATE	Monday, 7 November 2022
FILE NO	A8938
ATTACHMENT(S)	9.3.10.1 - Letter from owner of A8938

STRATEGIC/CORPORATE IMPLICATIONS		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3	3.4 Be organised and transparent with our financial management.	3.4.2 Act with sound long-term and transparent financial management and deliver residents considered value for money

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider the write-off of interest accrued on A8938 - 107 Albany Highway, Kojonup.

BACKGROUND

The property in question is a commercial property in the centre of town. These are a set of older buildings that the owner has had trouble keeping tenanted. The owner has been in an ongoing family court dispute, which has resulted in difficulty paying the rates for the past five years. The owner has made contact during this time advising that the court action is still ongoing.

COMMENT

The Council has a COVID-19 Financial Hardship Policy 2.1.12 but, as this has been an ongoing issue for the previous five years and not due to recent unemployment, sickness or recovery of sickness, low or loss of income or unanticipated circumstances such as caring for and supporting extended family, this matter is not eligible for consideration under this policy.

At the time of writing this item, the outstanding amount is \$12,238.97 of which \$1,831.93 is interest accrued on rates and \$78.61 is interest accrued on the Emergency Services Levy. A payment of \$500 was made on 20 October 2022. The Council has the authority to write-off interest on rates only.

The owner has indicated in his letter that he can withdraw \$10,000 from his superannuation to help reduce the debt, even though it will not pay the debt entirely with the interest written off it will make the remaining amount manageable.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Section 6.44 of the Local Government Act 1995

Liability for Rates or Service Charge

- (1) The owner for the time being of land on which a rate or service charge has been imposed is liable to pay the rate or service charge to the local government.
- (2) If there are 2 or more owners of the land they are jointly and severally liable to pay the rate or service charge.

Section 6.51 of the Local Government Act 1995

Accrual of Interest on Overdue Rates and Service Charge

- (1) A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on —
 - (a) a rate or service charge (or any instalment of a rate or service charge); and
 - (b) any costs of proceedings to recover any such charge,that remains unpaid after becoming due and payable.

* Absolute majority required.

- (2) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.

- (3) Accrued interest is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.

- (4) If a person is entitled under the Rates and Charges (Rebates and Deferments) Act 1992 or under this Act (if the local government in a particular case so resolves) to a rebate or deferment in respect of a rate or service charge —

- (a) no interest is to accrue in respect of that rate or service charge payable by that person; and

- (b) no additional charge is to be imposed under section 6.45(3) on that person.

- (5) Regulations may provide for the method of calculation of interest.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is currently an outstanding interest amount of \$1,831.93.

RISK MANAGEMENT IMPLICATIONS

If action is taken to write-off the rates then this will be setting a precedent for other rate payers with outstanding rates. This could have an unknown financial impact for the Shire of Kojonup in the coming years.

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

143/22 Moved Cr Egerton-Warburton Seconded Cr Gale

That Council denies the request to write-off the outstanding interest amount of \$1,831.93 owed against A8938 -107 Albany Highway, Kojonup.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.11 162 BLACKWOOD ROAD, KOJONUP – UPCOMING LEASE OPPORTUNITY

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	21 November 2022
FILE NO	CP.LEA.1
ATTACHMENT(S)	9.3.11.1 – Map showing 162 Blackwood Road, Kojonup

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.1 - Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group. 3.4 – Be organised and transparent with our financial management.	3.1.1 – Build partnerships with WA recreation, business and tourism. 3.1.7 – Determine responsibilities for all assets and review and update lease conditions where other entities have partial or full responsibility for assets on Council managed land.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider calling for expressions of interest for the lease of land being 162 Blackwood Road, Kojonup, to commence once the current lease has expired.

BACKGROUND

Lot 162 Blackwood Road, Kojonup, represents approximately 34 hectares of agricultural land situated between Kojonup’s industrial estate and the Showgrounds/Sporting Precinct on Blackwood Road.

Previously, this land has been leased to the Kojonup Football and Cricket Clubs for farming purposes to provide funding for the Clubs’ ongoing operations and is currently leased to the Kojonup Football Club with the lease expiring on 28 February 2023.

COMMENT

It is proposed that Council advertises for expressions of interest to lease 162 Blackwood Road, Kojonup, using the following grading criteria:

- Community Value Creation 50%
- Price 40%
- Proposed Property Improvements 10%

Council, if resolving to offer this land for lease following the current lease’s expiry on 28 February 2023, may wish to advertise with the following conditions (as prescribed previously):

1. Term of lease to be for a period of three (3) years;
2. The lessee accepts the property on an 'as is' basis;
3. The lessee is to maintain perimeter fences at the current standards;
4. The Shire will not be liable for any issues arising from fencing and/or containment of stock;
5. The lessee is responsible for managing and minimising any fire hazard and complying with any relevant conditions of the annual fire break order; and
6. Any stocking rates will be agreed by both parties on an 'as needs' basis to respond to any animal welfare, fire hazard reduction, and land quality preservation issues that may arise.

It has previously been identified, as part of Council's water harvesting and re-use planning, that there is a need for a dam to store water that can be pumped to either the Showground dam or turkey nest dam. Accordingly, it has previously been suggested that such a dam could be located within the 162 Blackwood Road land, utilising the existing pipework along Blackwood Road. To accommodate this potential proposal, any leases of this land could include a clause that acknowledges that an area may be allocated, during the term of the lease, for such a storage dam.

CONSULTATION

Chief Executive Officer

STATUTORY REQUIREMENTS

Local Government Act 1995 s. 3.58:

s. 3.58 Disposing of property

- (1) *In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) *Except as stated in this section, a local government can only dispose of property to —
(a) the highest bidder at public auction; or
(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

Local Government (Functions and General) Regulations 1996 r.14 and r. 18:

r. 14 Publicly inviting tenders, requirements for

- (2a) *If a local government —
(a) is required to invite a tender; or
(b) not being required to invite a tender, decides to invite a tender,
the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.*

r. 18. Rejecting and accepting tenders

- (5) *The local government may decline to accept any tender.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The current lease payment for this parcel of land is \$4,182 per annum.

RISK MANAGEMENT IMPLICATIONS

Due diligence in the use/maintenance of the land by another party (e.g.; a lessee) provides for fire hazard risk reduction.

ASSET MANAGEMENT IMPLICATIONS

Leasing of 162 Blackwood Road, Kojonup, ensures the use, maintenance and fire hazard reduction of this land asset whilst also providing revenue to the Shire and the community.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

144/22 Moved Cr Bilney

Seconded Cr F Webb

That Council:

1. calls for public expressions of interest for the lease of lot 162 Blackwood Road, Kojonup with the following conditions applying:
 - a) Term of lease to be for a period of three (3) years;
 - b) The lessee accepts the property on an 'as is' basis;
 - c) The lessee is to maintain perimeter fences at the current standards;
 - d) The Shire of Kojonup will not be liable for any issues arising from fencing and/or containment of stock;
 - e) The lessee is responsible for managing and minimising any fire hazard and complying with any relevant conditions of the annual fire break order; and
 - f) Any stocking rates will be agreed by both parties on an 'as needs' basis to respond to any animal welfare, fire hazard reduction, and land quality preservation issues that may arise.

and

2. applies the following grading criteria to each expression of interest for this lease:

- Community Value Creation 50%
- Price 40%
- Proposed Property Improvements 10%

CARRIED 8/0

9.3.12 GREAT SOUTHERN NORTHERN YOUTH NETWORK BUSINESS CASE – REQUEST FOR SUPPORT

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Thursday, 24 November 2022
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.12.1 – Albany Youth Services Association - Brochure

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 1 - Kojonup celebrates its diversity for residents and visitors.	1.3 Have systems in place to attract youth to the region, even in a transient manner.	<p>1.3.6 Develop and adopt a Youth Engagement Plan</p> <p>1.3.4 Explore opportunities with local schools and youth organisations to create a Youth Advisory Council to engage and advise the Shire and Councillors on youth issues (S1.2.1)</p> <p>1.3.1 Collect data on the needs of youth, as they live, educate, work, visit and return to Kojonup.</p>

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider donating \$2,500 toward a business case to seek funding for a Great Southern Youth Counsellor.

BACKGROUND

Ian Clarke, Chief Executive Officer, Albany Youth Services Association (AYSA) and Pippa Hepburn from the Great Southern Development Commission have approached the Shire of Kojonup to seek support for funding a business case to justify establishing regional Youth Workers in the region.

In consultation with the Western Australia Police Force, AYSA is proposing a Great Southern Youth Network encompassing eight northern shires of the Great Southern Region and offering 5 day a week Youth Service across the respective Shires with place based Youth Workers in key locations.

COMMENT

The regional communities located throughout the Great Southern have limited opportunities for at risk youth, often due to isolation and access to support services. The addition of Youth Workers to the communities of Denmark and Broomehill-Tambellup has demonstrated the significant value of having people embedded in the community working with young people

and their families to support young people during challenging times, offering guidance and support to young people to access specialist services.

This also provides a genuine opportunity to offer diversionary activities for young people becoming involved in the justice system, family violence and those suffering mental health issues, as a first point of contact and support.

It is proposed this would be a partnership approach between the Albany Youth Support Association and the Great Southern Northern shires. Importantly, the primary contribution from the shires is proposed as in kind contribution, offering potential office space or a venue the Youth Worker would be able to work from with young people, individually or as groups.

In addition, the shires have been requested to contribute a smaller amount of seed funding to help fund an application to significant funding bodies to finance a minimum 3 (three) year program to establish a well-structured, measured program, offering the best opportunity to disadvantaged and at risk young people in the region.

Crucially, this would provide strong evidence for future long term funding and offer a basis for the increased success and wellbeing of young people in these communities.

The Great Southern Development Commission has committed to supporting the program with the allocation of seed funding to assist in the development of a business case to the funding bodies.

The model involves the recruitment of four Youth Workers, consisting of one team leader and three youth workers. Katanning has been identified as a key location for the placement of the team leader and one youth worker, with an additional youth worker at Kojonup and Broomehill-Tambellup or Gnowangerup.

The team would be working a 5 (five) day a week roster, which allows the youth workers to move across communities, building relationships with young people, families, elders and key government agencies including Police, Health and Department of Communities. The combination of these key services as part of a broader framework will provide the greatest opportunity for young people and families to succeed in the community, reduce the incidence of crime and family trauma, ultimately delivering services many outlying communities have limited access to.

The Youth Workers actively engage with the young people and their families, developing case management for those Young People in need, whilst also developing relevant placed based programs which support the broader youth cohort.

The cost of the business case submission is \$18,000 in total.

The Great Southern Development Commission (GSDC) has committed \$7,500 to the Business Case and AYSA will be providing \$5,000 of in-kind project support including a Cost Benefit Analysis, the provision of Chartered Accountant and Accountant services, and project management and oversight.

The Business Case is to be completed within 90 days of commencing the project and during that time will also commence discussions with potential funding bodies.

The Shire of Kojonup has been requested to consider a commitment of \$2,500 to complete the funding.

The following contributions have already been made:

Katanning	\$3,000
Gnowangerup	\$2,000
Cranbrook	\$2,000
GSDC	\$7,500

The Shire of Broomehill-Tambellup also has an ongoing funding arrangement and partnership with Albany Youth Support Association (AYSA), through which they are providing support for this project to complete the required funding.

The total funding will be used to generate a Business Case. The Business Case will then be used to apply for major funding (\$1.5 million) from all relevant State and Federal agencies.

To make a strong case for this major funding, it will be essential that Shire of Kojonup has demonstrated its support for the Network. AYSA CEO, Ian Clarke, is leading the key advocacy activities required to apply for funding.

The author recommends that Kojonup participate in this program in line with our strategic community plan.

CONSULTATION

Pippa Hepburn - GSDC
Ian Clarke – CEO, AYSA

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The budget for donations can be used to offset some of the cost of the \$2,500. In the budget review further monies can be found from other projects such as savings from the vehicle tracking budget which will be lower in total cost.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

145/22 Moved Cr Gale

Seconded Cr Egerton-Warburton

That Council approves a donation of \$2,500 seed funding for the Albany Youth Services Association Business Case to seek external funding to source Youth Workers to operate in the Great Southern region.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.3.13 RESERVE ACCOUNT FINANCIAL REVIEW – 2021/2022

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Thursday, 24 November 2022
FILE NO	FM.FNR.2
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 – Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

This report is for Council to consider deferring Point 2 below (part of a Reserve Account Financial Review due for presentation at this meeting) as requested at Council’s 20 September 2022 Ordinary Meeting (see resolution below), to Council’s 13 December 2022 Ordinary Meeting:

“1) That the CEO present to the October 2022 Ordinary Council meeting a detailed review of the transfers both in and out of the Reserve accounts for the previous financial year.

2) That the CEO present to the November 2022 Ordinary Council meeting a report on how the reserve accounts operation could be enhanced in respect to the following, but not to the exclusion of other issues that appear during the process:

- *Council motions regarding contributions.*
- *Timing of cash movements.*
- *Monthly reporting of account balances.*
- *Detail provided in budgeting of reserve account transfers.*
- *The concept of saving for plant and equipment purchases versus borrowing the capital required at the time of purchase.”*

BACKGROUND

Since Council’s 20 September 2022 Ordinary Meeting, the author has presented a detailed review of the transfers both in and out of the Reserve Accounts for the previous financial year with Council resolving as follows at its 18 October 2022 Ordinary Meeting:

“That Council receives the Officer’s report and notes the debits and credits in reserve accounts for the 2021/2022 financial year and the timing of expenditure as the reason for the increase in closing balance as of 30 June 2022.”

COMMENT

The author believes that Point 2 of the above resolution requires workshopping with Councillors prior to an item being presented to Council and envisages the workshop to take place at Council's 29 November 2022 Briefing Session. The author, therefore, requests Council defer this matter to its 13 December 2022 Ordinary Meeting.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council defers the presentation of the following information to its 13 December 2022 Ordinary Meeting:

A report on how the reserve accounts operation could be enhanced in respect to the following, but not to the exclusion of other issues that appear during the process:

- Council motions regarding contributions.
- Timing of cash movements.
- Monthly reporting of account balances.
- Detail provided in budgeting of reserve account transfers.
- The concept of saving for plant and equipment purchases versus borrowing the capital required at the time of purchase.

COUNCIL DECISION

Moved Cr Gale

Seconded Cr Singh

That Council defers the presentation of the following information to its 13 December 2022 Ordinary Meeting:

A report on how the reserve accounts operation could be enhanced in respect to the following, but not to the exclusion of other issues that appear during the process:

- Council motions regarding contributions.
- Timing of cash movements.
- Monthly reporting of account balances.
- Detail provided in budgeting of reserve account transfers.
- The concept of saving for plant and equipment purchases versus borrowing the capital required at the time of purchase.

AMENDMENT TO THE MOTION

146/22 Moved Cr Bilney

Seconded Cr Gale

That the deferred date be changed from 13 December 2022 to 7 February 2023.

CARRIED 8/0

THE AMENDMENT BECAME PART OF THE MOTION

THE MOTION WAS PUT

147/22 Moved Gale

Seconded Cr Singh

That Council defers the presentation of the following information to its 7 February 2023 Ordinary Meeting:

A report on how the reserve accounts operation could be enhanced in respect to the following, but not to the exclusion of other issues that appear during the process:

- Council motions regarding contributions.
- Timing of cash movements.
- Monthly reporting of account balances.
- Detail provided in budgeting of reserve account transfers.
- The concept of saving for plant and equipment purchases versus borrowing the capital required at the time of purchase.

Reason for change to Officer Recommendation: to allow officers more time to prepare the financial report.

9.3.14 SPRINGHAVEN AGED CARE FACILITY – EXPRESSION OF INTEREST

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Wednesday, 23 November 2022
FILE NO	CP.LEA.1
ATTACHMENT(S)	<p>9.3.14.1 – Expression of Interest document</p> <p>UNDER SEPARATE COVER</p> <p>Unconfirmed minutes of the Springhaven Working Group Meeting held 11 August 2022</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2027”
Key Pillar	Community Outcomes	Corporate Actions
KP – Connected - Kojonup advances through connections, partnerships and alliances.	2.2 Have enhanced our aged-care and health provisions by progressing our connections with regional and state-wide groups	2.2.17 empowering Council to investigate the possibility of leasing or selling Springhaven.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of the report is to consider the recommendation from the Springhaven Working Group and Audit and Risk Committee regarding the future of Springhaven Aged Care Facility (Facility) and consider calling an Expression of Interest (EOI) for proponents to lease and manage the aged care services at Springhaven.

BACKGROUND

Council has been discussing and considering different options to manage the sustainability of Springhaven aged Care services.

On 11 August 2022 the Springhaven Working Group (SWG) considered the risks and issues that were materialising at the Facility and moved the following for consideration by Council.

Springhaven Working Group recommendation:

“That a recommendation is presented to Council that the Chief Executive Officer, along with the Springhaven Working Group members and Manager Springhaven, actively explore and investigate the options for the future model of operation for the management of Springhaven Lodge.”

At Council's 16 August 2022 Ordinary Meeting, Council resolved as follows:

"1. That Council receives the minutes from the 11 August 2022 meeting of the Springhaven Working Group, as presented; and

2. That the Chief Executive Officer, along with the Springhaven Working Group members and Manager Springhaven, actively explore and investigate the options for the future model of operation for the management of Springhaven Lodge."

Councillors discussed the different options and invited the Chief Executive Officer and President of the Shire of Donnybrook and the General Manager of Geegeelup Aged Care, Bridgetown, to present to Councillors on the different models of operating and the pathways they took to managing sustainability and outsourcing management of the Shire's Aged Care facilities.

On 2 November 2022 the Audit and Risk Committee recommended to Council the following;

"That the Audit and Risk Committee recommend to the Council, given the issues at Springhaven and the associated risk, that it progresses with the strategy to advertise an expression of interest to lease the management of the facility as a matter of urgency."

Council also should note that in the Strategic Community Plan there is a strategic initiative 2.2 *"Have enhanced our aged-care and health provisions by progressing our connections with regional and state-wide groups"* which leads to 2.2.17 empowering Council to investigate the possibility of leasing or selling Springhaven.

COMMENT

Springhaven has recently been affected by the staffing shortages related to Carers and Registered Nurses roles currently being felt across Australia and globally. What this has demonstrated is that the Shire does not have the depth of experience or resources to support the Aged Care sector as it changes its regulatory standards as well as changes to the economic environment.

The author advises that the current situation is one of 'victim of circumstance'. Increased costs across all areas, mandatory pay increases for aged care staff, increased costs related to new regulatory framework and new AN-ACC (Australian National Aged Care Classification) funding model, and impacts of COVID-19 mandatory vaccination leaving a shortage of skilled labour, have all combined to create a crisis situation. Access to any staff, let alone aged care staff, is at an all-time low.

This presents a high risk for the Shire and one option is to test the market to outsource the management of the facility whilst the Shire maintains ownership of the assets.

Taking into consideration the significance of the new Federal Aged Care Standards coming into operation, it has become clear that unless there is a material increase in Federal funding, Springhaven, under its current arrangements, may be placed under financial pressure. This will place additional stress on the facility and the Shire, as it is expected the resource staffing numbers will need to increase in line with the new standards.

Critical staff losses would create a catastrophic risk environment and a solution for this needs to be a priority of Council.

While the environment is challenging for all aged care operators, as demonstrated through the COVID-19 pandemic response and recovery process, the Shire has given priority to the health and wellbeing of residents, families and staff.

At this point it is important to note that Springhaven, in particular, has struggled with the support required as the Shire does not have the required expertise in aged care to support the current issues and management of Springhaven.

COVID-19 and the resource supply issues have brought this sharply into focus. This is not a criticism but a practical observation of the lack of depth in the Shire to support the Aged Care operations moving forward.

There are currently four simultaneous, parallel strategies in play which Shire Officers have been working towards:

- Continue extensive targeted recruitment process;
- Facilitate information sharing and discussions with other like sized Aged Care facilities to determine how they manage;
- Begin works on an expression of interest and a service level agreement/lease for facility;
- Formulate contingency plans if the Facility is no longer able to provide adequate level of care against the standards.

It is confirmed by the Council that the intended goal is to keep Springhaven open and available for current and future residents.

Three scenarios have been considered if no alternative to the current staffing crisis can be found:

1. Reduce residents to match the required staffing numbers to the capacity the Facility has to observe regulatory staffing obligations. This has already been executed and the number of residents has reduced through natural attrition.
2. Lease the Facility – investigate a sustainable model. This report addresses the EOI process to commence the process.
3. Relocate and or close the Facility in an orderly and structured manner. This is a solution of last resort and would only be considered in the event Springhaven cannot comply with its regulatory obligations.

A reduction in available beds is only an option short term and is not a sustainable solution as it has an impact on the revenue for the Facility. With this in mind, no new residents will be accepted until the Manager of the Facility and the CEO deem the resources can provide the adequate care required under the standards.

The Shire remains committed to its ageing in place strategy which seeks to enable a variety of residential and care pathways for the community, inclusive of the Independent Living Units in Loton Close and others. Therefore, point 3 above is not an option at this stage and should only be considered as a last resort.

In the short term Shire Officers have implemented the first strategy and reduced the intake of residents to match the resourcing levels currently in place. As resourcing improves we will increase the number of residents in a controlled manner.

While this Shire has managed the aged care facility at a high quality level, it is now apparent why other local governments across the Nation have exited the management responsibilities of such facilities in favour of specialist service providers.

It must be made clear this is not a financial decision for Council, although previous budgets demonstrate the high level of subsidy the Community is undertaking. These Strategies are employed to help reduce the compliance burden and associated risk with maintaining a facility of this size under a dramatically different future regulatory framework.

The parallel strategy of seeking interested proponents is essential to the sustainability of Springhaven Lodge. While the expression of interest process may take some time, the Council and community can be assured that the continued quality of care for residents will not change and the Shire will continue recruitment strategies to find the right qualified Team Members.

The author recommends that the Shire seek Expressions of Interest and tests the market for operators that have the depth and experience to sustain aged care facilities in the Kojonup region.

The author confirms that discussions with residents, families and the community will need to be carefully managed moving forward, with discretion and empathy. The CEO and Manager Springhaven will create a clear and detailed communication strategy.

CONSULTATION

Briefing Sessions September 2022
Risk and Audit Committee
Springhaven Working Group
Manager Springhaven
Senior Administration Officer

STATUTORY REQUIREMENTS

s. 3.58 of the *Local Government Act 1995*:

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1 - Asset Sustainability	Inadequate financial management and planning (capital renewal plan)	Asset replacement schedule	Nil
2 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework.	Industry Standards maintained	Nil
10 – Errors Omissions, Delays	Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process including incomplete, inadequate or inaccuracies in advisory activities to	Policies and Procedures Segregation of duties (Financial control)	

	customers or internal staff		
Risk Rating – High			
IMPLICATIONS			
There are potentially a number of catastrophic risks associated with this situation. The potential for devolvement of practices and standards is very likely and this report addresses these risks.			

ASSET MANAGEMENT IMPLICATIONS

Whole of Life considerations for Springhaven Aged Care.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

148/22 Moved Cr Gale

Seconded Cr Singh

That Council:

1. advertises for Expressions of Interest in accordance with s. 3.58 of the *Local Government Act 1995*, seeking to outsource operation and management of the Springhaven Residential Aged Care Facility, including the option of leasing of the facilities (disposal of asset), without selling the underlying capital (building and land) asset/s; and
2. approves the document “Expression of Interest – Shire of Kojonup ‘Springhaven’ Aged Care Services”, as attached.

CARRIED 8/0

Jill Mathwin left the meeting at 4.00pm.

9.4 KEY PILLAR 4 – ‘PROSPERITY’ REPORTS
Nil

9.5 KEY PILLAR 5 – ‘DIGITAL’ REPORTS
Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13.1 20 SEPTEMBER 2022 ORDINARY MEETING – RETRACTION OF ITEM 13.1 – RESIGNATION OF CR ROGER BILNEY FROM COUNCIL

CHIEF EXECUTIVE OFFICER RECOMMENDATION/COUNCIL DECISION

149/22 Moved Cr Singh

Seconded Cr Wieringa

That Council retract *13.1 Resignation of Cr Roger Bilney from Council* within Council's 20 September 2022 Ordinary Meeting minutes due to the resignation later being deemed not valid (in accordance with legal advice) and Cr Roger Bilney wishing to withdraw the resignation.

CARRIED 8/0

14 MEETING CLOSED TO THE PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.1.1 10 ELVERD STREET, KOJONUP – LEASE - WANSLEA

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Thursday, 24 November 2022
FILE NO	CP.LEA.1
ATTACHMENT(S)	<p>UNDER SEPARATE COVER</p> <p>14.1.1.1 - Acumentis - Valuation report - 10 Elverd Street, Kojonup</p> <p>14.1.1.2 - Kojonup Child Care Centre Inc (KCCC) - 10 year agreement July 2021 to June 2031</p> <p>14.1.1.3 - KCCC – MOU</p> <p>14.1.1.4 - Successful Respondent EOI - WANSLEA</p> <p>14.1.1.5 - Wanslea ABN Current Details</p> <p>14.1.1.6 - Wanslea Early Learning and Development Limited - Charity Status</p> <p>14.1.1.7 - Asset Transfer Agreement – WL - KCCC</p> <p>14.1.1.8 - Constitution - Wanslea Early Learning and Development</p> <p>14.1.1.9 - Shire of Plantagenet/Wanslea lease</p> <p>14.1.1.10 - Shire of Katanning/Wanslea lease</p>

14.1.2 RESIDENTIAL ASSET PURCHASE – 14 PENSIONER ROAD, KOJONUP

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Wednesday, 23 November 2022
FILE NO	
ATTACHMENT(S)	UNDER SEPARATE COVER 14.1.2.1 – Proforma – 14 Pensioner Road, Kojonup

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

150/22 Moved Cr Bilney

Seconded Cr Gale

That the meeting proceed behind closed doors in accordance with Section 5.23(2) (e) of the *Local Government Act 1995* at 4.00pm.

CARRIED 8/0

PROCEDURAL MOTION

154/22 Moved Cr F Webb

Seconded Cr Gale

That the meeting be reopened to the public at 4.21pm.

CARRIED 8/0

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

14.2.1 10 ELVERD STREET, KOJONUP – LEASE – WANSLEA

OFFICER RECOMMENDATION/COUNCIL DECISION

151/22 Moved Cr Egerton-Warburton

Seconded Cr Bilney

That Council:

1. proceeds, in accordance with s. 3.58 of the *Local Government Act 1995*, to advertise the disposal of property (being 10 Elverd Street, Child Care Centre) by way of a lease to Wanslea Early Learning and Development; and
2. if no public objections are received, delegates authority to the Chief Executive Officer to negotiate a subsidised lease with Wanslea Early Learning and Development, being a not-for-profit organisation, and executes a tenancy lease agreement for a period of 5 years + 5 years optional extension.
3. authorise an economic subsidised rent of \$2,664 per year, stipulating in the agreement that Wanslea Early Learning and Development is responsible for all maintenance and minor capital works (such as painting and locks etc), excluding structural and major maintenance.

CARRIED BY ABSOLUTE MAJORITY 8/0

14.2.2 RESIDENTIAL ASSET PURCHASE – 14 PENSIONER ROAD, KOJONUP

OFFICER RECOMMENDATION

That:

1. the Chief Executive Officer (CEO) has delegated authority to make an offer of up to a maximum of \$260,000 (excluding costs and stamp duty) on 14 Pensioner Road, Kojonup;
2. the Council approves increasing its borrowings up to a maximum of \$330,000 to fund the purchase and required renovations of 14 Pensioner Road, Kojonup if the offer is accepted;
3. the CEO reports back to Council, at briefing sessions, each milestone and the project scope and costs associated with the sale and renovation as it is negotiated and executed, if the offer is accepted.

COUNCIL DECISION

Moved Cr Gale

Seconded Cr Singh

That:

1. the Chief Executive Officer (CEO) has delegated authority to make an offer of up to a maximum of \$260,000 (excluding costs and stamp duty) on 14 Pensioner Road, Kojonup;
2. the Council approves increasing its borrowings up to a maximum of \$330,000 to fund the purchase and required renovations of 14 Pensioner Road, Kojonup if the offer is accepted;
3. the CEO reports back to Council, at briefing sessions, each milestone and the project scope and costs associated with the sale and renovation as it is negotiated and executed, if the offer is accepted.

AMENDMENT TO THE MOTION

152/22 Moved Cr Wieringa

Seconded Cr Gale

That the words 'if the property is still available and conditional upon approval of finance by the Western Australian Treasury Corporation' be added to the end of the Point 1.

CARRIED BY ABSOLUTE MAJORITY 8/0

THE AMENDMENT BECAME PART OF THE MOTION

THE MOTION WAS PUT

153/22 Moved Cr Gale

Seconded Cr Gale

That:

1. the Chief Executive Officer (CEO) has delegated authority to make an offer of up to a maximum of \$260,000 (excluding costs and stamp duty) on 14 Pensioner Road, Kojonup, if the property is still available and conditional upon approval of finance by the Western Australian Treasury Corporation;
2. the Council approves increasing its borrowings up to a maximum of \$330,000 to fund the purchase and required renovations of 14 Pensioner Road, Kojonup if the offer is accepted;
3. the CEO reports back to Council, at briefing sessions, each milestone and the project scope and costs associated with the sale and renovation as it is negotiated and executed, if the offer is accepted.

CARRIED BY ABSOLUTE MAJORITY 7/1

Reason for change to Officer Recommendation: to allow for the possibility that the property may not still be available and to allow the Shire to establish access to Western Australian Treasury Corporation finance should the property be available and an offer be accepted by the vendor.

15 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4.22pm.

16 ATTACHMENTS (SEPARATE)

Item 5.1	5.1.1	18 October 2022 Ordinary Meeting - Communication Complaint – response
	5.1.2	9 November 2022 Special Council Meeting – Wind Farm matters - response
Item 6.1	6.1.1	Unconfirmed minutes of the Ordinary Council Meeting held on 18 October 2022
Item 6.2	6.2.1	Unconfirmed minutes of the Special Council Meeting held on 9 November 2022
Item 7.4	7.4.1	Cr Egerton-Warburton - Notes of a GS Zone of WALGA Meeting held 28 October 2022
Item 9.1.1	9.1.1.1	Volunteer Handbook – existing (2021) copy showing proposed changes
	9.1.1.2	Draft Volunteer Handbook – clean copy (2022)
Item 9.2.1	9.2.1.1	Unconfirmed minutes of the LEMC Meeting held 7 November 2022
Item 9.2.2	9.2.2.1	Unconfirmed minutes of the BFAC Meeting held 8 November 2022
Item 9.3.1	9.3.1.1	October 2022 Monthly Financial Statements
Item 9.3.2	9.3.2.1	Monthly Payments Listing 1 to 31 October 2022
Item 9.3.3	9.3.3.1	Unconfirmed minutes of the Audit and Risk Committee Meeting held 2 November 2022
Item 9.3.4	9.3.4.1	Vehicle and Plant Register
	9.3.4.2	Property Register
Item 9.3.8	9.3.8.1	Policy Manual – existing (2021) copy showing proposed changes
	9.3.8.2	Policy Manual – November 2022 - clean copy
Item 9.3.9	9.3.9.1	Email requesting waiver and purchase of land and Valuation Report
Item 9.3.10	9.3.10.1	Letter from owner of A8938
Item 9.3.11	9.3.11.1	Map showing 162 Blackwood Road, Kojonup
Item 9.3.12	9.3.12.1	AYSA Brochure

.../

- Item 9.3.14 9.3.14.1 Expression of Interest document
- UNDER SEPARATE COVER – CONFIDENTIAL**
Unconfirmed minutes of the Springhaven Working
Group Meeting held 11 August 2022
- Item 14.1.1 **UNDER SEPARATE COVER**
- 14.1.1.1 Acumentis - Valuation report - 10 Elverd Street,
Kojonup
- 14.1.1.2 Kojonup Child Care Centre Inc (KCCC) - 10 year
agreement July 2021 to June 2031
- 14.1.1.3 KCCC – MOU
- 14.1.1.4 Successful Respondent EOI - WANSLEA
- 14.1.1.5 Wanslea ABN Current Details
- 14.1.1.6 Wanslea Early Learning and Development Limited -
Charity Status
- 14.1.1.7 Asset Transfer Agreement – WL - KCCC
- 14.1.1.8 Constitution - Wanslea Early Learning and
Development
- 14.1.1.9 Shire of Plantagenet/Wanslea lease
- 14.1.1.10 Shire of Katanning/Wanslea lease
- Item 14.1.2 **UNDER SEPARATE COVER**
- 14.1.2.1 Proforma – 14 Pensioner Road, Kojonup

Confirmed on 13 December 2022 as a true record –



Presiding Member

13/12/2022
Date