

# **MINUTES**

# **Ordinary Council Meeting**

21 November 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.

# Leading community outcomes

community strategic direction, plus regional impact and state-wide needs are fused together when making decisions.

# Compliance

appropriate compliance and tolerable risk is considered, although not so much as to fatigue or delay growth.

# Past and Present

forward-thinking growth is encouraged, whilst we consider and celebrate the past. 6

The Shire of Kojonup Decision Making Guiding Principles (2019)

Community members are encouraged to use the same six guiding principles when making local and working party decisions or recommendations.

# People First

when considering public spaces, people will be given precedence, over transport and business.

# Sharp Funding

short and long term financial implications will be considered, along with collaborative ownership options

# Analysis-based

objective and evidence-based data and insights must support decision making

#### **MINUTES**

## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President declared the meeting open at 3.02pm 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

The President welcomed guests to the meeting.

#### 3 ATTENDANCE

#### **COUNCILLORS**

Cr Bilney President

Cr Wieringa Deputy President

Cr Radford Councillor
Cr Webb Councillor
Cr Egerton-Warburton Councillor
Cr Mathwin Councillor
Cr Mickle Councillor

STAFF

Grant Thompson Chief Executive Officer

Judy StewartManager Governance and AdministrationJill JohnsonManager Financial and Corporate Services

**GUESTS** 

Peta Zadow Pastoral and Agricultural Society

Robert Sexton George Church Community Medical Centre Inc

Dr Nick Du Preez St Luke's Medical Practice
Claire Fleming St Luke's Medical Practice
Paula Bolto St Luke's Medical Practice

3.1 APOLOGIES

Nil

3.2 APPROVED LEAVE OF ABSENCE

Nil

#### 4 DECLARATION OF INTEREST

Nil

## 5 PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

#### 5.2 PUBLIC QUESTION TIME

Nil

## 6 CONFIRMATION OF MINUTES

## 6.1 ORDINARY COUNCIL MEETING 26 SEPTEMBER 2023

Unconfirmed Minutes of an Ordinary Council Meeting held 26 September 2023 are at attachment 6.1.1.

## OFFICER RECOMMENDATION

That the Minutes of an Ordinary Council Meeting held 26 September 2023 be confirmed as a true record.

#### 6.2 ORDINARY COUNCIL MEETING 24 OCTOBER 2023.

Unconfirmed Minutes of an Ordinary Council Meeting held 24 October 2023 are at attachment 6.2.1.

## OFFICER RECOMMENDATION

That the Minutes of an Ordinary Council Meeting held 24 October 2023 be confirmed as a true record.

#### 6.3 SPECIAL COUNCIL MEETING 7 NOVEMBER 2023

Unconfirmed Minutes of a Special Council Meeting held 7 November 2023 are at attachment 6.3.1.

#### OFFICER RECOMMENDATION

That the Minutes of a Special Council Meeting held 7 November 2023 be confirmed as a true record.

#### COUNCIL DECISION EN BLOC

122/23 Moved Cr Radford

Seconded Cr Egerton-Warburton

That the Minutes of an Ordinary Council Meeting held 26 September 2023 be confirmed as a true record.

That the Minutes of an Ordinary Council Meeting held 24 October 2023 be confirmed as a true record.

That the Minutes of a Special Council Meeting held 7 November 2023 be confirmed as a true record.

CARRIED EN BLOC 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

#### 7 PRESENTATIONS

#### 7.1 PETITIONS

Nil

#### 7.2 PRESENTATIONS

7.2.1 KOJONUP PASTORAL AND AGRICULTURAL (P&A) SOCIETY – PETA ZADOW
Peta Zadow presented a slideshow (attachment 7.2.1.1) showcasing the 2023 Live Lighter
P&A Society Show and thanked the Shire of Kojonup for its support.

The President thanked and congratulated Peta Zadow and the Kojonup P&A Society on a successful 2023 Live Lighter P&A Society Show.

Peta Zadow left the meeting at 3.25pm.

#### 7.3 DEPUTATIONS

#### 7.3.1 DR NICK DU PREEZ - ST LUKE'S MEDICAL PRACTICE

Dr Du Preez discussed the provision of medical services in the district.

The President thanked Dr Du Preez, Claire Fleming and Paula Bolto, and Robert Sexton for their address to Council.

Dr Du Preez, Claire Fleming and Paula Bolto left the meeting at 3.50pm. The President adjourned the meeting at 3.53pm for a comfort break. Cr Mathwin and Robert Sexton left the meeting at 3.53pm and returned at 3.57pm. The President re-convened the meeting at 3.57pm.

#### 7.4 DELEGATES' REPORTS

Nil

#### 8 METHOD OF DEALING WITH AGENDA BUSINESS

12 – QUESTIONS FROM MEMBERS WITHOUT NOTICE was brought forward to be addressed between Report Items 9.1.1 and 9.4.1.

#### 9 REPORTS

The Project Manager & Community Services officer entered the meeting at 3.57pm.

#### 9.1 KEY PILLAR 'LIFESTYLE' REPORTS

# 9.1.1 WESTERN AUSTRALIAN LOCAL GOVERNMENT EARLY CHILDHOOD (WALGEC) AEDC GRANT PROGRAM 2024 - DOLLY PARTON'S IMAGINATION LIBRARY

AUTHOR Estelle Lottering – Project Manager and Community Service		
DATE	Monday, 20 November 2023	
FILE NO	FM.SPN.1	
ATTACHMENT(S) 9.1.1.1 - Dolly Parton's Imagination Library Program		
	9.1.1.2 - Dolly Parton's Imagination Library Information Pack 2023	
9.1.1.3 – Local Government AEDC Grants Program 2024 Grant		
	Guidelines and Application form	

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033				
To be "The Cultural Experience	To be "The Cultural Experience Centre of the Great Southern"			
STRATEGIC/CORPORATE IMPLICATIONS				
Key Strategic Pillar/s Community Corporate Objective				
	Goal/s			
Lifestyle	2.	2.6 Wellbeing advancement		
	Proactive			
	Community			
	Spirit			

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

The purpose of this report is for Council to consider supporting a grant application for funding towards the WALGEC Australian Education Development Census Grant Program 2024.

#### **BACKGROUND**

The Kojonup Rotary Club recently contacted Cr Egerton-Warburton to raise with the Shire of Kojonup (Shire) the possibility of introducing to Kojonup the Dolly Parton Imagination Library Program (Program), as provided through United Way Australia.

A request was made by Cr Egerton-Warburton, on behalf of the Kojonup Rotary Club, for assistance in applying for financial support via the Western Australian Local Government Early Childhood AEDC (Australian Early Development Census) Grant program to fund this Program.

Cr Egerton-Warburton discussed this proposition at the 7 November 2023 Briefing Session and raised it within the 7 November 2023 Special Council Meeting where it was proposed that an item be brought to Council's 21 November 2023 Ordinary Meeting.

Due to staff time constraints, this item is being presented as a late item for consideration at this meeting.

#### COMMENT

The Program provides books to children at a rate of one per month from birth until children reach school age – at a value of \$108 per year per child (Cr Egerton-Warburton has advised a number of 135 for children in this age cohort in Kojonup).

The Western Australian Department of Education (Education) has partnered with the Department of Communities (Communities) and the Western Australian Local Government Association (WALGA) to deliver the AEDC Grant Program.

The AEDC Grant Program provides one off grants to Local Government Authorities (LGAs) to implement projects aimed at improving the overall health and wellbeing of young children aged 0 to 5 years living in Western Australia.

The AEDC is a population measure that takes place every three years to facilitate the national collection of information on young children's development across five key areas linked to the predictors of good adult health, education, and social outcomes.

#### The outcomes are:

- physical health and wellbeing
- social competence
- emotional maturity
- language and cognitive skills (school-based)
- communication skills and general knowledge

In Western Australia, analysis of 2021 data indicates that the percentage of children who began school with developmental difficulties increased between 2018 and 2021. In 2021, nearly 30 Local Government areas had 25% or more children classified as developmentally vulnerable on one or more domains (see attachment 9.1.1.3).

Research (as outlined in attachment 9.1.1.3) into child development overwhelmingly supports the view that focussing on early childhood health and wellbeing leads to improved school readiness, better outcomes while at school, education, employment, and health into adulthood, as well as reduced economic costs to government, communities, and families and better security for neighbourhoods and society.

Local governments play an essential role across a range of areas that support young children's health and wellbeing, development, and learning and are well placed to work directly with their community to respond to AEDC results.

The Western Australian Local Government Early Childhood AEDC Grant Program is offering LGAs grants of up to \$100,000.00 (excluding GST) to implement community-wide, strategic initiatives. If Council is in support of this Program for Kojonup children and submits a successful grant application for the next two years, the Kojonup Rotary Club has pledged \$5,000 per year for two years in support of the project; covering the cost of the Program (being \$35,000 for two years inclusive of a postage estimate of \$7,500 per year) - see Financial Implications.

#### **CONSULTATION**

Briefing Session – 7 November 2023

Cr Warburton-Egerton on behalf of the Kojonup Rotary Club

#### STATUTORY REQUIREMENTS

s. 6.8 (1) Local Government Act 1995 — Expenditure from Municipal Fund not included in annual budget

#### **POLICY IMPLICATIONS**

Nil

#### FINANCIAL IMPLICATIONS

If an AEDC Grant Program 2024 application for \$35,000.00 over two years should be successful, the Kojonup Rotary Club will contribute \$5,000.00 per year for two years' support of this project.

The size and weight of books is unknown; however, it is estimated that postage and packaging costs would be in the vicinity of \$5 per book per month per child per year; this cost has been factored into the \$35,000 grant application (in the event that 135 Kojonup children partake in the project).

It is suggested that staff time is available to undertake the task of handling and posting books.

#### **RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK				
Risk Profile	Risk	Key Control	Current Action	
	Description/Cause			
6. Engagement	Inadequate	Community	Nil	
	involvement with	engagement/networking		
	or support of			
	community			
groups				
Risk rating: Low				
IMPLICATIONS				
It is possible that there may be an expectation of provision of books past the two year				
timeframe catered for by this recommendation.				

#### ASSET MANAGEMENT IMPLICATIONS

Nil

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

#### **VOTING REQUIREMENTS**

Absolute Majority

#### OFFICER RECOMMENDATION

That Council submits a grant application to the Western Australian Local Government Early Childhood Australian Education Development Census Grant Program 2024 (Grant) for an amount of \$35,000 for 2023/2024 and 2024/2025 to support the implementation of Dolly Parton's Imaginations Books, as provided by Uniting Way, Australia on the basis there is no cash provided by the Shire of Kojonup (Shire) and, on the proviso that the Grant is successful, the Shire will commit to provide in-kind resources to support implementation.

### **COUNCIL DECISION**

123/23 Moved Cr Egerton-Warburton Seconded Cr Radford

That Council submits a grant application to the Western Australian Local Government Early Childhood Australian Education Development Census Grant Program 2024 (Grant) for an amount of \$22,000 for 2023/2024 and 2024/2025 to support the implementation of Dolly Parton's Imaginations Books, as provided by Uniting Way, Australia on the basis there is no cash provided by the Shire of Kojonup (Shire) and, on the proviso that the Grant is successful, the Shire will commit to provide in-kind resources to support implementation.

CARRIED BY ABSOLUTE MAJORITY 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

Reason for change to Officer Recommendation: to change the grant application amount from \$35,000 to \$22,000 due to postage being covered by the grant, as advised by Cr Egerton-Warburton.

## 9.2 KEY PILLAR 'ECONOMICS' REPORTS Nil

# 9.3 KEY PILLAR 'VISITATION' REPORTS NII

## 12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Questions to the Manager Financial and Corporate Services, pertaining to the Monthly Financial Statements for the period ending 30 September 2023:

- Page 9 Employee Wages Variation increases included 2 x termination payouts, 2 x paid parental leave payments, Springhaven increases of 20.75% (covered by an increase in Australian National Aged Care Classification Funding), increase in operational wages.
- Page 35 Garden Maintenance Staff Housing 30 Katanning Road costs included paving and drain, new gardens, retic and lawn.
- Page 46 Water at Showgrounds \$5,000 spraying contractor to spray grass around dam.

Cr Radford added that he checked the site and believes the job was executed poorly as the "grass kill" was only 50%.

The Project Manager and Community Services officer left the meeting at 4.20pm.

## 9 REPORTS continued

#### 9.4 KEY PILLAR 'PERFORMANCE' REPORTS

# 9.4.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (SEPTEMBER 2023)

AUTHOR Jill Johnson – Manager Financial and Corporate Services	
DATE Thursday, 9 November 2023	
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.3.1.1 – Monthly Financial Statements 1 to 30 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	Corporate Objective/s	
	Goal/s		
Performance	12. A High	12.2 SoK monitoring and	
	Performing	reporting	
	Council		

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

The purpose of this report is to note the Monthly Financial Statements for the period ending 30 September 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 30 September 2023 represents three (3) months, or 25% of the year.

The following items are worthy of noting:

- Closing surplus position of \$7,714,096.00
- Capital expenditure achieved 7.2% of budgeted projects.
- Cash holdings of \$7.408m of which \$3.154m is held in cash backed reserve accounts and \$4.254m is unrestricted cash.
- Rates debtors outstanding equate to 75% 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

D L Consulting – Monthly Financial Statements

#### 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

#### **VOTING REQUIREMENTS**

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

124/23 Moved Cr Mathwin

Seconded Cr Egerton-Warburton

That the monthly financial statements for the period ending 30 September 2023, as attached, be noted.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

#### 9.4.2 MONTHLY PAYMENTS LISTING - SEPTEMBER 2023

AUTHOR Tonya Pearce - Finance Officer	
DATE Friday, 3 November 2023	
FILE NO FM.AUT.1	
ATTACHMENT 9.4.2.1 – Monthly Payments Listing 1 to 30 September	

'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 Corporate Objective/s			
Goal/s			
Performance	12. A High	12.2 SoK monitoring and	
	Performing	reporting	
	Council		

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

To receive the list of payments covering the month of September 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

125/23 Moved Cr Radford

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 September 2023		TO – 30 September
		2023
Municipal Cheques	14369-14369	\$600.00
EFTs	32655 - 32827	\$529,023.60
Direct Debits		\$549,798.32
Total		\$1,079,421.92

be received.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

The Manager Financial and Corporate Services left the meeting at 4.12pm.

## 9.4.3 TERMS OF REFERENCE – COMMITTEES OF COUNCIL

AUTHOR Judy Stewart – Manager Governance and Administration	
ATE Thursday, 16 November 2023	
FILE NO GO.CNM.6	
ATTACHMENT(S) 9.4.3.1 – Proposed Terms of Reference for existing commi	
a new committee	
9.4.3.2 – Existing Terms of Reference for existing committee	

'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	Corporate Objective/s		
	Goal/s			
Performance	12. A High	12.2 SoK monitoring and		
	Performing	reporting		
	Council			

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

Council to consider updated Terms of Reference (ToR) for its existing committees and a new committee.

#### **BACKGROUND**

Councillors have expressed a desire to update the ToR for its Committees and to form two new committees.

#### COMMENT

Contained within this report are the ToR for Council's existing committees.

Attachment 9.4.3.1 contains the proposed updated versions of existing ToRs and ToR for a new committee.

Councillors, at their 7 November 2023 Briefing Session, discussed the formation of the following Committees:

- Historical, Tourism and Cultural Committee
- Depot Liaison Committee to liaise with Works and Services Department and advise Council on roads, civil works, private works, and road specifications.

The ToR for a new Historical, Tourism and Cultural Committee are included in Attachment 9.4.3.1 and it is anticipated that ToR for a new Depot Liaison Committee will be available for consideration at the December 2023 Ordinary Meeting of Council.

Also discussed at the 7 November 2023 Briefing session was the renaming of the Springhaven Working Group Committee and amending of the scope of its ToR to include the Independent

Living Units and future proofing the residential aged care facility – suggested frequency of meetings to be at least quarterly rather than biannually. To encompass the purpose of this Committee, it is recommended that it be renamed Kojonup Aging in Place Committee.

Due to the disbanding of the Kojonup Historical Society, appointment of delegates is no longer required.

#### **CONSULTATION**

Briefing Session – 7 November 2023

Chief Executive Officer – proposed updated ToR for existing committees and a new committee *Historical, Tourism and Cultural Committee*.

#### STATUTORY REQUIREMENTS

Local Government Act 1995 – sections 5.8 to 5.25: Council meetings, committees and their meetings and electors' meetings

#### **POLICY IMPLICATIONS**

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
6 - Engagement	Failure to maintain	Policies and	Nil
Practices	effective working	Procedures	
	relationships with the		
Community (including			
local Media),			
	Stakeholders, Key Private		
Sector Companies,			
Government Agencies			9
	and/or Elected		
	Members.		

#### Risk rating – Adequate

#### **IMPLICATIONS**

Reviewing Terms of Reference allows Council to consider the ongoing relevance of its Committees, provides an opportunity to ensure that a Committee's purpose continues to meets the needs of Council and the Community into the future, and lessens the risk of not identifying Community matters for consideration; particularly, within those Committees that include community membership.

#### ASSET MANAGEMENT IMPLICATIONS

Nil

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

#### **VOTING REQUIREMENTS**

Absolute Majority - establishing a committee

#### OFFICER RECOMMENDATION/COUNCIL DECISION

126/23 Moved Cr Webb

Seconded Cr Mickle

That Council:

- 1. establishes a Historical, Tourism and Cultural Committee with Terms of Reference (ToR), as presented;
- 2. changes the Springhaven Working Group title to be the Kojonup Aging in Place Committee with updated ToR, as presented; and
- 3. updates the following Committees ToR, as presented:
  - Audit and Risk Committee
  - Kojonup Natural Resource Management Advisory Committee
  - Bush Fire Advisory Committee
  - Disability Access and Inclusion Committee.

CARRIED BY ABSOLUTE MAJORITY 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

#### 9.4.4 ORDINARY COUNCIL MEETING DATES FOR 2024

AUTHOR	Judy Stewart – Manager Governance and Administration
ATE	Wednesday, 8 November 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	Corporate Objective/s	
	Goal/s		
	Godi/3		
Performance	12. A High	12.2 SoK monitoring and	
Performance	<del>                                     </del>	12.2 SoK monitoring and reporting	

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

Council to consider its Ordinary Meeting schedule for the 2024 calendar year.

#### **BACKGROUND**

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

#### COMMENT

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

Occasionally, timeframes associated with specific matters may alter scheduled ordinary meeting dates. The following represent changes to the scheduled third Tuesday of each month for the holding of Council's Ordinary Meetings in 2024:

- There is no ordinary meeting of Council held during the month of January.
- The July ordinary meeting of Council includes budget adoption. To ensure the end of financial year processes are completed, the July ordinary meeting of Council has historically been held in the fourth week of the month rather than the third; it is recommended that this practice continues.
- The December ordinary meeting date has typically been held a week earlier and it is recommended that this practice continues.

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires that Council's scheduled ordinary meetings, which will be open to the public, are published on the

local government's official website before the beginning of the year in which the meetings are to be held and that the notice should include the date, time and location of the meetings.

Following discussion at the 7 November 2023 Briefing Session, it is proposed that Council meetings continue to generally be held on the third Tuesday of a month in the 2024 calendar year.

Given the above, the proposed 2024 ordinary meeting schedule for Council is as follows:

- 20 February 2024
- 19 March 2024
- 16 April 2024
- 21 May 2024
- 18 June 2024
- 23 July 2024
- 20 August 2024
- 17 September 2024
- 15 October 2024
- 19 November 2024
- 10 December 2024

#### CONSULTATION

Briefing Session – 7 November 2023

#### STATUTORY REQUIREMENTS

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

## 5.25. Regulations about council and committee meetings and committees

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

Regulation 12 - Local Government (Administration) Regulations 1996 -

- 12. Publication of meeting details [Act s. 5.25(1) (a)]
- (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 MANAGEMEI	nt 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	Councillor/Staff Induction Process  Councillor/Staff training	Nil
	proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation.		
6 - Engagement Practices	Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members.	Policies and Procedures	Nil
Risk rating – Adeq	uate		
	IMPLICA <sup>-</sup>	TIONS	

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

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

## **VOTING REQUIREMENTS**

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

## 127/23 Moved Cr Radford

#### Seconded Cr Mickle

#### That:

- 1. Ordinary Meetings of Council be scheduled to be held in the Shire of Kojonup (Shire) Council Chambers, 93 Albany Highway, Kojonup on the third Tuesday of each month in 2024 commencing at 3:00pm with the following exceptions:
  - No scheduled meeting to be held in January;
  - The July meeting be held on the fourth Tuesday (23 July) to make allowance for the Annual Budget adoption; and
  - The December meeting be held on the second Tuesday (10 December) given timing to the Christmas break period.
- 2. The following dates be approved for the 2024 calendar year for Ordinary Meetings of Council:
  - 20 February 2024
  - 19 March 2024
  - 16 April 2024
  - 21 May 2024
  - 18 June 2024
  - 23 July 2024
  - 20 August 2024
  - 17 September 2024
  - 15 October 2024
  - 19 November 2024
  - 10 December 2024
- 3. That Council's approved Ordinary Meeting schedule for 2024, as above, be published on the Shire of Kojonup website and local public notice given.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

#### 9.4.5 COMMITTEES OF COUNCIL - MEETING DATES FOR 2024

AUTHOR	Judy Stewart – Manager Governance and Administration	
ATE Thursday, 9 November 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	Corporate Objective/s	
Goal/s			
Performance	12. A High	12.2 SoK monitoring and	
	Performing	reporting	
	Council		

#### **DECLARATION OF INTEREST**

Nil

#### **SUMMARY**

Council to adopt a schedule of meeting place, dates and times for Committees of Council for the 2024 calendar year.

#### **BACKGROUND**

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

#### COMMENT

Council Committees include:

- Audit and Risk Committee (required to meet quarterly)
- Kojonup Natural Resource Management (NRM) Advisory Committee (required to meet at least half yearly)
- Bush Fire Advisory Committee (required to meet biannually)
- Disability Access and Inclusion Committee (required to meet biannually)
- (new) Historical, Tourism and Cultural Committee (required to meet biannually)
- (new) Kojonup Aging in Place Committee (required to meet four times per year)

It is proposed that the Audit and Risk Committee continues to schedule its meetings to be held on the first Tuesday of February, May, August and November for the 2024 calendar year.

It is proposed that the NRM meetings be held on the third Thursday of February and August for the 2024 calendar year.

It is proposed that the Bush Fire Advisory Committee (BFAC) schedule its meetings to be held on the second Wednesday in February (as scheduled at the 14 October 2021 BFAC meeting) and August for the 2024 calendar year.

It is proposed that the Disability Access and Inclusion Committee schedule its meeting to be held on the first Wednesday of February and November of the 2024 calendar year.

It is proposed that the Historical, Tourism and Cultural Committee schedules its meetings to be held on the first Wednesday of March and August of the 2024 calendar year.

It is proposed that the Kojonup Aging in Place Committee schedule its meetings to be held on the first Wednesday of February, May, September and December, and as required, for the 2024 calendar year.

Any re-scheduling or new meeting dates will be advertised to the public.

#### CONSULTATION

Chief Executive Officer
Briefing Session – 7 November 2023

### STATUTORY REQUIREMENTS

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

## 5.25. Regulations about council and committee meetings and committees

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

Regulation 12 - Local Government (Administration) Regulations 1996 -

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

(1) In this regulation —

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

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

#### **POLICY IMPLICATIONS**

Nil

## FINANCIAL IMPLICATIONS

Nil

#### **RISK MANAGEMENT IMPLICATIONS**

Disruption prepare and respond to events that cause disruption to the local community and/or normal business activities.  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.  6 – Engagement Practices Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members.  Inadequate prevention, identification,		RISK MANAGEMEN	TFRAMEWORK	-
Disruption prepare and respond to events that cause disruption to the local community and/or normal business activities.  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.  6 – Engagement Practices Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members.  Inadequate prevention, identification, enforcement and management of Support and work with environmental	Risk Profile	Risk Description/Cause	Key Control	Current Action
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.  6 – Engagement Practices  Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members.  Inadequate prevention, identification, enforcement and management of  Support and work with environmental		prepare and respond to events that cause disruption to the local community and/or normal business	communications with agencies and	Draft Bushfire Risk Management Plan
Practices  effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members.  Inadequate prevention, identification, enforcement and management of  support and work with environmental	3 – Compliance	identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and		Nil
7 - Environment identification, enforcement and Support and work management of with environmental		effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies	,	Nil
	7 - Environment	identification, enforcement and management of	with environmental	Nil

**IMPLICATIONS** 

Scheduled meetings with Advisory Committees of Council lessens risk by meeting legislative requirements and maintaining regular communication that may assist in preventing

disconnect with community members and groups who perform vital roles within the Shire of Kojonup.

#### ASSET MANAGEMENT IMPLICATIONS

Nil

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

#### **VOTING REQUIREMENTS**

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

### 128/23 Moved Cr Webb

Seconded Cr Egerton-Warburton

That:

- 1. Meetings of advisory committees of Council be scheduled to be held in the Shire of Kojonup Administration Reception Lounge, 93 Albany Highway, Kojonup in 2024 as follows:
- Audit and Risk Committee first Tuesday of February, May, August and November commencing at 9.00am;
- Kojonup Natural Resource Management Advisory Committee (NRM) third Thursday of February and August commencing at 2.00pm;
- Bush Fire Advisory Committee second Wednesday in February and August commencing at 7.00pm;
- Disability Access and Inclusion Committee first Wednesday in February and November commencing at 1.00pm;
- Kojonup Aging in Place Committee first Wednesday of February, May, September and December commencing at 9.00am;
- Historical, Tourism and Cultural Committee first Wednesday of March and August at 9.00am.
- 2. The following dates be approved for the 2024 calendar year for advisory committee meetings of Council:

Audit and Risk Committee:

- 6 February
- 7 May
- 6 August
- 5 November

#### NRM Committee:

- 15 February
- 15 August

**Bush Fire Advisory Committee:** 

- 14 February
- 14 August

## Disability Access and Inclusion Committee:

- 7 February
- 6 November

## Kojonup Aging in Place Committee:

- 7 February
- 1 May
- 4 September
- 4 December

## Historical, Tourism and Cultural Committee:

- 6 March
- 7 August
- 3. The approved meeting schedule for advisory committees of Council for 2024, as above, be published on the Shire website, local public notice given and each advisory committee chairperson advised.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

The Chief Executive Officer and Manager Governance and Administration declared an Impartiality Interest and remained in the meeting.

9.4.6 ADMINISTRATION OFFICE, LIBRARY AND DEPOT CLOSURE DURING THE 2023/2024 CHRISTMAS AND NEW YEAR PERIOD

AUTHOR	Judy Stewart – Manager Governance and Administration	
DATE Wednesday, 8 November 2023		
FILE NO CM.PRO.1		
ATTACHMENT(S)	Nil	

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

#### **DECLARATION OF INTEREST**

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

#### **SUMMARY**

To approve the Administration Office, Library and Depot closure during the 2023/2024 Christmas and New Year period.

#### **BACKGROUND**

The temporary closure of the Administration Office, Library and Depot during the Christmas and New Year holiday period has occurred for several years; it is suggested that the same arrangements take place during the 2023/2024 Christmas and New Year period.

#### COMMENT

In 2023 Christmas Day and Boxing Day fall on Monday, 25 December and Tuesday, 26 December with the public holidays to be observed on those days. New Year's Day falls on Monday, 1 January 2024 with the public holiday to be observed on that day.

It is proposed that the Administration Office, Library and Depot be closed from 12 noon on Friday, 22 December 2023 through until usual hours Tuesday, 2 January 2024 as follows:

Friday, 22 December 2023 – Administration Office, Library and Depot close at 12 noon

Monday, 25 December 2023 – Christmas Day public holiday

Tuesday, 26 December 2023 – Boxing Day public holiday

Wednesday, 27 December 2023 – Offices closed - leave required

Thursday, 28 December 2023 - Offices closed - leave required

Friday, 29 December 2023 – Offices closed – leave required

Monday, 1 January 2024 - New Year's Day public holiday

Tuesday, 2 January 2024 – Administration Office, Library, and Depot reopen with officers commencing at usual work times.

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

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

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

### **CONSULTATION**

Senior Management Team

#### STATUTORY REQUIREMENTS

Nil

## **POLICY IMPLICATIONS**

Nil

#### FINANCIAL IMPLICATIONS

There are no financial implications as staff will be required to utilise leave accruals which are accounted for in the 2023/2024 Annual Budget.

#### **RISK MANAGEMENT IMPLICATIONS**

	RISK MANAGEMEN	T FRAMEWORK	
Risk Profile	Risk	Key Control	Current Action
	Description/Cause		
5 – Employment	Insufficient staff	Health and	Nil
Practices numbers to		Wellbeing	
	achieve objectives	initiatives	
Rick Pating: High	<u> </u>		

Risk Rating: High

#### **IMPLICATIONS**

Continuing the practice of closing operations over the Christmas/New Year period, as occurs in many local governments and has occurred for many years at the Shire of Kojonup, aligns with health and wellbeing initiatives. Skeleton staff remain present/accessible for essential services.

#### ASSET MANAGEMENT IMPLICATIONS

Nil

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

#### **VOTING REQUIREMENTS**

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

129/23 Moved Cr Radford

Seconded Cr Wieringa

That approval is granted for:

- The closure of the Administration Office, Library and Depot during the 2023/2024 Christmas and New Year period from 12 noon Friday, 22 December 2023 to reopen at usual opening times on Tuesday, 2 January 2024; and
- 2. That the above mentioned closure be advertised on the Shire of Kojonup website and via local public notice.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

### 10 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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 PROVISION OF MEDICAL SERVICES IN THE DISTRICT

#### 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.

Robert Sexton left the meeting at 4.35pm.

#### **COUNCIL DECISION**

130/23 Moved Cr Egerton-Warburton Seconded Cr Mathwin That the meeting proceed behind closed doors in accordance with Section 5.23(2) (b) and (e) of the *Local Government Act 1995*.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

#### **COUNCIL DECISION**

132/23 Moved Cr Egerton-Warburton Seconded Cr Webb That the meeting be re-opened to the public.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

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

### 14.2.1 PROVISION OF MEDICAL SERVICES IN THE DISTRICT

#### **COUNCIL DECISION**

131/23 Moved Cr Egerton-WarburtonSeconded Cr Wieringa
That Council authorises the Chief Executive Officer to make representation to medical bodies regarding the provision of medical services in the district.

CARRIED 7/0

For: Cr Bilney, Cr Wieringa, Cr Radford, Cr Webb, Cr Egerton-Warburton, Cr Mathwin, Cr Mickle

#### 15 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 5.16 pm.

16	ATTACHMENTS (SEPARATE)		
	6.1	6.1.1	Unconfirmed Minutes – Ordinary Meeting – 26 September 2023
	6.2	6.2.1	Unconfirmed Minutes – Ordinary Meeting – 24 October 2023
	6.3	6.3.1	Unconfirmed Minutes – Special Council Meeting – 7 November 2023
	9.4.1	9.4.1.1	Monthly Financial Statements 1 – 30 September 2023
	9.4.2	9.4.2.1	Monthly Payments Listing 1 to 30 September 2023
	9.4.3	9.4.3.1	Proposed Terms of Reference for existing committees and a new committee
		9.4.3.2	Existing Terms of Reference for existing committees

Confirmed on 12 December 2023 as a true record –

Presiding Member

12/12/2023 Date

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