

SHIRE OF KOJONUP

# Kojonup



## MINUTES

ORDINARY COUNCIL MEETING

7 FEBRUARY 2023

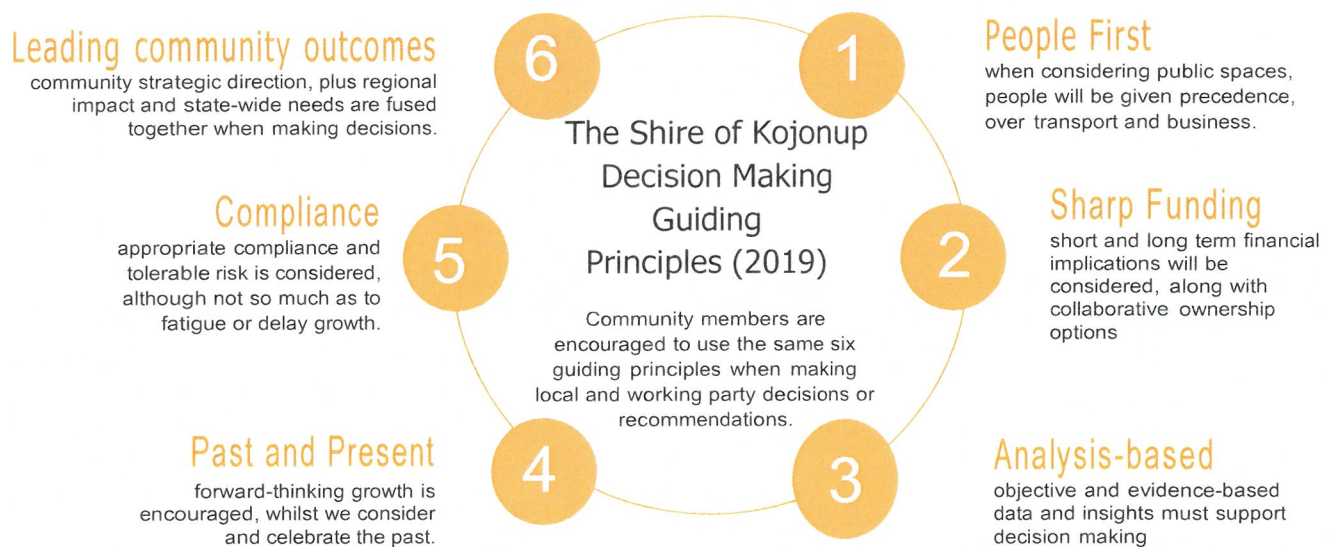
MINUTES OF A COUNCIL MEETING HELD ON 7 FEBRUARY 2023

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





## MINUTES

### 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President declared the meeting open at 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**

*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**

Nil

3 **ATTENDANCE**

**COUNCILLORS**

Cr N Radford

Cr P Webb

Cr F Webb

Cr Wieringa

Cr Gale

Cr R Bilney

Cr A Egerton-Warburton

Shire President

Deputy Shire President

**STAFF**

Grant Thompson

Robert Jehu

Emily Sleight

Judy Stewart

Chief Executive Officer

Manager Regulatory Services

Sport and Recreation Officer

Senior Administration Officer

3.1 *APOLOGIES*

Cr Singh

3.2 *APPROVED LEAVE OF ABSENCE*

Nil

4 **DECLARATION OF INTEREST**

Cr Gale advised Council that he resigned as a member of the Kojonup Men's Shed in January 2023 and had accordingly advised the Chief Executive Officer (CEO) at that time.

5 **PUBLIC QUESTION TIME**

5.1 *RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE*

Nil

5.2 *PUBLIC QUESTION TIME*

Nil

6 CONFIRMATION OF MINUTES

6.1 *ORDINARY COUNCIL MEETING 13 DECEMBER 2022*

Minutes of the Ordinary Council Meeting held on 13 December 2022 are at [attachment 6.1.1](#).

**OFFICER RECOMMENDATION/COUNCIL DECISION**

1/23 Moved Gale

Seconded Cr F Webb

That the Minutes of the Council Meeting held on 13 December 2022 be confirmed as a true record.

CARRIED 7/0

7 PRESENTATIONS

7.1 *PETITIONS*

Nil

7.2 *PRESENTATIONS*

Nil

7.3 *DEPUTATIONS*

Nil

7.4 *DELEGATES' REPORTS*

Nil

8 METHOD OF DEALING WITH AGENDA BUSINESS

There were nil changes to the order of business.

9 REPORTS

9.1 KEY PILLAR 1 – 'PLACE' REPORTS

Nil

9.2 KEY PILLAR 2 – 'CONNECTED' REPORTS

Nil

9.3 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

9.3.1 *FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (DECEMBER 2022)*

<b>AUTHOR</b>	Grant Thompson – Chief Executive Officer
<b>DATE</b>	Tuesday, 31 January 2023
<b>FILE NO</b>	FM.FNR.2
<b>ATTACHMENT(S)</b>	9.3.1.1 – Monthly Financial Statements 1 to 31 December 2022

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 December 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 December 2022 represents six (6) months, or 50% of the year.

The following items are worthy of noting:

- Closing surplus position of \$1.83m;
- Capital expenditure achieved 37.8% of budgeted projects;
- Cash holdings of \$5.99m of which \$3.78m is held in cash backed reserve accounts and \$2.21m is unrestricted cash;
- Rates debtors outstanding equate to 20% of total rates raised for 2022/2023 with the fourth instalment payment being due on 22 March 2023; 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**

2/23 Moved Cr Wieringa

Seconded Cr Gale

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

CARRIED 7/0

9.3.2 MONTHLY PAYMENTS LISTING – DECEMBER 2022

<b>AUTHOR</b>	Tonya Pearce - Finance Officer
<b>DATE</b>	Tuesday, 24 January 2023
<b>FILE NO</b>	FM.AUT.1
<b>ATTACHMENT</b>	9.3.2.1 – Monthly Payments Listing 1 to 31 December 2022

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
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 December 2022.

**BACKGROUND**

Nil

**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**

3/23 Moved Cr Egerton-Warburton                      Seconded Cr Wieringa  
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 December 2022		TO – 31 December 2022
Municipal Cheques	14348-14350	\$2,911.00
EFTs	31245 - 31470	\$1,519,666.64
Direct Debits		\$127,491.95
Total		\$1,650,069.59

be received.

**CARRIED 7/0**



9.3.3 LOCAL GOVERNMENT REFORM – REPRESENTATION REVIEW REPORT

<b>AUTHOR</b>	Judy Stewart – Senior Administration Officer
<b>DATE</b>	Wednesday, 25 January 2023
<b>FILE NO</b>	GO.ELE.12
<b>ATTACHMENT(S)</b>	9.3.3.1 - Correspondence – Hon John Carey MLA - Minister for Housing, Lands, Homelessness, and Local Government (Minister) 9.3.3.2 – Review of Representation Information Sheet 9.3.3.3 – Community consultation responses

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP – 3	3.1 – Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group.	3.1.4 – Implement strategies to improve Councillors role as community leaders and asset custodians.

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

The purpose of this report is for Council to receive public submissions regarding Council membership reduction and to advise the Department of Local Government, Sport and Cultural Industries (DLGSC) of its preferred number of Council members effectual as of the 2023 and/or 2025 local government ordinary elections.

**BACKGROUND**

On 3 July 2022 the DLGSC announced a final package of proposed local government reforms following a review of public submissions.

New requirements will provide for:

- The introduction of optional preferential voting;
- Directly elected Mayors and Presidents for band 1 and 2 local governments;
- Councillor numbers based on population; and
- The removal of wards for band 3 and 4 local governments.

It is anticipated that the Bill to amend the *Local Government Act (1995)* (Act) will be introduced into Parliament in early 2023.

The DLGSC identified that the Shire of Kojonup (Shire) will need to reduce its number of Council members under the proposed reforms; the allowable number of Councillors for local governments with a population of under 5,000 will be 5, 6 or 7.

As a band 3 local government, the Shire is not affected by reforms to the method of election of Mayors and Presidents nor is it affected by the requirement to remove wards, the latter

being an action effected in 2003 when Shire of Kojonup Council membership also reduced from ten to eight members.

In addition to the requirement to reduce Council membership to between 5 and 7, the Shire will also be required to provide optional preferential voting.

Council, at its 18 October 2022 Ordinary Meeting, resolved to choose the Voluntary Pathway to reduce its membership, as follows:

*“That Council advises the Department of Local Government, Sports and Cultural Industries that:*

- 1. its preferred pathway for Election Transition Arrangements is the Voluntary Pathway; and*
- 2. it will undertake a Representation Review and prepare, consider and adopt a Review Report for submission to the Local Government Advisory Board by 14 February 2023.”*

The Voluntary Pathway allowed the Shire to formulate a plan to implement the changes on a voluntary basis, allowed members to fulfil the timeframe they were elected to serve within and provided the Shire with the greatest possible lead time to plan for the 2023 local government ordinary elections. The Voluntary Pathway was also chosen as the alternative *Reform Election Pathway* could have resulted in a totally inexperienced Council being elected.

#### COMMENT

There would normally be four vacancies at each Ordinary Election for the Shire of Kojonup; however, local government reform will reduce this number by between one and three, dependent on Council’s membership preference, by the October 2023 and/or October 2025 Ordinary Elections.

Current representation ratios (8 councillors) are as follows:

Councillor/Population ratio is approximately 1:237 (based on ABS Census 2021 data)  
Councillor/over 18 (voting age) ratio is approximately 1:187 (based on ABS Census 2021 data)  
Councillor/elector ratio is approximately 1:161 (2021 Ordinary Election electors’ roll data)

Future representation ratio options include (based on the above population/over 18/elector figures):

5 representatives	-	1:380/1:300/1:258
6 representatives	-	1:316/1:250/1:215
7 representatives	-	1:271/1:214/1:184

As required when choosing the Voluntary Pathway for election transition arrangements, the Shire undertook a six-week public consultation period at the end of 2022 to gauge community views on the future membership (number of elected members) of its Council and whether the required reduction should occur in 2023 and/or 2025. Eight (8) community responses were received (please see at attachment 9.3.3.3) and are summarised as follows (two respondents did not choose a year/s for the reduction to occur):

Preferred membership numbers:

Reduce the number of councillors to 7	-	6
Reduce the number of councillors to 6	-	1
Reduce the number of councillors to 5	-	1

Reduce membership by:

2023	-	5
2025	-	1

Four of the eight respondents made comments (please see at attachment 9.3.3.3) with three of those comments including a preference for the highest number of councillors (seven) for reasons including greater diversity, less workload per member, less risk of unacceptable numbers when absenteeism occurs and no requirement for a casting vote by the presiding member. One respondent favoured the lesser number of councillors (five) and an increased workload per member.

Of the six respondents who chose a timeframe (2023 or 2025) for the required reduction in membership, five respondents chose 2023 and one respondent chose 2025, the latter stating time for current projects to be finalised as the reason for choosing 2025.

#### **CONSULTATION**

Public consultation – November/December 2022

#### **STATUTORY REQUIREMENTS**

*Local Government Act (1995)*

Proposed Amendment Act

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil to effect the transition; however, the membership number chosen will impact member expense into the future.

## 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.	Staff training	Nil
Risk rating – Adequate			
IMPLICATIONS			
Ensuring Council determines its future membership and submits a formal review report to the Local Government Advisory Board by the required date (14 February 2023) mitigates non-compliance risk.			

## ASSET MANAGEMENT IMPLICATIONS

Nil

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

Nil

## VOTING REQUIREMENTS

Absolute Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

4/23 Moved Cr Gale

Seconded Cr Egerton-Warburton

That Council advises the Department of Local Government, Sports and Cultural Industries by 14 February 2023 that, having undertaken public consultation for a six-week period and having considered the feedback received and the perceived advantages and disadvantages associated with a reduction in number of between one and three members, reduces its elected membership by one (1) member to seven (7) members as of the 2023 local government ordinary elections.

CARRIED BY ABSOLUTE MAJORITY 7/0

9.4 KEY PILLAR 4 – ‘PROSPERITY’ REPORT  
Nil

9.5 KEY PILLAR 5 – ‘DIGITAL’ REPORTS  
Nil

10 APPLICATIONS FOR LEAVE OF ABSENCE  
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  
Nil

14 MEETING CLOSED TO THE PUBLIC

14.1 *MATTERS FOR WHICH THE MEETING MAY BE CLOSED*

14.1.1 *KOJONUP COMMUNITY MEN’S SHED INC. FACILITY – REQUEST FOR PROPOSAL 1 OF 2022/ 2023*

AUTHOR	Emily Sleight – Sport and Recreation Officer
DATE	Wednesday, 25 January 2023
FILE NO	FM.TND.15
ATTACHMENT(S)	UNDER SEPARATE COVER 14.1.1.1 – Document Package RFP 01 of 2022/2023

14.1.2 *LEASE OF COUNCIL PROPERTY – PORTION OF LOT 9999 THORNBURY CLOSE, KOJONUP*

AUTHOR	Robert Jehu – Manager of Regulatory Services
DATE	Monday, 30 January 2023
FILE NO	CP.LEA.1
ATTACHMENT(S)	UNDER SEPARATE COVER 14.1.2.1 - Map showing relevant section of Lot 9999, Thornbury Close, Kojonup 14.1.2.2. Expressions of Interest 14.1.2.3. Portion of Lot 9999 Thornbury Close - Expressions of Interest - Weighted Assessment



14.1.3 LEASE OF COUNCIL PROPERTY WITH OPTION TO BUY - PROPOSED LOTS 58 AND 59, THORNBURY CLOSE, KOJONUP

AUTHOR	Robert Jehu – Manager of Regulatory Services
DATE	Monday, 30 January 2023
FILE NO	CP.LEA.1
ATTACHMENT(S)	<p>UNDER SEPARATE COVER</p> <p>14.1.3.1 - Map showing relevant section of Lot 9999, Thornbury Close, Kojonup</p> <p>14.1.3.2 - Expression of Interest letters</p> <p>14.1.3.3 - Council resolution - Syd Matthews &amp; Co lease value - 3.79ha Thornbury Close</p> <p>14.1.3.4 – Proposed Lots 58 and 59 Thornbury Close - Expressions of Interest - Weighted Assessment</p>

**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**

**5/23 Moved Cr F Webb**

**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 3.13pm.**

**PROCEDURAL MOTION**

**11/23 Moved Cr Gale**

**Seconded Cr F Webb**

**That the meeting be reopened to the public at 3.50pm.**

**CARRIED 7/0**

*14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC*

*14.2.1 KOJONUP COMMUNITY MEN'S SHED INC. FACILITY – REQUEST FOR PROPOSAL 1 OF 2022/2023*

**OFFICER RECOMMENDATION**

That Council:

1. Endorse the Kojonup Community Men's Shed Request for Proposal 01 of 2022/2023 as per Attachment 14.1.1.1; and
2. Authorise the Chief Executive Officer to proceed with the Request for Proposal process.



OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Bilney

Seconded Cr F Webb

That Council:

1. Endorse the Kojonup Community Men's Shed Request for Proposal 01 of 2022/2023 as per Attachment 14.1.1.1; and
2. Authorise the Chief Executive Officer to proceed with the Request for Proposal process.

LAPSED

6/23 Moved Cr Bilney

Seconded Cr Gale

That the Kojonup Community Men's Shed Request for Proposal 01 of 2022/2023 (RFP) report be tabled for discussion at a Special Council Meeting on 28 February 2023 and that the Chief Executive Officer investigate the option of a new Men's Shed location being on the existing Men's Shed site (Lot 135 Albany Highway, Kojonup) and report to Council on the impact taking into consideration the following:

1. Regulatory requirements to remediate the site prior to any construction;
2. Demolition of the existing Men's Shed (including removal of asbestos);
3. Decommissioning of underground fuel tanks;
4. Remediation of the soil where required;
5. Inclusion of dust extraction equipment; and
6. Formation of a car park on the title.

CARRIED 7/0

*Reason for change to Officer Recommendation: Council wished to explore the option of placing a new Men's Shed on the existing Men's Shed site and for officers to research the regulatory and cost requirements involved to do so.*

14.2.2 LEASE OF COUNCIL PROPERTY – PORTION OF LOT 9999 THORNBURY CLOSE, KOJONUP

OFFICER RECOMMENDATION

That an Expression of Interest from Nathan Miotti for \$4,025 including GST for the lease of part of Lot 9999, Thornbury Close, Kojonup, (as per presented map) commencing on 28 February 2023 and expiring on 27 February 2025, for sheep farming purposes, be accepted.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr P Webb

Seconded Cr Wieringa

That an Expression of Interest from Nathan Miotti for \$4,025 including GST for the lease of part of Lot 9999, Thornbury Close, Kojonup, (as per presented map) commencing on 28 February 2023 and expiring on 27 February 2025, for sheep farming purposes, be accepted.

AMENDMENTS TO THE MOTION

7/23 Moved Cr P Webb

Seconded Cr F Webb

That the name *Nathan Miotti* be replaced with the name *Gary Cavanagh*, the amount of \$4,025 be replaced with the amount of \$4,000, the date of commencement of the lease be 28 February 2023 and the date of expiry of the lease be 27 February 2025.

CARRIED 7/0

THE AMENDMENTS BECAME PART OF THE MOTION AND THE MOTION WAS PUT

8/23 Moved Cr P Webb

Seconded Cr F Webb

That an Expression of Interest from Gary Cavanagh for \$4,000 including GST for the lease of part of Lot 9999, Thornbury Close, Kojonup, (as per presented map) for sheep farming purposes, be accepted and that the lease commence on 28 February 2023 and expire on 27 February 2025.

CARRIED 7/0

*Reason for change to Officer Recommendation: Council accepted the incumbent lessee is recognised as a good tenant and for them not to be unduly disadvantaged of having their previous lease agreement terminated prematurely for subdivision reasons. Council assessed that the changeover administration costs associated with establishing a lease for the alternative expression of interest outweighed the additional revenue associated with the alternative expression of interest.*

14.2.3 LEASE OF COUNCIL PROPERTY WITH OPTION TO BUY - PROPOSED LOTS 58 AND 59  
THORNBURY CLOSE, KOJONUP

OFFICER RECOMMENDATION

That an Expression of Interest (EOI) from Simon Klopper for \$9,500.00 excluding GST per annum be accepted for the lease of proposed Lots 58 & 59 of Lot 9999, Thornbury Close, Kojonup (as per presented map), with an option to buy when the subdivision of this land has been completed and titles issued.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr F Webb

Seconded Cr Egerton-Warburton

That an Expression of Interest (EOI) from Simon Klopper for \$9,500.00 excluding GST per annum be accepted for the lease of proposed Lots 58 & 59 of Lot 9999, Thornbury Close, Kojonup (as per presented map), with an option to buy when the subdivision of this land has been completed and titles issued.

AMENDMENT TO THE MOTION

9/23 Moved Cr Bilney

Seconded Cr Gale

That the words *at an unimproved market rate valuation* be inserted after the words *with an option to buy*.

CARRIED 7/0

THE AMENDMENT BECAME PART OF THE MOTION AND WAS PUT

10/23 Moved Cr Bilney

Seconded Cr Gale

That an Expression of Interest (EOI) from Simon Klopper for \$9,500.00 excluding GST per annum be accepted for the lease of proposed Lots 58 & 59 of Lot 9999, Thornbury Close, Kojonup (as per presented map), with an option to buy at an unimproved market rate valuation when the subdivision of this land has been completed and titles issued.

CARRIED 7/0

*Reason for change to Officer Recommendation: to ensure the lessee is not liable to pay for improvements the lessee has funded during the lease period if the lessee opts to purchase the property when the subdivision of the land has been completed and titles have been issued.*

15 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 3.51 pm.

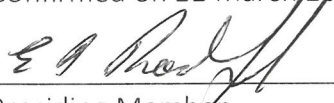
16 ATTACHMENTS (SEPARATE)

Item 6.1	6.1.1	Minutes of an Ordinary Council Meeting held on 13 December 2022
Item 9.3.1	9.3.1.1	Monthly Financial Statements – 1 to 31 December 2022
Item 9.3.2	9.3.2.1	Monthly Payments Listing 1 to 31 December 2022
Item 9.3.3	9.3.3.1	Correspondence – Hon John Carey MLA - Minister for Housing, Lands, Homelessness, and Local Government (Minister)
	9.3.3.2	Review of Representation Information Sheet
	9.3.3.3	Community consultation responses

**UNDER SEPARATE COVER**

Item 14.1.1	14.1.1.1	Document Package RFP 01 of 2022/2023
Item 14.1.2	14.1.2.1	Map showing relevant section of Lot 9999, Thornbury Close, Kojonup
	14.1.2.2	Expressions of Interest
	14.1.2.3	Portion of Lot 9999 Thornbury Close - Expressions of Interest - Weighted Assessment
Item 14.1.3	14.1.3.1	Map showing relevant section of Lot 9999, Thornbury Close, Kojonup
	14.1.3.2	Expression of Interest letters
	14.1.3.3	Council resolution – Syd Matthews & Co lease value – 3.79ha Thornbury Close
	14.1.3.4	Proposed Lots 58 and 59 Thornbury Close - Expressions of Interest - Weighted Assessment

Confirmed on 21 March 2023 as a true record –

  
\_\_\_\_\_  
Presiding Member

21/3/2023  
Date