SHIRE OF KOJONUP

Kojonup

One community, many choices

MINUTES

Ordinary Council Meeting

26 September 2023

This document is available in other formats on request for people with disability

MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 26 SEPTEMBER 2023

TABLE OF CONTENTS

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS 5
2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER 6
3 ATTENDANCE 6
3.1 APOLOGIES 6
3.2 APPROVED LEAVE OF ABSENCE 6
4 DECLARATION OF INTEREST 6
5 PUBLIC QUESTION TIME 6
5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE 6
5.2 PUBLIC QUESTION TIME 6
6 CONFIRMATION OF MINUTES 7
6.1 ORDINARY COUNCIL MEETING 15 AUGUST 2023 7
6.2 SPECIAL COUNCIL MEETING 23 AUGUST 2023 7
7 PRESENTATIONS 7
7.1 PETITIONS 7
7.2 PRESENTATIONS 7
7.3 DEPUTATIONS 7
7.4 DELEGATES' REPORTS 7
7.4.1 CR BILNEY – WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) CONVENTION 2023 7
7.4.2 CR RADFORD – WALGA CONVENTION 2023 7
8 METHOD OF DEALING WITH AGENDA BUSINESS 8
9 REPORTS 8
9.1 KEY PILLAR 'LIFESTYLE' REPORTS 8
9.2 KEY PILLAR 'ECONOMICS' REPORTS 8
9.3 KEY PILLAR 'VISITATION' REPORTS 8
9.4 KEY PILLAR 'PERFORMANCE' REPORTS 9
9.4.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JULY – AUGUST 2023) 9
9.4.2 MONTHLY PAYMENTS LISTING – 1 TO 31 JULY 2023 AND 1 TO 31 AUGUST 2023 11
9.4.3 SHIRE OF KOJONUP CAT REPEAL LOCAL LAW 2023 AND SHIRE OF KOJONUP CATS LOCAL LAW 2023 13
9.4.4 SHIRE OF KOJONUP PARKING (AMENDMENT) LOCAL LAW 2023 20
9.4.5 FLAT ROCKS WIND FARM – REVISED BUSHFIRE MANAGEMENT PLAN 26
9.4.6 UNCONFIRMED MINUTES OF AN AUDIT AND RISK COMMITTEE MEETING HELD 5 SEPTEMBER 2023/2024-2025 CASHFLOWS 33
9.4.7 INSURANCE POLICIES 35
9.4.8 TAMBELLUP WEST ROAD - BUDGET CHANGES 38
9.4.9 CHANGE TO OCTOBER 2023 ORDINARY COUNCIL MEETING DATE 41
10 APPLICATIONS FOR LEAVE OF ABSENCE 45
11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 45

11.1 CR EGERTON-WARBURTON – APPEAL FOR REMEDIAL ACTION ON EDUCATION POLICY AND PROCEDURES IN COUNTRY SCHOOLS 45

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE 48

12.1 CR BILNEY – TERMS OF REFERENCE FOR COMMITTEES OF COUNCIL 48

12.2 CR GALE – HOUSING CRISIS 48

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING 48

14 MEETING CLOSED TO THE PUBLIC 48

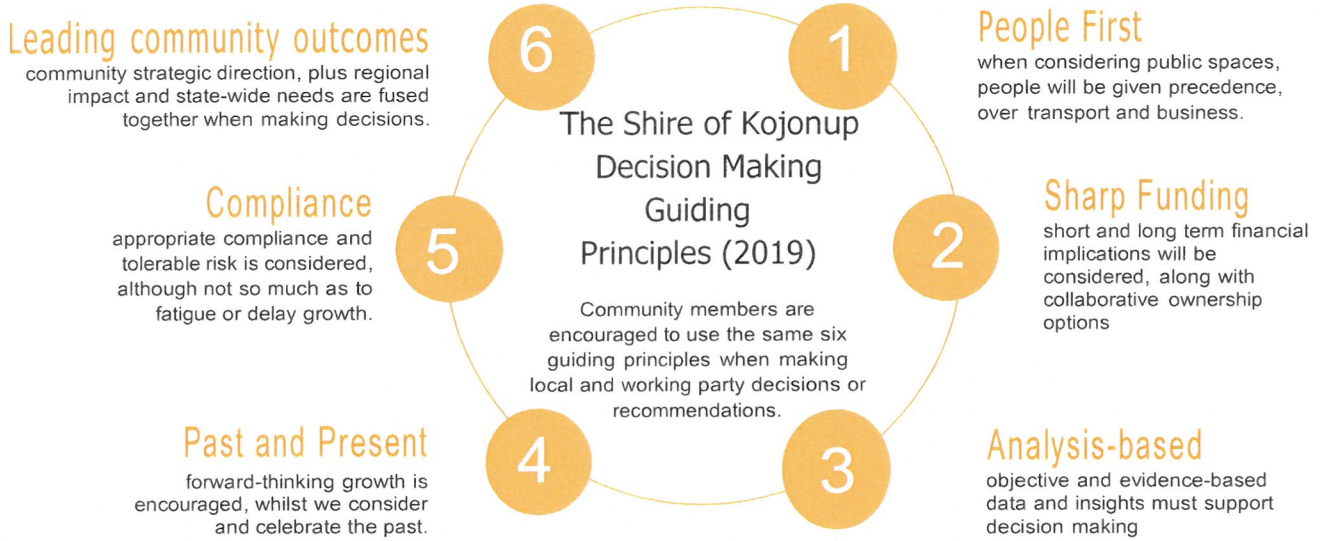
14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED 48

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC 48

15 CLOSURE 48

16 ATTACHMENTS (SEPARATE) 49

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 Radford	Shire President
Cr P Webb	Deputy Shire President
Cr F Webb	
Cr Singh	
Cr Gale	
Cr Wieringa	
Cr Bilney	
Cr Egerton-Warburton	

STAFF

Grant Thompson	Chief Executive Officer
Judy Stewart	Manager Governance and Administration
Robert Jehu	Manager Regulatory Services

3.1 APOLOGIES

Nil

3.2 APPROVED LEAVE OF ABSENCE

Nil

4 DECLARATION OF INTEREST

9.4.5 FLAT ROCKS WIND FARM – REVISED BUSHFIRE MANAGEMENT PLAN
Cr Bilney – Proximity

5 PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Not applicable

5.2 PUBLIC QUESTION TIME

Nil

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING 15 AUGUST 2023

Unconfirmed Minutes of an Ordinary Council Meeting held 15 August 2023 are at attachment 6.1.1.

OFFICER RECOMMENDATION/COUNCIL DECISION

107/23 Moved Cr Gale Seconded Cr Wieringa
That the Minutes of an Ordinary Council Meeting held 15 August 2023 be confirmed as a true record.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

6.2 SPECIAL COUNCIL MEETING 23 AUGUST 2023

Unconfirmed Minutes of a Special Council Meeting held 23 August 2023 are at attachment 6.2.1.

OFFICER RECOMMENDATION/COUNCIL DECISION

108/23 Moved Cr F Webb Seconded Cr Egerton-Warburton
That the Minutes of a Special Council Meeting held 23 August 2023 be confirmed as a true record.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

7 PRESENTATIONS

7.1 PETITIONS

Nil

7.2 PRESENTATIONS

Nil

7.3 DEPUTATIONS

Nil

7.4 DELEGATES' REPORTS

7.4.1 Cr Bilney – Western Australian Local Government Association (WALGA) Convention 2023 (attachment 7.4.1.1)

7.4.2 Cr Radford – WALGA Convention 2023 (attachment 7.4.2.1)

8 METHOD OF DEALING WITH AGENDA BUSINESS

There were nil changes to the order of the meeting.

9 REPORTS

9.1 KEY PILLAR 'LIFESTYLE' REPORTS

Nil

9.2 KEY PILLAR 'ECONOMICS' REPORTS

Nil

9.3 KEY PILLAR 'VISITATION' REPORTS

Nil

9.4 KEY PILLAR 'PERFORMANCE' REPORTS

9.4.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JULY – AUGUST 2023)

AUTHOR	Jill Johnson – Manager Financial & Corporate Services
DATE	Tuesday, 12 September 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.4.1.1 - Monthly Financial Statements – 1 to 31 July 2023 9.4.1.2 – Monthly Financial Statements - 1 to 31 August 2023

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	**Community Goal/s**	**Corporate Objective/s**
Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

DECLARATION OF INTEREST
Nil

SUMMARY
The purpose of this report is to note the Monthly Financial Statements for the periods ending 31 July 2023 and 31 August 2023.

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 Statements of Financial Activity for the period 1 July 2023 to 31 August 2023 represents two (2) months, or 17% of the year.

The following items are worthy of noting:

- Closing surplus position of $7,912,338.
- Capital expenditure achieved 5.4% of budgeted projects.
- Cash holdings of $7.185m of which $3.149m is held in cash backed reserve accounts and $4.036m is unrestricted cash.
- Rates debtors outstanding equate to 105% of total rates raised for 2023/2024.
- 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

109/23 Moved Cr Gale Seconded Cr P Webb
That the Monthly Financial Statements for the periods ending 31 July 2023 and 31 August 2023, as attached, be noted.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

9.4.2 MONTHLY PAYMENTS LISTING – 1 TO 31 JULY 2023 AND 1 TO 31 AUGUST 2023

AUTHOR	Tonya Pearce - Finance Officer
DATE	Friday, 15 September 2023
FILE NO	FM.AUT.1
ATTACHMENT	9.4.2.1 – Monthly Payments Listing 1 to 31 July 2023 9.4.2.2 – Monthly Payments Listing 1 to 31 August 2023

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	Community Goal/s	Corporate Objective/s
Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

DECLARATION OF INTEREST
Nil

SUMMARY
To receive the list of payments covering the months of July and August 2023.

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

110/23 Moved Cr Singh Seconded Cr Bilney
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 July 2023		TO – 31 August 2023
Municipal Cheques	14365-14368	$43,886.76
EFTs	32371 - 32654	$762,481.34
Direct Debits		$390,381.68
Total		$1,196,749.78

be received.

CARRIED 8/0
For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

9.4.3 SHIRE OF KOJONUP CAT REPEAL LOCAL LAW 2023 AND SHIRE OF KOJONUP CATS LOCAL LAW 2023

AUTHOR	Stephanie Swain – Senior Ranger
DATE	Wednesday, 16 August 2023
FILE NO	LE.LCL.3
ATTACHMENT(S)	9.4.3.1 – Proposed Shire of Kojonup Cats Local Law 2023 – Draft 9.4.3.2 – Proposed Shire of Kojonup Cat Repeal Local Law 2023 - Draft 9.4.3.3 – Email correspondence received from the Joint Standing Committee on Delegated Legislation (JSCDL) on requested undertaking outcome – 10 May 2023 9.4.3.4 - Email correspondence received from Department of Local Government, Sport and Cultural Industries – 13 July 2023

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	**Community Goal/s**	**Corporate Objective/s**
Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

DECLARATION OF INTEREST
Nil

SUMMARY
The purpose of this report is for Council to consider the amended *Shire of Kojonup Cats Local Law 2023* and *Shire of Kojonup Repeal Cat Local Law 2023* for proposal and public consultation.

BACKGROUND
At its Ordinary Meeting held on18 April 2023, Council resolved to propose the *Shire of Kojonup Cats Local Law 2023* and the *Shire of Kojonup Repeal Cat Local Law 2023* in conjunction with an agreed undertaking with the Joint Standing Committee on Delegated Legislation (JSCDL).

The Shire of Kojonup Repeal Cat Local Law 2023 and the Shire of Kojonup Cats Local Law 2023 were proposed with the following purpose and effect:

SHIRE OF KOJONUP CAT REPEAL LOCAL LAW 2023

PURPOSE: *To repeal the Shire of Kojonup Cat Local Law 2022.*

EFFECT: *The local law will be revoked and abrogated.*

SHIRE OF KOJONUP CATS LOCAL LAW 2023

PURPOSE: *To provide additional controls and management of matters relating to cats that are not specified in the Cat Act 2011, and to further promote and encourage responsible cat ownership.*

EFFECT: *The effect of this local law is to provide a framework for the control of nuisance cats, cat management facilities and limits on the number of cats permitted to be kept, in line with the provisions contained within the Cat Act 2011 and the Local Government Act 1995.*

Both the *Shire of Kojonup Cats Local Law 2023* and the *Shire of Kojonup Repeal Cat Local Law 2023* were provided to the JSCDL for comment *after* it had been proposed at the Council meeting and *before* it was advertised under section 3.12 of the *Local Government Act 1995.*

The JSCDL advised the Shire of Kojonup (Shire) on 10 May 2023 that the requested undertakings had been addressed with no recommendations for amendments. The JSCDL also advised that, although the local laws met the requested undertakings, this did not amount to an endorsement of the local laws.

The JSCDL advised that it would scrutinise them only once they are published and tabled in accordance with section 42 of the *Interpretation Act 1984* and the Local Laws Explanatory Memorandum and Statutory Checklist.

On 25 May 2023 the Shire provided public notice of the proposed local laws and provided copies of the Local Laws to the Minister for Local Government.

On 13 July 2023 the Shire received correspondence from the DLGSC suggesting certain amendments be made to the draft Local Laws; these are excerpted as follows:

Cat Repeal Local Law 2023

1. ***Repeal of cat local law***
   It appears that the Shire is repealing its existing cat local law and replacing it with a new one.

   In the circumstances, it may be simpler to include a repeal clause in the cat local law, rather than having a separate repeal local law in its own right.

2. ***Minor edits***
   Enacting provision: After "Local Government Act 1995" insert ", the Cat Act 2011"

Cat Local Law 2023

1. ***Clause 2.2 – Cat confinement***

Clause 2.2 provides that a cat must not be on a property unless prior consent has been given by the landowner.

The Joint Standing Committee on Delegated Legislation has generally objected to clauses of this nature. For this reason, it is suggested that the clause be removed.

The Committee has concluded that clauses of this kind are inconsistent with the Cat Act. This is because:

- *section 27(b) of the Cat Act provides that a cat may be removed from the premises where requested by the landholder.*
- *Clause 2.2 of the local law is inconsistent with this, since it requires a cat to have prior consent before entering the premises and implies the cat can be removed even when the property owner hasn't requested it.*

Clause 2.2 does not explicitly state that cat confinement is mandatory. However, it creates a scenario where a cat owner is almost certain to commit an offence if they allow the cat to roam, since there is no practical way for a cat owner to ensure that a roaming cat only enters properties where prior landowner consent has been given. Accordingly, the Committee is likely to view clause 2.2 as a cat confinement clause, since cat confinement is the practical result.

2. ***Clause 3.1 – Designation of cat prohibited areas***

It is suggested that this clause be deleted.

The Cat Act provides that cat prohibited areas must be set out within local laws. Accordingly, if the Shire wishes to add or remove to the list of cat prohibited areas, it will need to amend the local law.

Clause 3.1 does not appear to serve any critical purpose. While it requires the Shire to undergo public consultation prior to changing the cat prohibited areas, this consultation will already be required as part of the process of amending the local law.

If clause 3.1 is deleted, the remainder of the local law will need to be renumbered accordingly and any impacted cross-references will need to be updated.

3. ***Minor edits***

The following minor edits are suggested:

- *Clause 1.5:*
  - *All citation titles should be in italics.*
  - *Defined terms only require capital letters in situations where the capital letter will be used every time the term appears (e.g. Schedule, RSPCA, CEO).*
- *Clause 4.7(1)(e)(ii): Replace the full stop with "; and".*
  Retitle "Schedule 4" to "Schedule 3".

No further comments or submissions surrounding the proposed local laws were received.

COMMENT

The recommendation in this report has been prepared due to the fact that advice provided by the DLGSC (see point 1 of the DLGSC comments above - Cat Repeal Local Law 2023) was in conflict with the information provided on the DLGSC website (Making of Local Laws), as follows:

> *'Local governments should be aware that when amending or repealing a local law, it needs to be done in accordance with section 3.12 of the Act, which is the same procedure for 'making' a local law. This is because amendment or repeal local laws are new local laws themselves and must follow the full statutory process to be made within power.'*

The Shire recognises that the DLGSC views repeal local laws as separate local laws in their own right and, therefore, shall continue with the individual local law making processes for the *Shire of Kojonup Repeal Cat Local Law 2023* as per the *Local Government Act 1995*.

Therefore, the Council should note that, due to the above discrepancies in advice, this report recommends to establish two local laws: a Shire of Kojonup Cat Repeal Local Law 2023 and a Shire of Kojonup Cat Local Law 2023. All other suggestions for amendments made by the DLGSC have been implemented into the draft Shire of Kojonup Cats Local Law 2023 and Shire of Kojonup Repeal Cat Local Law 2023 (as attached at 9.4.1.3. and 9.4.3.2) for consideration.

The afore-mentioned amendments being made to the draft Shire of Kojonup Cats Local Law 2023 and Shire of Kojonup Repeal Cat Local Law 2023 represent what are considered to be significant changes to what was initially proposed to Council on 18 April 2023. This requires Council to re-advertise the proposed local laws, inclusive of the amendments, for a period of no less than 6 (six) weeks as per Section 3.12(3) of *the Local Government Act 1995.*

CONSULTATION

Minister for Local Government, Sport and Cultural Industries
Department of Local Government, Sport and Cultural Industries

STATUTORY REQUIREMENTS

Local Government Act 1995

Section 3.12. Procedure for making local laws:

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) The local government is to —

(a) give local public notice stating that —

(i)the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
(ii)a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
(iii)submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed. * Absolute majority required.*

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the Gazette the local government is to give local public notice —
(a) stating the title of the local law; and
(b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
(c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Cat Act 2011 – Section 79
79. Local laws
(1) A local government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

(2) A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section 80.

(3) Without limiting subsection (1), a local law may be made as to one or more of the following—
(a) the registration of cats;
(b) removing and impounding cats;
(c) keeping, transferring and disposing of cats kept at cat management facilities;
(d) the humane destruction of cats;
(e) cats creating a nuisance;
(f) specifying places where cats are prohibited absolutely;
(g) requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;
(h) limiting the number of cats that may be kept at premises, or premises of a particular type;
(i) the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;
(j) the regulation of approved cat breeders, including record keeping and inspection; and
(k) fees and charges payable in respect of any matter under this Act.

POLICY IMPLICATIONS
Nil

FINANCIAL IMPLICATIONS
Advertising costs are associated with the advertising and gazettal of the afore-mentioned local laws, for which there is provision within the budget at Chart of Account code 1922 - Advertising.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Nil; however, governance calendar reminder system is in place	Nil
Risk rating – Adequate			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS
Nil

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

VOTING REQUIREMENTS
Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

111/23 Moved Cr Singh Seconded Cr Gale
That Council:

1. Endorses the Shire of Kojonup Cat Repeal Local Law 2023 and the Shire of Kojonup Cats Local Law 2023, as presented, for proposal:

2. Pursuant to the *Local Government Act 1995* section 3.12(3) and (3a), and all other legislation enabling it, provides public notice that it proposes to make the Shire of Kojonup Cat Repeal Local Law 2023 and the Shire of Kojonup Cats Local Law 2023 with the following purpose and effect:

SHIRE OF KOJONUP CAT REPEAL LOCAL LAW 2023

PURPOSE: To repeal the Shire of Kojonup Cat Local Law 2022.

EFFECT: The local law will be revoked and abrogated.

SHIRE OF KOJONUP CATS LOCAL LAW 2023

PURPOSE: To provide additional controls and management of matters relating to cats that are not specified in the Cat Act 2011, and to further promote and encourage responsible cat ownership.

EFFECT: The effect of this local law is to provide a framework for the control of nuisance cats, cat management facilities and limits on the number of cats permitted to be kept, in line with the provisions contained within the Cat Act 2011 and the Local Government Act 1995;

3. Advertises the proposed local laws, as referred to in point 1 above, for a period of not less than 6 (six) weeks, with advertisements to appear in the Great Southern Herald and all local newspapers circulating within the district;

4. In accordance with the *Local Government Act 1995* section 3.12(3), advises the Minister for Local Government, Sport and Cultural Industries of the proposed local laws as referred to in Point 1 above; and

5. Considers public comments, if any, prior to consideration of adopting the proposed local laws as referred to in Point 1 above.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

9.4.4 SHIRE OF KOJONUP PARKING (AMENDMENT) LOCAL LAW 2023

AUTHOR	Stephanie Swain – Senior Ranger
DATE	11 August 2023
FILE NO	LE.LCL.3
ATTACHMENT(S)	9.4.4.1 – Proposed Shire of Kojonup Parking Amendment Local Law 2023 - Draft 9.4.4.2 – Proposed Shire of Kojonup Parking Local Law 2022 (Consolidated version) - Draft 9.4.4.3 – Email Correspondence received from the Joint Standing Committee on Delegated Legislation (JSCDL) on requested undertaking outcome – 10 May 2023 9.4.4.4 – Email correspondence received from Department of Local Government, Sport and Cultural Industries – 12 July 2023

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	**Community Goal/s**	**Corporate Objective/s**
Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

DECLARATION OF INTEREST
Nil

SUMMARY
The purpose of this report is for the Council to consider the amended Shire of Kojonup Parking (Amendment) Local Law *2023* for proposal and public consultation.

BACKGROUND
At its Ordinary Meeting held 18 April 2023, Council resolved to propose the Shire of Kojonup Parking (Amendment) Local Law 2023 in conjunction with an agreed undertaking with the Joint Standing Committee on Delegated Legislation (JSCDL).

The Shire of Kojonup Parking (Amendment) Local Law 2023 was presented with the following purpose and effect:

SHIRE OF KOJONUP PARKING (AMENDMENT) LOCAL LAW 2023

***PURPOSE**: To amend certain provisions of the Shire of Kojonup Parking Local Law 2022.*

***EFFECT:** To provide further clarity of the requirements specified in Clause 4.5 (Event Parking) for the Shire of Kojonup to provide public notice of upcoming events and*

implement time limits on parking facilities utilised under this clause as well as correct typographical errors.

Both the Shire of Kojonup Parking (Amendment) Local Law 2023 and the Shire of Kojonup Parking Local Law 2022 *(consolidated version)* were provided to the JSCDL for comment *after* it had been proposed at the Council meeting and *before* it was advertised under section 3.12 of the *Local Government Act 1995.*

The JSCDL advised the Shire of Kojonup (Shire) on 10 May 2023 that the requested undertakings had been addressed with no recommendations for amendments. The JSCDL also advised that, although the local laws met the requested undertakings, this did not amount to an endorsement of the local laws.

The JSCDL advised that it would scrutinise them only once they are published and tabled in accordance with section 42 of the *Interpretation Act 1984* and the Local Laws Explanatory Memorandum and Statutory Checklist.

On 25 May 2023 the Shire provided public notice of the proposed local laws and provided copies of the Local Laws to the Minister for Local Government.

On 13 July 2023 the Shire received correspondence from the Department of Local Government, Sport and Cultural Industries, suggesting certain amendments be made to the draft local laws; these are excerpted as follows:

Parking Amendment Local Law 2023

1. Minor edits
The following minor edits are suggested:

- *Each clause should have a clause title. For example, clause 2.2 should have the title "2.2 Clause 1.5 amended".*

- *It is suggested that clause 2.2 be reformatted as follows:*
  2.2 Clause 1.5 amended
  In clause 1.5, delete the definition for particular event and replace with:
  Particular event means an event at which entertainment is provided to the public on an irregular basis whether from an entertainment venue or from some other place.

- *It is suggested that the first instances of clause 2.3 and 2.4 and the second instance of clause 2.3 be reformatted as follows:*
  2.3 Clause 4.5 amended

  Clause 4.5 is amended as follows:

  (a) Renumber subclauses (3), (4), (5) and (6) to subclauses (5), (6), (7) and (8) respectively.
  (b) After subclause (2) insert the following:

  (3) The local government shall.....

  (4) Parking facilities.....

- *It is suggested that clause 2.5 be reworded as follows:*
  2.5 Clause 3.11 amended

  In clause 3.11(a) delete "is".

- *It is suggested that clauses 2.6 to 2.9 be reformatted in a similar manner to that suggested for clause 2.5.*

No further comments or submissions surrounding this proposed local law were received.

COMMENT

All amendments suggested by the DLGSC have been incorporated into the newly proposed Shire of Kojonup Parking (Amendment) Local Law 2023; both this local law and the Shire of Kojonup Parking Local Law 2022 (consolidated version) are attached.

The afore-mentioned amendments to the proposed Shire of Kojonup Parking (Amendment) Local Law 2023 represent what are considered to be significant changes to what was initially proposed to Council on 18 April 2023. This requires Council to re-advertise the proposed local law, inclusive of the amendments, for a period of no less than 6 (six) weeks as per Section 3.12(3) of *the Local Government Act 1995.*

CONSULTATION

Minister for Local Government, Sport and Cultural Industries
Department of Local Government, Sport and Cultural Industries

STATUTORY REQUIREMENTS

Local Government Act 1995

Section 3.12. Procedure for making local laws:

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) The local government is to —

(a) give local public notice stating that —

(i)the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and

(ii)a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii)submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed. * Absolute majority required.*

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the Gazette the local government is to give local public notice —

(a) stating the title of the local law; and

(b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and

(c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Advertising costs are associated with the advertising and gazettal of the afore-mentioned local laws, for which there is provision within the budget at Chart of Account code 1922 - Advertising.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)	Inadequate compliance framework	Nil; however, governance calendar reminder system is in place	Nil
Risk rating – Adequate			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

112/23 Moved Cr Gale Seconded Cr Singh
That Council:

1. Proposes the Shire of Kojonup Parking (Amendment) Local Law 2023 and the Shire of Kojonup Parking Local Law 2022 (consolidated version), as presented; and

2. Pursuant to the *Local Government Act 1995* section 3.12(3) and (3a), and all other legislation enabling it, provides public notice that it proposes to make the Shire of Kojonup Parking (Amendment) Local Law 2023 and the Shire of Kojonup Parking Local Law 2022 (consolidated version) with the following purpose and effect:

SHIRE OF KOJONUP PARKING (AMENDMENT) LOCAL LAW 2023
PURPOSE: To amend certain provisions of the Shire of Kojonup Parking Local Law 2022.

EFFECT: To provide further clarity of the requirements specified in Clause 4.5 (Event Parking) for the Shire of Kojonup to provide public notice of upcoming events and implement time limits on parking facilities utilised under this clause as well as correct typographical errors.

3. Advertises the proposed local law, as referred to in point 1 above, for a period of not less than 6 (six) weeks, with advertisements to appear in the Great Southern Herald and all local newspapers circulating within the district;

4. In accordance with the *Local Government Act 1995* section 3.12(3), advises the Minister for Local Government, Sport and Cultural Industries of the proposed local laws, as referred to in Point 1 above; and

5. Considers public comments, if any, prior to consideration of adopting the proposed local laws as referred to in Point 1 above.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

Cr Bilney declared a proximity interest and left the meeting at 3.25pm.

9.4.5 FLAT ROCKS WIND FARM – REVISED BUSHFIRE MANAGEMENT PLAN

AUTHOR	Steve Thompson - Consultant Planner, Edge Planning & Property
DATE	Wednesday, 13 September 2023
FILE NO	BD.BDA.8
ATTACHMENT(S)	9.4.5.1 - Bushfire Management Plan (June 2023)

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	**Community Goal/s**	**Corporate Objective/s**
-Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

DECLARATION OF INTEREST

Edge Planning & Property receive payment for planning advice to the Shire of Kojonup and declare a Financial Interest (section 5.70 of the *Local Government Act 1995*).

SUMMARY

The applicant has made minor revisions to the approved Bushfire Management Plan and seeks approval.

BACKGROUND

The Council has considered matters relating to the wind farm on various occasions. In relation to the Bushfire Management Plan (also called a Fire Management Plan), the Council, on 13 September 2022, resolved the following (as per Council Motion 88/22):

'That Council:

1) Approve the following management plans for Moonies Hill Energy Pty Ltd for the Flat Rocks Wind Farm as outlined in Attachments 9.4.1.2 to 9.4.1.6:

- *Construction Management Plan (Condition 18) except for Appendix A (Development Layout Plan) within the Construction Management Plan. See point 2 below for the approval of Development Layout Plan;*
- *Fire Management Plan - Bushfire Management Plan incorporating the Emergency Management Plan (Condition 19) – amended as follows*
  - *incorporate changes from a 1000 litre fire appliance (slip on unit) to a minimum 2,400 litre unit; and*
  - *the 2,400 litre fire appliance unit be retained at the operations building and maintenance compound to attend maintenance site works during operation at all times; and*
  - *That fire units, with a minimum capacity of 1000 litres of water, be added as a requirement at all hot worksites (that is; one per hot worksite) located in the Shire of Kojonup during the fire season, with the 2,400 litre fire unit on standby at the main compound for all worksites located within the Shire of Kojonup during the fire season; and*

- *Traffic Management Plan - incorporating the Pre-Construction Road Condition Report and the Route Study. This is subject to addressing Main Roads Western Australia advice and modifying the Traffic Management Plan to the satisfaction of the Shire's Chief Executive Officer (Condition 20).*

2) *While noting point 1, it is highlighted that approval of the management plans:*
   - *Does not include the Development Layout Plan included with the documents; and*
   - *Does not override the need to obtain any relevant approvals that may be separately required from other agencies.*

Advice Notes:

1) *Advise the Shire of Broomehill-Tambellup of the decision.'*

The revised Bushfire Management Plan (BMP), prepared by Envision Bushfire Protection, is provided in Attachment 9.4.5.1. The BMP undertakes a risk assessment and sets out risk treatments. The risk treatments cover location, siting and design, access and water supply. A risk register is provided in pages 36 – 47 which also outlines risk treatment. An Emergency Management Plan is included in Attachment 9.4.5.1. Pages 51 and 52 summarise the proposed water resources during construction and during operations.

The following summarises relevant risk treatments and changes between the approved BMP and the revised BMP:

Approved BMP	Revised BMP
Asset Protection Zones The following Asset Protection Zones apply: • Around the site camp (construction compound) a 30m wide area of grass maintained at less than 100mm and no grass within the compound. • Around the turbine construction compound a 30m wide area of grass maintained at less than 100mm and no grass within the compound. • Around the base of the turbine (operational) a 20m diameter area of compacted limestone or equivalent, and a 40m diameter area of grass maintained at less than 100mm. • Around the substation a 30m wide area of grass maintained at less than 100mm and no grass within the substation area. • Around the operations building and maintenance compound a 21m wide area of grass maintained at less than 100mm and no grass within the maintenance compound. The operational building is to be constructed and maintained to the BAL-29 standard. • Access route easements are 20m wide.	Asset Protection Zones The following Asset Protection Zones apply: • Around the site camp (construction compound) a 9m wide area of grass, set from grassland, maintained at less than 100mm and no grass within the compound. • Around the turbine construction compound a 9m wide area of grass, set from grassland, maintained at less than 100mm and no grass within the compound. • Around the base of the turbine (operational) a 9m diameter area of compacted limestone or equivalent. • Around the substation a 9m wide area of grass, set from grassland, maintained at less than 100mm and no grass within the substation area. • Around the operations building and maintenance compound a 9m wide area of grass, set from grassland, maintained at less than 100mm and no grass within the maintenance compound. The operational building is to be constructed and maintained to the BAL-29 standard.
Water supplies A 2,400 litre fire appliance (slip on unit) and high capacity output pump will accompany each working area during the construction phase. A 2,400 litre fire fighting appliance (slip on unit) will be stationed at the maintenance compound to attend the maintenance site works during operation and be available for use by trained personnel and turbine host landowners in a bushfire event. A 50,000 litre water tank will be provided at the construction compound.	Water supplies A 1,000 litre fire appliance (slip on unit) and high capacity output pump will accompany each working area during the construction phase. Three x 1,000 litre fire fighting appliances (slip on units) will be stationed at the maintenance compound to attend maintenance site works during operation and be available for use by trained personnel and turbine host landowners in a bushfire event. A 50,000 litre water tank will be provided at the construction compound (no change).

A 50,000 litre water tank will be provided and maintained at the maintenance compound. 3 x 50,000 water tanks to be distributed throughout the windfarm.	A 50,000 litre water tank will be provided and maintained at the maintenance compound (no change). 3 x 50,000 water tanks to be distributed throughout the windfarm (no change).

Envision Bushfire Protection advise that the Asset Protection Zones were reduced to be BAL-29 compliant. This followed consideration and agreement by ZULUS (local firefighting team). It was agreed that the overly large areas to be maintained as <100mm grass would, in itself, become a larger fire hazard than the wind turbines pose.

The applicant advises the firefighting units were dropped from a minimum of 2400 litres to 1000 litres given the logistical difficulties to legally tow a 3000 litre fire trailer (4000kg total weight) on public roads.

COMMENT

The revised BMP is submitted for Council review and approval.

The revised changes to the BMP are minor and have been discussed and agreed with Zulus (fire control officers). Noting Zulus support, there are no objections with the revised BMP.

Alternate options and their implications

The Council has a number of options available to it, which are discussed below:

1 *Not approve the revised BMP*

The Council can choose to not approve the revised BMP and advise the proponent giving reasons. If this option were chosen, the applicant would need to revise the BMP.

2 *Approve the revised BMP*

The Council can choose to approve the revised BMP, in part or whole and/or with or without modifications.

3 *Defer the proposal*

The Council can choose to defer the matter and seek additional information from the proponent, if deemed necessary, before proceeding to make a decision.

There is not a right of merits review of Council's decision to approve or not to approve a revised Management Plan where it is lodged pursuant to a condition of development approval. However, the rationale for this is that the merits of the acceptability of the development have fundamentally been determined by the grant of the development approval, and what remains by way of Management Plan(s) is an assessment of detail within the confines of specific narrow technical fields. Therefore, a Management Plan should not be refused approval if it appropriately addresses the technical subject matter that it is supposed to address.

CONSULTATION

The Shire has previously consulted on the Development Application. The applicant has consulted with Zulus.

STATUTORY REQUIREMENTS

Bush Fires Act 1954, Planning and Development Act 2005 and *Planning and Development (Local Planning Schemes) Regulations 2015.*

POLICY IMPLICATIONS

State Planning Policy 3.7 Planning in Bushfire Prone Areas and *Guidelines for Planning in Bushfire Prone Areas*

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 – Compliance	Impulsive decision making Ineffective monitoring of changes to legislation	Professional accreditation/ certification maintained	Nil
6 – Engagement	Inadequate documentation or procedures	Public notices/local papers/website communication	Nil
7 – Environment	Inadequate local laws/planning schemes	Environmental management compliance	Nil
8 – Errors, Omissions and Delays	Complex legislation Incorrect information	Development Approval performance report	Nil
Risk rating: Adequate			
IMPLICATIONS			
Applicants need to ensure that Development Applications accord with the intent of the Shire of Kojonup Town Planning Scheme. Council, in assessing applications, needs to adopt a similar approach that reflects present and future requirements without compromising amenity or establishing precedents.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Although the Flat Rocks Wind Farm wind turbine project is located in two Shires, this request for approving a revised BMP only relates to turbines located in the Shire of Kojonup.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr P Webb Seconded Cr F Webb

That Council:

1) Approve the revised Bushfire Management Plan for the Flat Rocks Wind Farm as outlined in Attachment 9.4.5.1; and
2) Authorise the Chief Executive Officer to determine and approve future revisions to the Bushfire Management Plan or to other management plans previously considered and approved by Council for the Flat Rocks Wind Farm.

AMENDMENT

113/23 Moved Cr Egerton-Warburton Seconded Cr Gale

That the second clause, under 'Water Supplies', be amended to read that:

One (1) of the three (3) x 1,000 litre units be ready to be utilised immediately on a suitable vehicle and to be:

A) provided by either:
i) the landowner; or
ii) Enel Greenpower; or
iii) in conjunction with the local bush fire brigade.
B) available and ready to use onsite at the compound during the fire season;
C) compliant with bush fire brigade standards (not on a trailer); and
D) maintained and useable on an annual basis before, and throughout, each fire season.

CARRIED 7/0

For: Cr Radford, Cr P Webb, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

THE AMENDMENT BECAME PART OF THE MOTION AND WAS PUT

114/23 Moved Cr P Webb Seconded Cr F Webb

That Council:

1) Approve the revised Bushfire Management Plan for the Flat Rocks Wind Farm as outlined in Attachment 9.4.5.1 with changes to conditions, specifically the second clause, under 'Water Supplies', being amended to read that:
   One (1) of the three (3) x 1,000 litre units be ready to be utilised immediately on a suitable vehicle and to be:

A) provided by either:
i) the landowner; or
ii) Enel Greenpower; or
iii) in conjunction with the local bush fire brigade.
B) available and ready to use onsite at the compound during the fire season;
C) compliant with bush fire brigade standards (not on a trailer); and
D) maintained and useable on an annual basis before, and throughout, each fire season; and

2) Authorise the Chief Executive Officer to determine and approve future revisions to the Bushfire Management Plan and/or to other management plans previously considered and approved by Council for the Flat Rocks Wind Farm.

CARRIED 7/0

For: Cr Radford, Cr P Webb, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

Reason for change to Officer Recommendation: to specify conditions relating to the 1,000 litre fire fighting unit meeting standards and to be stationed at the Flat Rocks Wind Farm compound during a fire season.

Cr Bilney re-entered the meeting at 4.14pm.

9.4.6 UNCONFIRMED MINUTES OF AN AUDIT AND RISK COMMITTEE MEETING HELD 5 SEPTEMBER 2023/2024-2025 CASHFLOWS

AUTHOR	Judy Stewart – Manager Governance and Administration
DATE	Wednesday, 13 September 2023
FILE NO	GO.CNM.96
ATTACHMENT(S)	9.4.6.1– Unconfirmed minutes of an Audit and Risk Committee Meeting held 5 September 2023

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	**Community Goal/s**	**Corporate Objective/s**
Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

DECLARATION OF INTEREST
Nil

SUMMARY
The purpose of this report is to receive the unconfirmed minutes of an Audit and Risk Committee (Committee) meeting held 5 September 2023.

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 for Council to receive the minutes of its Audit and Risk Committee meeting held 5 September 2023 and consider cashflows being developed for 2024/2025.

A separate agenda item follows in this agenda relating to Insurance Policies considered and recommended by the Audit and Risk Committee.

CONSULTATION
Nil

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

POLICY IMPLICATIONS
Nil

FINANCIAL IMPLICATIONS
Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Failure to Fulfil Compliance Requirement's	3rd party adverse findings against Shire	Audit and Risk Committee	4 Meetings held per annum
Risk rating: Low			
IMPLICATIONS			
As per s.7.1A of the *Local Government Act 1995,* a local government is to establish an audit and risk committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.			

ASSET MANAGEMENT IMPLICATIONS
Nil

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

VOTING REQUIREMENTS
Simple Majority

OFFICER RECOMMENDATION/COMMITTEE RECOMMENDATION/COUNCIL DECISION

115/23 Moved Cr Gale Seconded Cr P Webb
That Council:
1. receives the unconfirmed minutes of an Audit and Risk Committee meeting held 5 September 2023; and
2. endorses the Committee recommendation that cashflows are developed separately for the entire Shire organisation, Springhaven, and Black Cockatoo Café over the course of the next twelve months, for 2024/2025.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

9.4.7 INSURANCE POLICIES

AUTHOR	Jill Johnson – Manager Financial & Corporate Services
DATE	Tuesday, 29 August 2023
FILE NO	RM.REG.1
ATTACHMENT(S)	9.4.7.1 - Vehicle and Plant Register 9.4.7.2 - Property Register

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	**Community Goal/s**	**Corporate Objective/s**
Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

DECLARATION OF INTEREST
Nil

SUMMARY
The purpose of this report is to inform the Audit and Risk Committee of the insurance levels and associated costs held by the Shire of Kojonup (Shire) for the 2023/2024 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. It is able to obtain policies from main stream insurance at a reduced rate as it brokers on behalf of all scheme members.

Below is a list of insurances held by the Shire for the 2023/2024 financial year including the insurance provider, limit of liability and the cost of premium.

There has been an overall increase of 13.81% on last year; this is, however, lower than the predicted 15% forecast.

- LGIS Property has a scheme portfolio rate increase of 3%.
- LGIS Motor Vehicle Fleet has a minor rate increase due to 5yr claims loss ratio at 66% and a small uplift in total fleet value.
- Workcare has a minor increase from 2.75% to 3% due to 5yr claims loss ratio at 127% and minor lift in salaries.

Policy	2022/2023 Premium	2023/2024 Premium	Insurer	Liability	Interest Protected
LGIS Bushfire	$36,775	$52,605	Scheme	$500k	Volunteer Bushfire members, medical expenses, loss of salary/wages and death benefits
LGIS Liability	$40,920	$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	$4,428	$4,198	Scheme	$400k	Direct financial loss sustained by member
LGIS Property	$122,431	$114,555	Scheme	$600m	Physical loss, destruction or damage to property including machinery breakdown and electronic equipment
LGIS Workcare	$140,663	$149,250	Scheme	$500k	Workers Compensation and Injury Management including Journey Accident Cover
Corporate Travel	$878	$854	Scheme	$10m	External Journey beyond 50km
Management Liability	$40,025	$38,136	Scheme	$4.25m	Councillors and Officers Liability and Employment practices Liability
Marine Cargo	$693	$725	QBE	$400k	All goods &/or interests belonging &/or appertaining whilst in transit by land, air, water and parcel post
Motor Vehicle	$70,966	$72,441	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	$517	$508	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	$7,519	$6,835	Vero Insurance	$20m	Cover of Medical Practice lawsuits for Springhaven
TOTAL	**$465,815**	**$481,027**			

CONSULTATION

David Woods – Account Manager, LGIS
Grant Thompson – 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 WCIM Act.

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 the Shire's 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 the Shire runs the risk of being unable to maintain its current level of service in the event of a major/catastrophic loss and possibly exposes itself 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

116/23 Moved Cr Egerton-Warburton Seconded Cr P Webb

That the information regarding the levels of the Shire of Kojonup's insurance for the 2023/2024 financial year be noted.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

9.4.8 TAMBELLUP WEST ROAD - BUDGET CHANGES

AUTHOR	Grant Thompson - Chief Executive Officer
DATE	Wednesday, 20 September 2023
FILE NO	FM.FNR.2
ATTACHMENT(S)	Nil

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	Community Goal/s	Corporate Objective/s
Performance	12. A high Performing Council	SOK Finances and Funding

DECLARATION OF INTEREST
Nil

SUMMARY
To consider budget amendments to cost centre P30001407 - Tambellup West Road Project.

BACKGROUND
The substantial direction setting and oversight role of the Council e.g.; adopting plans and reports, accepting tenders, directing operations, and setting and amending of budgets is a regulated and important function.

The Local Government (Financial Management) Regulations 1996 state that a local government must adopt a budget annually.

The intent is for Council to approve any material changes to the budget that were not foreseen.

COMMENT
This requested amendment has been prepared to include information associated with the Tambellup West Road Project – cost centre P30001407. The total project allocation is $300,000 – State contribution $200,000 (Grant), Local Government contribution $100,000.

This was a project created and commenced in the 2022/23 financial year.

A recent detailed analysis of this project at an account level, incorporating year to date actuals and closing balance from the previous financial year to 30 June 2023, has identified a shortfall in budgeted funds in the 2023/24 budget of $44,815 against the cost centre P30001407. $14,938 is Shire of Kojonup (Shire) responsibility and $29,877 allocated to the Grantor.

The reason for this request is that the outstanding project costs were not rolled over into the current budget. After investigation by Shire Officers, it has become evident that the reason

for the shortfall is that the project was nominated 'complete' prior to the end of year reconciliations when, in fact, the project was a work in progress (WIP) and, as a result, the net financials did not roll over into the new budget year.

There is an amount of $29,877 available in the Grant to be claimed against P30001407. The $14,938 is the Shire's 1/3 funding obligation for the remaining expense claim.

The current amount claimed against this project is the first payment of $80,000.00.

Another aspect of this project, revealed in the investigation, was that the project chart of accounts were formed using two cost centre codes:

- C450 – Total project amount $194,328
- C437 – Total project amount $ 60,857
  $255,185

This has highlighted two key internal operational and financial control issues that officers are currently remedying:

- receipting actual costs, receiving actual invoices incurred against purchase orders, and then correct journaling of costs against project cost centre codes; and
- The creation of two cost centres for this project. Two project allocations were set up as above. Only one cost centre should have been created.

Shire officers are implementing new operational and financial controls for creation of project cost codes, journaling and purchase order management to ensure these errors and duplications do not occur again in the future.

Currently, the Chief Executive Officer is working with Shire officers across the Works and Services and Finance departments to review and improve the end to end processes related to grant funded capital projects.

For the project to be completed, it is recommended to Council to allocate the outstanding costs to the 2023/24 budget.

After reviewing the amount, officers advise the intention is to absorb the Shires portion of this cost from within the wages budget item.

CONSULTATION

Manager Financial and Corporate Services
Darren Long, DL Financial Consulting
Manager Works and Services

STATUTORY REQUIREMENTS

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

***Absolute Majority Required**

POLICY IMPLICATIONS

Rewriting and implementing policy, process and procedural controls for Cost Code creation, Purchase Order management and Journaling to the Ledger is required.

FINANCIAL IMPLICATIONS

Implication, in this particular impact, will be managed through the wages cost element. The result is an additional cost to the Shire of $14,938.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3) Compliance	Ineffective policies & processes	Financial management reviews	Review Financial and Procurement Policies and Controls.
8) Errors Omissions and Delays	Human Error	Policies and Procedures	
Risk Rating: *Medium to High*			
IMPLICATIONS			
This risk has impact on cashflow and budget management.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

117/23 Moved Cr Wieringa Seconded Cr Singh

That Council approves a budget amendment to P30001407 (Tambellup West Road) cost centre to include an amount of $44,815 to complete the project, of which $29,877 is 2/3 funded from the original road grant and $14,938 is 1/3 funded by the Shire of Kojonup.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

9.4.9 CHANGE TO OCTOBER 2023 ORDINARY COUNCIL MEETING DATE

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Friday, 22 September 2023
FILE NO	GO.CNM.6
ATTACHMENT(S)	Nil

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be *"The Cultural Experience Centre of the Great Southern"* STRATEGIC/CORPORATE IMPLICATIONS		
Key Strategic Pillar/s	**Community Goal/s**	**Corporate Objective/s**
Performance	12. A high Performing Council	SOK Finances and Funding

DECLARATION OF INTEREST
Nil

SUMMARY
Council to consider changing its October 2023 Ordinary Meeting date from 17 October 2023 to 24 October 2023 to fall after the election weekend of 21 October 2023.

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.

At its 29 November 2022 Ordinary Meeting, Council resolved as follows:

"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."*

COMMENT

Alignment of the Ordinary Council Meeting in October to be following the outcome of the Local Government election being held on the 21 October, is critical to inducting new Councillors, swearing in of new Councillors, and the election of the President and Deputy President. This will effectively give the Shire of Kojonup the ability to enact procedural processes to comply with the induction of new Councillors.

The Author is advising and recommending to Council to change the October 2023 Ordinary Council meeting from 17 October 2023 to 24 October 2023 to ensure the correct procedural actions are undertaken post election.

CONSULTATION

Manager Governance & Administration

STATUTORY REQUIREMENTS

Section 5.25 (1) (g) - *Local Government Act 1995*
r. 12 (3) of the Local Government (Administration) Regulations 1996

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
Risk rating – Adequate			
IMPLICATIONS			
Allows compliance with s. 5.25 (1) (g) of the *Local Government Act 1995* and r. 12 – *Local Government (Administration) Regulations 1996* - 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

118/23 Moved Cr Bilney Seconded Cr Singh

That the 17 October 2023 Ordinary Meeting of Council, scheduled to commence at 3.00pm in the Council Chambers, 93 Albany Highway, Kojonup, be changed to commence at 3.00pm in the Council Chambers, 93 Albany Highway, Kojonup on 24 October 2023 and that this be advertised in accordance with r. 12 (3) of the Local Government (Administration) Regulations 1996.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

10 APPLICATIONS FOR LEAVE OF ABSENCE
Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 CR EGERTON-WARBURTON – APPEAL FOR REMEDIAL ACTION ON EDUCATION POLICY AND PROCEDURES IN COUNTRY SCHOOLS

SUMMARY
At the Western Australian Local Government Association (WALGA) Great Southern Zone meeting held in Albany on 25 August 2023 the Minister for Education, Dr Toni Buti, and a representative of the Department of Education, Mr Nickolai Emery, both addressed the meeting about education policies with special reference to issues in country-based schools.

Dr Buti spoke on NAPLAN results (just published that week) demonstrating the great gap between educational attainment in metropolitan schools and country-based schools, even including regional cities like Albany, Bunbury, Kalgoorlie, and Geraldton.

Dr Buti also stated the following:

- the budget allocated to education is rising;
- the State and Federal Governments are looking to reform policy and are trying to overcome a teacher shortage (world-wide); and
- schools are moving toward a full-service model which includes allied professional services like psychology, remedial work and the like (all those mentioned are based in Albany and not accessible by rural schools easily or often). This is also the case with support for "young people experiencing challenging circumstances". These students, and their teachers/assistants need constant help and presence. There is no suitable programme available for these students in country-based schools, away from the main centres.

In contrast to the above points, I am led to believe that 'no new money' is apparent in existing schools, teachers are leaving the profession for more lucrative work elsewhere, teachers are well overdue for a pay rise to bring them into line with other States, and education assistants are desperately needed to back up students who need extra attention. Staff are said to not be supported when trying to deal with recalcitrant students, that despite Minister Buti putting out a Violence in Schools policy, they are yet to be advised on how to practically implement this in schools.

Mr Emery spoke on secondary pathways, something that is difficult for small communities, and alternative pathways for disaffected students. There are models of schooling that can be accessed from home but they are generally restricted to special circumstances and not available for many. Mr Emery recognised that there needs to be programmes that retain children at risk in education. This is an area that needs attention urgently as there is little available for children unsuited to the classroom environment which can result in substantial hindrance for teachers and disruption to other students whose education is supremely important in the primary years.

In relation to students who wish to take advantage of Distant Education classes in subjects not taught at their school, whilst these facilities are available in most schools, the schools are not funded to supervise and mentor these students. The system will not work without adequate mentoring resources.

Also discussed after the Minister's address was the problem of housing for teachers in country towns. When teachers were obliged to serve two years in country schools in compensation for free tertiary education, housing was supplied by the Education Department but much of this stock has dwindled or is now of poor quality and repair. WA Police provides suitable housing for its staff and it should be the case with the Education Department, for at least a proportion of the staff required for the local school. It is very hard to attract teachers to small country towns, especially if they have families, without the offer of suitable housing. Teachers are funded well to work in very remote schools, but rural schools are ignored. Teachers will not work in the country if the housing offered is inadequate. At last estimate there will be 940 vacancies for secondary colleges next year. I believe Merredin College has operated with five teachers short all this year.

There is little incentive for investment in housing for rental in small towns as the capital growth offered and the cost of providing monopoly utilities, such as water and power, make such investment hard to justify. The high rent required to make an investment is also a disincentive for teachers. State Government must find ways to make this work if teachers are going to be attracted to choose a rural school over one on the coast.

As there was little promise of any solutions to the above problems in the pipeline, the author recommends Council advocate through WALGA for action and, therefore, proposes the following recommendation at the next WALGA Great Southern Country Zone meeting, to be held at the Shire of Broomehill-Tambellup on 24 November 2023:

COUNCILLOR RECOMMENDATION/COUNCIL DECISION

Moved Cr Egerton-Warburton Seconded Cr Bilney

That Council recommends to the Western Australian Local Government Association (WALGA) that WALGA strongly advocates to the Department of Education (Department) on behalf of rural and remote districts that greater efforts be made to reduce the inequality of educational opportunity with particular reference to the following:

1. That the Department makes available resources for intervention in the experience of students specifically disaffected by the current model of schooling who are disruptive, falling behind and at risk of failing to learn to read, write and work in basic arithmetic; including intensive attention combined with health and like issues and more active, empathic, and practical instruction.
2. That the Department makes available the current resources of Distant Education and/or enables families to access similar private providers for secondary education in order that students can study for an ATAR (Australian Tertiary Admission Rank), or other subjects of their own choosing, using internet resources and mentors provided in the schools closest to them; and
3. That the Department subsidises housing suitable for teachers or enables local governments to build and manage such housing.

AMENDMENT

119/23 Moved Cr Egerton-Warburton Seconded Cr Gale

That *'Great Southern Zone'* be added after *'Association'* in the above wording.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

THE AMENDMENT BECAME PART OF THE MOTION AND WAS PUT

120/23 Moved Cr Egerton-Warburton Seconded Cr Bilney

That Council recommends to the Western Australian Local Government Association Great Southern Zone (WALGA) that WALGA strongly advocates to the Department of Education (Department) on behalf of rural and remote districts that greater efforts be made to reduce the inequality of educational opportunity with particular reference to the following:

1. That the Department makes available resources for intervention in the experience of students specifically disaffected by the current model of schooling who are disruptive, falling behind and at risk of failing to learn to read, write and work in basic arithmetic; including intensive attention combined with health and like issues and more active, empathic, and practical instruction.
2. That the Department makes available the current resources of Distant Education and/or enables families to access similar private providers for secondary education in order that students can study for an ATAR (Australian Tertiary Admission Rank), or other subjects of their own choosing, using internet resources and mentors provided in the schools closest to them; and
3. That the Department subsidises housing suitable for teachers or enables local governments to build and manage such housing.

CARRIED 8/0

For: Cr Radford, Cr P Webb, Cr Bilney, Cr Egerton-Warburton, Cr F Webb, Cr Wieringa, Cr Gale and Cr Singh

Reason for change to Officer Recommendation: To specify the Great Southern Zone of WALGA as the body Council is forwarding the recommendation to.

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

12.1 CR BILNEY – TERMS OF REFERENCE FOR COMMITTEES OF COUNCIL
Request for Council consideration of altering Terms of Reference for committees of Council.

12.2 CR GALE – HOUSING CRISIS
Request to establish the number of vacant houses in Kojonup and identify possible state government incentive suggestions, to forward to the Western Australian Minister for Housing, to encourage owners to rent their vacant houses.

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
Nil

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC
Nil

15 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4.34pm.

16 ATTACHMENTS (SEPARATE)

6.1	6.1.1	Unconfirmed Minutes of an Ordinary Meeting of Council held on 15 August 2023
	6.1.2	Unconfirmed Minutes of a Special Meeting of Council held 23 August 2023
7.4.1	7.4.1.1	Cr Bilney – WALGA Convention 2023
7.4.2	7.4.2.1	Cr Radford – WALGA Convention 2023
9.4.1	9.4.1.1	Monthly Financial Statements – 1 to 31 July 2023
	9.4.1.2	Monthly Financial Statements – 1 to 31 August 2023
9.4.2	9.4.2.1	Monthly Payments Listing – 1 to 31 July 2023
	9.4.2.2	Monthly Payments Listing – 1 to 31 August 2023
9.4.3	9.4.3.1	Shire of Kojonup Cats Local Law 2023 – Draft
	9.4.3.2	Shire of Kojonup Cat Repeal Local Law 2023 - Draft
	9.4.3.3	Correspondence received from the Joint Standing Committee on Delegated Legislation (JSCDL) on requested undertaking outcome
	9.4.3.4	Email correspondence received from Steven Elliott, A/Principal Strategy Officer, Department of Local Government, Sport and Cultural Industries
9.4.4	9.4.4.1	Shire of Kojonup Parking Amendment Local Law 2023 - Draft
	9.4.4.2	Shire of Kojonup Parking Local Law 2022 (Consolidated version) - Draft
	9.4.4.3	Correspondence received from the Joint Standing Committee on Delegated Legislation (JSCDL) on requested undertaking outcome
	9.4.4.4	Email correspondence received from A/Principal Strategy Officer, Department of Local Government, Sport and Cultural Industries

9.4.5	9.4.5.1	Bushfire Management Plan (June 2023)
9.4.6	9.4.6.1	Unconfirmed minutes of an Audit and Risk Committee Meeting held 5 September 2023
9.4.7	9.4.7.1	Vehicle and Plant Register
	9.4.7.2	Property Register

Confirmed on 21 November 2023 as a true record –

Roger Bilney

Presiding Member

21.11.2023

Date