



## MINUTES

### Ordinary Council Meeting

24 September 2024

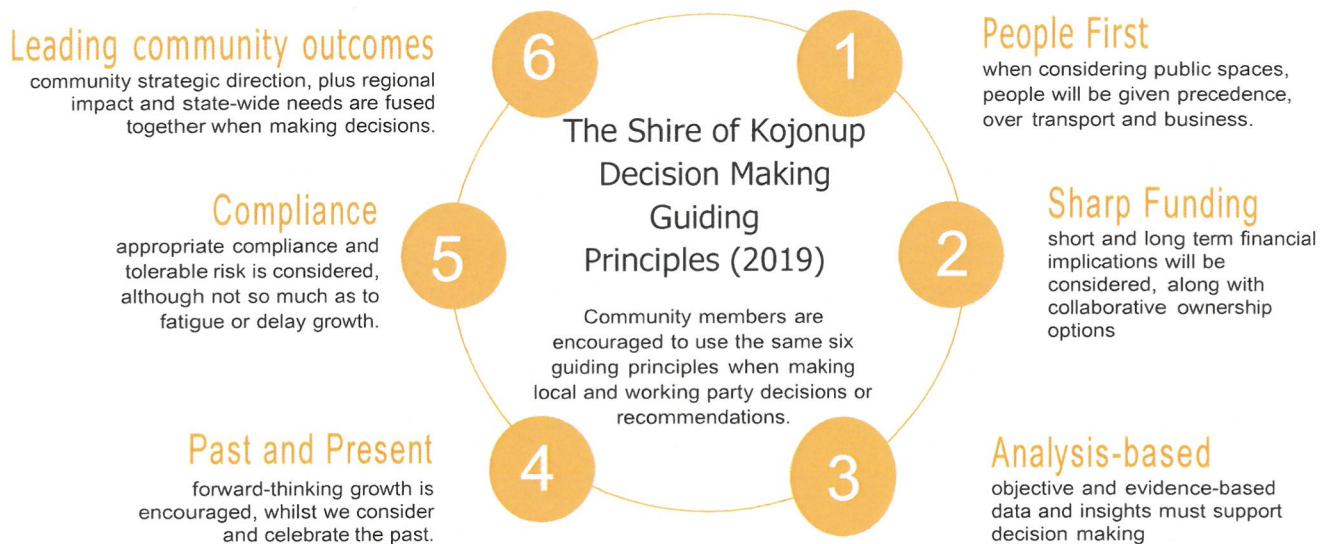
MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 24 SEPTEMBER 2024

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.....	7
5.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	7
5.2	PUBLIC QUESTION TIME .....	7
6	CONFIRMATION OF MINUTES .....	7
6.1	ORDINARY COUNCIL MEETING 20 AUGUST 2024.....	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 – GREAT SOUTHERN ZONE MEETING – 23 AUGUST 2024 .....	7
7.4.2	CR MICKLE – GREAT SOUTHERN RECREATION ADVISORY GROUP MEETING – 29 AUGUST 2024 .....	7
8	METHOD OF DEALING WITH AGENDA BUSINESS .....	7
9	REPORTS.....	8
9.1	KEY PILLAR 'LIFESTYLE' REPORTS .....	8
9.1.1	FUNDING ALLOCATION TO THE GEORGE CHURCH COMMUNITY MEDICAL CENTRE INC. FOR PROVISION OF MEDICAL SERVICES IN THE SHIRE OF KOJONUP .....	8
9.2	KEY PILLAR 'ECONOMICS' REPORTS .....	13
9.2.1	CANOLA MEAL SHED, CONTROL ROOM, LABORATORY, WEIGHBRIDGE BUILDING AND ASSOCIATED UPGRADES TO GRAIN RECEIVAL FACILITY – LOT 100 (No. 1107) JINGALUP ROAD, JINGALUP.....	13
9.3	KEY PILLAR 'VISITATION' REPORTS .....	19
9.4	KEY PILLAR 'PERFORMANCE' REPORTS.....	19
9.4.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JULY & AUGUST 2024) .....	19
9.4.2	MONTHLY PAYMENTS LISTING – JULY AND AUGUST 2024.....	21
9.4.3	MINUTES OF A KOJONUP HISTORICAL, TOURISM AND CULTURAL (KHTC) COMMITTEE MEETING HELD 13 AUGUST 2024.....	23
9.4.4	ADVISORY COMMITTEES OF COUNCIL – APPOINTMENT OF COMMUNITY REPRESENTATIVES – KOJONUP HISTORICAL, TOURISM AND CULTURAL COMMITTEE .....	25
9.4.5	MINUTES OF A NATURAL RESOURCE MANAGEMENT ADVISORY COMMITTEE (NRMAC) MEETING HELD 30 AUGUST 2024.....	27
9.4.6	MINUTES OF A KOJONUP AGING IN PLACE COMMITTEE MEETING HELD 4 SEPTEMBER 2024 .....	29
9.4.7	KEVIN O'HALLORAN SWIMMING POOL EARTHING OF METAL STRUCTURES – RESERVE EMERGENCY FUNDING.....	31
9.4.8	LOCAL GOVERNMENT ELECTIONS – REVIEW OF WALGA ADVOCACY POSITIONS.....	34

11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	39
12	QUESTIONS FROM MEMBERS WITHOUT NOTICE .....	39
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING .....	39
14	MEETING CLOSED TO THE PUBLIC .....	39
14.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....	39
14.2	PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC .....	39
15	CLOSURE .....	40
16	ATTACHMENTS (SEPARATE) .....	40

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.





## AGENDA

### 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President shall declare the meeting open at 3.00pm and draw 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**

**3     ATTENDANCE  
COUNCILLORS**

Cr Bilney	Shire President
Cr Wieringa	Deputy Shire President
Cr Radford	
Cr Egerton-Warburton	
Cr Mathwin	
Cr Mickle	
Cr Webb	

**STAFF**

Grant Thompson	Chief Executive Officer
Tonya Pearce	Governance and Rates Officer

**3.1     APOLOGIES**

**3.2     APPROVED LEAVE OF ABSENCE**

**4     DECLARATION OF INTEREST**

9.1.1 Funding Allocation to The George Church Community Medical Centre Inc. for Provision of Medical Services in the Shire of Kojonup.

Cr Bilney – Impartiality Interest  
Cr Wieringa – Impartiality Interest  
Cr Radford – Impartiality Interest  
Cr Egerton-Warburton – Impartiality Interest  
Cr Mathwin – Impartiality Interest  
Cr Mickle – Impartiality Interest  
Cr Webb – Impartiality Interest

**COUNCIL DECISION**

110/24 Moved Cr Wieringa

Seconded Cr Egerton-Warburton

That Council support all Councillors to be allowed to vote on the agenda items as declared in Item Four (4) Declaration of Interest.

CARRIED 7/0

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

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 20 AUGUST 2024

Unconfirmed Minutes of an Ordinary Council Meeting held 20 August 2024 are at [attachment 6.1.1](#).

OFFICER RECOMMENDATION/COUNCIL DECISION

111/24 Moved Cr Mathwin

Seconded Cr Wieringa

That the Minutes of an Ordinary Council Meeting held 20 August 2024 be confirmed as a true record.

CARRIED 7/0

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

7 PRESENTATIONS

7.1 PETITIONS

7.2 PRESENTATIONS

7.3 DEPUTATIONS

7.4 DELEGATES' REPORTS

7.4.1 CR BILNEY – GREAT SOUTHERN ZONE MEETING – 23 AUGUST 2024

7.4.2 CR MICKLE – GREAT SOUTHERN RECREATION ADVISORY GROUP MEETING – 29 AUGUST 2024

8 METHOD OF DEALING WITH AGENDA BUSINESS

Nil

## 9

**REPORTS****9.1 KEY PILLAR ‘LIFESTYLE’ REPORTS****9.1.1 FUNDING ALLOCATION TO THE GEORGE CHURCH COMMUNITY MEDICAL CENTRE INC. FOR PROVISION OF MEDICAL SERVICES IN THE SHIRE OF KOJONUP**

<b>AUTHOR</b>	Grant Thompson – Chief Executive Officer
<b>DATE</b>	18 September 2024
<b>FILE NO</b>	PH.SVP.1
<b>ATTACHMENT(S)</b>	9.1.1.1 – 2024.05.09 Shire of Kojonup Livingston Medical Fee Request

‘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
Lifestyle	2 Proactive Community Spirit	2.6 Wellbeing advancement

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Council to consider allocating and donating \$250,000 per annum for a period of five (5) years to The George Church Community Medical Centre Inc. (GCCMC) to subsidise the ongoing provision of Medical Services from Korrinup House.

**BACKGROUND**

*As the Council is aware the Livingston Medical Group has been engaged by the GCCMC Inc. Board to provide medical services at the George Church Community Medical Centre.*

*Previously, in October 2022, Council resolved to provide housing for use in the attraction of a medical practitioner;*

*That Council:*

- 1. Seeks a sworn rental valuation for 39 Vanzuilecom Street, Kojonup.*
- 2. Advertises, under Section 3.58 of the Local Government Act 1995 - Disposing of property:*
  - a) its intent to lease 39 Vanzuilecom Street, Kojonup, to The George Church Community Medical Centre Inc. (GCCMC) on a 10 year lease with an extension of a further 10 (ten) years, on the provision that the GCCMC renovates the house to an agreed suitable standard using the GROH (Government Regional Officers Housing) functional specifications as its renovation guide; and*
  - b) that the lease amount will be negotiated on the basis that renovation costs, up to \$200,000, are wholly provided by the GCCMC, as well as a minimal rent amount*

*covering the Shire of Kojonup's (Shire) costs associated with water and other utility costs.*

*3. Delegates authority to the Chief Executive Officer and Shire President to negotiate the lease and renovation specifications with the GCCMC if no public submissions are received.*

*4. Reallocates 39 Vanzuilecom Street, Kojonup, from staff housing to housing for the attraction and retention of a General Practitioner to the Shire and updates Council Policy 2.2.7 accordingly.*

*Previously in May 2024 Council resolved:*

*That Council:*

*1. Seeks a valuation on 38 KO, Holden Equinox, from local car dealers.*

*2. Advertises, under Section 3.58 of the Local Government Act 1995 - Disposing of property:*

*a) its intent to allocate 38 KO, Holden Equinox, as a Medical Practitioner Vehicle, to The George Church Community Medical Centre Inc. (GCCMC) on a 5 (five) year term, on the provision that the GCCMC is liable for all outgoings and FBT liability if any, and has a code of proper usage in place to maintain and care for the vehicle;*

*b) The Shire will be liable for the insurances on the vehicle and any replacement cost of a vehicle, at the Shires sole discretion, required as a part of the allocation;*

*3. Delegates authority to the Chief Executive Officer to negotiate the terms of the allocated vehicle usage with the GCCMC and if no public submissions are received reallocate 38 KO, Holden Equinox, from pool car to use in the attraction and retention of a Medical Practitioner living and operating in Kojonup.*

*4. Allocates 2 KO, Mitsubishi Pajero, as the Shire Pool Car and allocated to the role of Governance & Rates Officer and updates Council Policy 2.2. as per the above accordingly.*

## **COMMENT**

As the Council is aware the service of a consistent medical practice is essential to any town in its growth and sustainability plans.

This funding has been requested by the GCCMC Board to secure the Services of a Medical Practitioner to the town of Kojonup.

The basis of the funding would be back to back with the Service Level Agreement between the GCCMC and Medical Practitioner, through the instrument of an MOU between the Shire and the GCCMC.

The Funds are to be used for the purposes of securing the services and maintaining the asset and operations of the medical practice in Kojonup.

It is understood that the GCCMC have authority to appoint a medical practitioner as an independent entity.

The GCCMC would be liable for all servicing and proper care of the medical practice as the Shire has no ownership or control of the facilities.

## CONSULTATION

Shire President  
Briefing Sessions  
Manager Finance & Corporate Services  
Community meeting

## STATUTORY REQUIREMENTS

Local Government Act 1995

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

The funding is approx. 5% of rates collected. Whilst not material, it commits the Shire to supporting funding for Five (5) years at a cost circa \$1,250,000. The total amount does not surpass the major transaction threshold of 10% of operating expenditure per annum for major land transactions, however it is recommended that the Council advertise to the Community that it intends to utilize rates funding for this purpose.

## RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risks Description/Cause	Key Controls	Current Action
2. Business Disruption	Loss of Supplier/Service in Shire	Maintain regular communications with agencies and support services	Reduce Core Service interruption through intervention
IMPLICATIONS			
<i>Medical service is a core foundation service required to increase population in the Shire of Kojonup, without a medical practice it is likely the town population will decline and other strategic initiatives such as Aging in Place will not be achievable.</i>			

## ASSET MANAGEMENT IMPLICATIONS

Nil

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

Nil

## VOTING REQUIREMENTS

Absolute Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

112/24 Moved Cr Webb

Seconded Cr Egerton-Warburton

That Council:

1. Approves a request from the George Church Community Medical Centre (GCCMC) to donate to the GCCMC an amount of \$250,000 per annum for a period of five (5) years, to be allocated toward subsidising the medical practice, Korrinup House, and to be utilised in securing the services of an appropriate Medical Service for the Community.
2. Direct the CEO to advertise the Councils intention to commit these funds to the GCCMC for a period of five (5) years.
3. Enter into a mutually agreed Memorandum of Understanding (MOU) with GCCMC, to be negotiated with the GCCMC Board, outlining the terms of which the monies will be donated and utilised.

### AMENDMENT

113/24 Moved Cr Mathwin

Seconded Cr Wieringa

To amend:

1. Approves a request from the George Church Community Medical Centre (GCCMC) to donate to the GCCMC an amount of \$250,000 for a period of one (1) year, invoiced and paid quarterly. To be allocated toward subsidising the medical practice, Korrinup House, and to be utilised in securing the services of an appropriate Medical Service for the Community.
3. Enter into a mutually agreed Memorandum of Understanding (MOU) with GCCMC, to be negotiated with the GCCMC Board, outlining the terms of which the monies will be donated and utilised, prior to the first payment.

### MOTION AS AMENDED WAS PUT

1. Approves a request from the George Church Community Medical Centre (GCCMC) to donate to the GCCMC an amount of \$250,000 for a period of one (1) year, invoiced and paid quarterly. To be allocated toward subsidising the medical practice, Korrinup House, and to be utilised in securing the services of an appropriate Medical Service for the Community.
2. Direct the CEO to advertise the Councils intention to commit these funds to the GCCMC for a period of five (5) years.



3. Enter into a mutually agreed Memorandum of Understanding (MOU) with GCCMC, to be negotiated with the GCCMC Board, outlining the terms of which the monies will be donated and utilised, prior to the first payment.

CARRIED 7/0

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

## 9.2 KEY PILLAR ‘ECONOMICS’ REPORTS

### 9.2.1 CANOLA MEAL SHED, CONTROL ROOM, LABORATORY, WEIGHBRIDGE BUILDING AND ASSOCIATED UPGRADES TO GRAIN RECEIVAL FACILITY – LOT 100 (No. 1107) JINGALUP ROAD, JINGALUP

AUTHOR	Steve Thompson - Consultant Planner, Edge Planning & Property
DATE	Monday, 16 September 2024
FILE NO	A25860
ATTACHMENT(S)	9.2.1.1 – Building drawings 9.2.1.2 – Development Management Plan – Aus Oils Kojonup 9.2.1.3 - Extract from Planning and Development (Local Planning Scheme) Regulations 2015

‘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
Economics	4. Grown Existing Business	4.1 Economic support program

#### DECLARATION OF INTEREST

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

#### SUMMARY

To consider an application for development approval for a shed for storing canola meal, control room, laboratory and weighbridge building, as well as upgrading existing grain receival facilities.

#### BACKGROUND

The application site contains the Aus Oils Kojonup facility (canola cold pressed oil facility) which has various sheds, tanks, silos, plus an office and a dwelling. The site is 13.82 hectares in area and is largely cleared.

#### Proposal

The applicant seeks approval to construct a large shed for the purpose of storing canola meal (54m x 28m) plus a control room, laboratory, weighbridge building, as well as upgrading existing grain receival facilities.

Building drawings provided by the applicant are set out in Attachment 9.2.1.1 while Attachment 9.2.1.2 is the Development Management Plan.

Due to the size of the shed, the Council is required to determine the Development Application.

#### COMMENT

The proposed shed and associated development are supported, which assists with expanding an existing business operating from the property. Following an assessment of the Development Application against the planning framework, it is recommended that Council conditionally approve the Development Application given:

- It is consistent with the planning framework;
- The proposed development meets Town Planning Scheme No. 3 setbacks from property boundaries;
- The proposed development is not considered to create any significant amenity impacts, noting neighbours' dwellings are well setback from the facility;
- There are manageable bushfire risks;
- There are expected to be minimal environmental impacts;
- There are no objections from other Shire officers/units; and
- Development conditions can assist to control the use and management of the development.

#### **ALTERNATIVE OPTIONS AND THEIR IMPLICATIONS**

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

*1. Not approve the proposal*

The Council can choose to not approve the application and advise the proponent giving reasons. If this option were chosen, the development would not be able to be constructed.

*2. Approve the proposal*

The Council can choose to approve the application, with or without conditions. If this option were chosen, the development can proceed subject to gaining a Building Permit.

*3. Defer the proposal*

The Council can choose to defer the matter and seek additional information from the applicant before proceeding to make a decision.

This is a discretionary decision and the applicant has a right to request a review of any decision and/or condition made by the local government to the State Administrative Tribunal if aggrieved by the decision and/or any condition.

#### **CONSULTATION**

No consultation is required given Rural-Industry is a 'P' (permitted) use in the Rural zone.

#### **STATUTORY REQUIREMENTS**

*Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015* - the processing of the Development Application is required to comply with the requirements of the *Shire of Kojonup Town Planning Scheme No. 3* (TPS3) which is an operative local planning scheme under the provisions of the Act and Regulations.

The site is zoned 'Rural' in TPS3. 'Industry – Rural' is a 'P' use in the Rural Zone as set out in the TPS3 Zoning Table. The local government is not able to refuse a 'P' use. TPS3 defines Industry – Rural is defined as 'an industry handling, treating, processing or packing primary

products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.’

The *Shire of Kojonup Strategic Community Plan* supports a diversified economic base.

The site is partially located within a bushfire prone area as designated by the Fire and Emergency Services Commissioner.

Attachment 9.2.1.3 is an extract from the *Planning and Development (Local Planning Schemes) Regulations 2015* which sets out matters to be considered by local government in assessing a Development Application.

#### POLICY IMPLICATIONS

Nil.

#### FINANCIAL IMPLICATIONS

The applicant has paid the Development Application fee.

#### 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
<i>Risk rating: Adequate</i>			
IMPLICATIONS			
Applicants need to ensure that Development Applications accord with the intent of the Shire of Kojonup 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

Nil.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

114/24 Moved Cr Radford

Seconded Cr Mathwin

That Council grant Development Approval for a shed (industry – rural use) to support the canola cold pressed oil facility along with a control room, laboratory, weighbridge building and upgrading grain receival facilities at Lot 100 on Diagram 419792 (No. 1107) Jingalup Road, Jingalup, *pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015* and subject to the following conditions and advice notes:

1. The development hereby approved must be carried out in accordance with the submitted plans and specifications (addressing all conditions) or otherwise amended by the local government and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
2. The Environmental Management Plan is implemented to the satisfaction of the local government prior to occupation of the proposed development. Following this, measures and recommendations in the approved Environmental Management Plan are to be maintained to the satisfaction of the local government.
3. The provision of details with the Building Permit application as to how stormwater will be addressed for the proposed development to the satisfaction of the local government. The local government will require that all stormwater from the buildings and other impervious areas are collected and detained on site to the satisfaction of the local government prior to occupation. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.
4. An adequate on-site drinking water supply must be provided in accordance with the Australian Drinking Water Guidelines prior to occupation.
5. The development is connected to an approved wastewater disposal system(s) to the satisfaction of the local government prior to occupation.
6. A Bushfire Attack Level Assessment is to be submitted with the Building Permit Application. The development is to be constructed in accordance with AS3959 *Construction of Buildings in Bushfire Prone Areas*. The Asset Protection Zone is to be permanently maintained around the new buildings in accordance with the Bushfire Attack Level assessment.

7. The Bushfire Emergency Evacuation Plan is to be updated to the satisfaction of the local government and then implemented prior to occupation. All measures contained in the Plan are to be maintained to the satisfaction of the local government. The Bushfire Emergency Evacuation Plan is to be prominently displayed at all times in approved buildings.
8. The driveway serving the facility is maintained to a minimum all-weather standard to facilitate access to the development by 2-wheel drive vehicles. The driveway is to meet Table 6 - Vehicular access technical requirements of the Western Australian Planning Commission's Guidelines for Planning in Bushfire Prone Areas.
9. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of dust, odour, noise, waste product or other impact.
10. All buildings are setback a minimum of 20 metres from property boundaries.

Advice:

- A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.
- B) With regard to Condition 8, the driveway is to meet Table 6 - Vehicular access technical requirements of the Western Australian Planning Commission's Guidelines for Planning in Bushfire Prone Areas including:
  - All sections of the driveway to have a minimum constructed trafficable surface (i.e. gravel/ crushed rock) with a width of 4 metres and horizontal clearance of 6 metres.
  - All vegetation overhanging the driveway/accessway should be trimmed to maintain a minimum vertical clearance of 4.5 metres.
  - Passing bays should be located every 200 metres with a minimum length of 20 metres and a minimum width of two metres (i.e. the combined trafficable width of the passing bay and constructed driveway to be a minimum six metres) and constructed to a suitable standard (e.g. gravel, crushed rock).
- C) Any lighting device shall be positioned and shielded so as not to cause any direct, reflected or incidental light beyond the property boundaries. Lighting should be designed in accordance with *AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting*.
- D) The level of noise emanating from the premises shall not exceed that prescribed in the *Environmental Protection Act 1986*, and the *Environmental Protection (Noise) Regulations 1997*.

- E) Further development and/or intensification on the property, subject to a future Development Application, may result in the need to seal the crossover (section of driveway between Jingalup Road and the front property boundary).

- F) If the applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

CARRIED 7/0

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

Explanatory note: Council supported the Movers change to the officer recommendation in point 4, 'potable' to 'drinking'



### 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 2024)

AUTHOR	Jill Johnson – Manager Financial & Corporate Services
DATE	Friday, 13 September 2024
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.4.1.1 – Monthly Financial Report July 2024 9.4.2.1 – Monthly Financial Report August 2024

‘PLACEMAKING’ STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>“The Cultural Experience Centre of the Great Southern”</i> 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 months ending 31 July & 31 August 2024.

### 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 2024 to 31 August 2024 represents two (2) months, or 17% of the year.

The following items are worthy of noting:

- Closing surplus position of \$6,298,344.
- Capital expenditure achieved 7.7% of budgeted projects.
- Cash holdings of \$6,537m of which \$4,556m is held in cash backed reserve accounts and \$1,981m is unrestricted cash.
- Rates debtors outstanding equate to 104% of total rates raised for 2024/2025.

- 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

115/24 Moved Cr Egerton-Warburton      Seconded Cr Wieringa

That the monthly financial statements for the period ending 31 July & 31 August 2024, as attached, be noted.

CARRIED 7/0

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

#### 9.4.2 MONTHLY PAYMENTS LISTING – JULY AND AUGUST 2024

AUTHOR	Tonya Pearce – Governance and Rates Officer
DATE	Monday, 16 September 2024
FILE NO	FM.AUT.1
ATTACHMENT	9.4.2.1 - Monthly Payment Listing July 2024 9.4.2.2 - Monthly Payment Listing August 2024

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>"The Cultural Experience Centre of the Great Southern"</i> 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 month of July and August 2024.

#### 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**

116/24 Moved Cr Mathwin

Seconded Cr Radford

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 2024		TO – 30 August 2024
Municipal Cheques	14385-14389	\$41,457.46
EFTs	34445 - 34722	\$1,679,989.00
Direct Debits		\$1,306,037.43
Total		\$3,027,483.89

be received.

CARRIED 7/0

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

#### 9.4.3 MINUTES OF A KOJONUP HISTORICAL, TOURISM AND CULTURAL (KHTC) COMMITTEE MEETING HELD 13 AUGUST 2024

AUTHOR	Tonya Pearce – Governance and Rates Officer
DATE	Monday, 16 September 2024
FILE NO	GP.CNM.9
ATTACHMENT(S)	9.4.3.1 - Unconfirmed minutes of a KHTC Committee Meeting held 13 August 2024

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>"The Cultural Experience Centre of the Great Southern"</i> 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 a Kojonup Historical, Tourism and Cultural Committee meeting held 13 August 2024.

#### BACKGROUND

The Kojonup Historical, Tourism and Cultural Committee was established following Council's 2023 Local Government Election with defined terms of reference and a membership consisting of five (5) committee members being one (1) Councillor, one (1) Delegate Proxy and three (3) Community Members.

#### COMMENT

This item is solely the Council receiving the minutes of its Kojonup Historical, Tourism and Cultural Committee meeting held 13 August 2024.

#### 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**

Nil

**ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

117/24 Moved Cr Wieringa

Seconded Cr Mathwin

That Council receive the unconfirmed minutes of a Kojonup Historical, Tourism and Cultural Committee meeting held 13 August 2024.

CARRIED 7/0

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



#### 9.4.4 ADVISORY COMMITTEES OF COUNCIL – APPOINTMENT OF COMMUNITY REPRESENTATIVES – KOJONUP HISTORICAL, TOURISM AND CULTURAL COMMITTEE

<b>AUTHOR</b>	Tonya Pearce - Governance and Rates Officer
<b>DATE</b>	Thursday, 15 August 2024
<b>FILE NO</b>	GO.CNM.9
<b>ATTACHMENT(S)</b>	<p>9.4.4.1 – Terms of Reference – Kojonup Historical, Tourism and Cultural Committee  <b>UNDER SEPARATE COVER</b></p> <p>9.4.4.2- Expression of Interest – Community Representative Position – Kojonup Historical, Tourism and Cultural Committee</p>

<b>‘PLACEMAKING’ STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033</b> To be <i>“The Cultural Experience Centre of the Great Southern”</i> <b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>Key Strategic Pillar/s</b>	<b>Community Goal/s</b>	<b>Corporate Objective/s</b>
Performance	12. A High Performing Council	12.2 SoK monitoring and reporting

#### DECLARATION OF INTEREST

Nil

#### SUMMARY

To retrospectively appoint a community representative to the Kojonup Historical, Tourism and Cultural Committee.

#### BACKGROUND

Council, at its 12 December 2023 Ordinary Meeting, appointed three (3) community members to the Kojonup Historical, Tourism and Cultural Committee at this meeting. One (1) community member has since left the Committee due to moving out of town, leaving one (1) vacant community representative position.

The current Terms of Reference for Council’s Advisory Committees are at attachment 9.4.4.1.

#### COMMENT

Council has received one (1) community representative nomination for its Kojonup Historical, Tourism and Cultural Committee.

#### CONSULTATION

Chief Executive Officer

#### STATUTORY REQUIREMENTS



The appointment of members to Committees and their operation is set out in *Sections 5.8 to 5.25 of the Act and Regulations 14 to 14B of the Local Government (Administration) Regulations, 1995*.

A local government may, by absolute majority, establish Committees comprising of three (3) or more persons, be it elected members, employees and/ or other persons, to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Individual Councillors are entitled to be members of at least one committee, which comprises elected members only or elected members and employees.

*Section 5.10* allows the Shire President to be a member on any Committee that has an elected member and also the CEO (or their representative) to be on any Committee that has an employee as a member.

#### **POLICY IMPLICATIONS**

There are no known policy implications.

#### **FINANCIAL IMPLICATIONS**

There are no known financial implications.

#### **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**

118/24 Moved Cr Egerton-Warburton                      Seconded Cr Radford

That Council appoints the following membership to its Formal Advisory Committee as follows:

**KOJONUP HISTORICAL, TOURISM AND CULTURAL COMMITTEE**

Community Member – Andrew Chandler

**CARRIED 7/0**

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

#### 9.4.5 MINUTES OF A NATURAL RESOURCE MANAGEMENT ADVISORY COMMITTEE (NRMAC) MEETING HELD 30 AUGUST 2024

AUTHOR	Tonya Pearce – Governance and Rates Officer
DATE	Monday, 16 September 2024
FILE NO	GP.CNM.9
ATTACHMENT(S)	9.4.5.1 - Unconfirmed minutes of a NRM Committee Meeting held 30 August 2024

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>"The Cultural Experience Centre of the Great Southern"</i> 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 the NRMAC meeting held 30 August 2024.

#### BACKGROUND

The NRMAC's purpose is to advise Council on issues in relation to the Shire of Kojonup's natural resources and environmental management.

#### COMMENT

This item is solely the Council receiving the unconfirmed minutes of the NRMAC meeting held 30 August 2024.

#### 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**

Nil

**ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

119/24 Moved Cr Mathwin

Seconded Cr Mickle

That the unconfirmed minutes of the Natural Resource Management Advisory Committee meeting held on 30 August 2024 be received.

CARRIED 7/0

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

#### 9.4.6 MINUTES OF A KOJONUP AGING IN PLACE COMMITTEE MEETING HELD 4 SEPTEMBER 2024

AUTHOR	Tonya Pearce – Governance and Rates Officer
DATE	Monday, 16 September 2024
FILE NO	GP.CNM.9
ATTACHMENT(S)	9.4.6.1 - Unconfirmed minutes of a KAIP Committee Meeting held 4 September 2024

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>"The Cultural Experience Centre of the Great Southern"</i> 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 a Kojonup Aging in Place Committee meeting held 4 September 2024.

#### BACKGROUND

The Kojonup Aging in Place Committee replaced the Springhaven Working Group in November 2023 with an objective of recommending to Council on matters related to future proofing infrastructure and facilities for the aged and aged care in Kojonup. The Kojonup Aging in Place Committee held its first meeting on 7 February 2024.

#### COMMENT

This item is solely the Council receiving the minutes of its Kojonup Aging in Place Committee meeting held 4 September 2024.

#### 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	3 <sup>rd</sup> party adverse findings against Shire	Audit and Risk Committee	4 Meetings held per annum
<i>Risk rating: Low</i>			
IMPLICATIONS			
The Kojonup Aging in Place Committee is an advisory committee that reports and makes recommendations for Council consideration; timely receipt of the minutes of this Committee and consideration of items, if any, is conducive to quality management of accommodation, infrastructure and services for the aged and aged care in Kojonup.			

#### ASSET MANAGEMENT IMPLICATIONS

Nil

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

Nil

#### VOTING REQUIREMENTS

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

120/24 Moved Cr Egerton-Warburton      Seconded Cr Wieringa

That Council receive the unconfirmed minutes of a Kojonup Aging in Place Committee meeting held 4 September 2024.

CARRIED 7/0

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

#### 9.4.7 KEVIN O’HALLORAN SWIMMING POOL EARTHING OF METAL STRUCTURES – RESERVE EMERGENCY FUNDING

AUTHOR	Estelle Lottering – Projects Managers and Regulatory Services
DATE	Monday, 16 September 2024
FILE NO	FM.FNR.2
ATTACHMENT(S)	9.4.7.1 – Royal Life Saving 2020 Audit Extract 9.4.7.2 – BK Thomson Quote 00003307

<b>‘PLACEMAKING’ STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033</b> <b>To be “The Cultural Experience Centre of the Great Southern”</b> <b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
Key Strategic Pillar/s	Community Goal/s	Corporate Objective/s
Performance	12. A high Performing Council	SoK Finances and Funding SoK Asset Management

#### DECLARATION OF INTEREST

Nil

#### SUMMARY

To consider a capital budget request for an emergency asset maintenance request to electrically bond all metal items within 1.25m from the pool to the main earthing system of the premises.

#### BACKGROUND

Council Policy 2.1.8 – ‘Financial Governance’ has a section relating to reserve accounts, which states as follows:

*‘In addition to grant funding, the Shire’s reserve accounts are one of the primary funding sources for major projects and will be prioritised in the annual budget. Cash reserves are to be established and maintained to accumulate funds for the following purposes:*

- 1. To smooth funding allocations over future years;*
- 2. To offset liabilities in respect of previously earned employee entitlements to the extent they require an outflow of funds not allocated in the annual budget;*
- 3. To meet statutory obligations;*
- 4. To fund renewal of existing physical/built assets;*
- 5. To fund future strategic initiatives and the provision of new services and facilities to future residents;*
- 6. To buffer against unpredictable events;*
- 7. To hold unspent grants and contributions; and*
- 8. Other purposes as determined by the Council from time to time.*

*When preparing the annual budget each year, consideration will be given to establishing reserve accounts for major projects as contained within the Community Strategic Plan.*

#### **COMMENT**

This request is being sought due to a current safety issue identified by inspections regarding the swimming pool not being adequately bonded.

It requires an urgent correction for the safety of our community members and Shire staff prior to the season commencing.

Quotes received for replacement equipment:

1. BK Thomson – Quote 00003307

The author recommends using BK Thomson as a local contractor used by the Shire.

It is recommended that funds from the Sports Complex Reserve is transferred to fund this emergency purchase.

#### **CONSULTATION**

Royal Life Saving Western Australian 2020 Audit

#### **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**

Nil

#### **FINANCIAL IMPLICATIONS**

There is no impact to the budget if the Council approves the funds be transferred from the Sporting Complex Reserve. The Sporting Complex Reserve will decrease in value by the selected quote amount.

#### **RISK MANAGEMENT IMPLICATIONS**

If the swimming pool is not adequately bonded, the risk of electrical hazards significantly increases. In the absence of proper bonding, it is likely that electrical faults will lead to



energized metal components, pool water electrification, or potential difference between various metal parts.

**ASSET MANAGEMENT IMPLICATIONS**

The Swimming Pool will be implementing a safety feature to ensure the safety of the Shire of Kojonup community while enjoying the pool over the coming summer months.

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

Nil

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

121/24 Moved Cr Wieringa

Seconded Cr Radford

That Council approves a budget change request of \$7,453.60, and if required to drawdown from the Sporting Complex Reserve, to fund the urgent earthing of metal structures at the swimming pool to ensure Safety of the Community and Team Members.

CARRIED 7/0

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

#### 9.4.8 LOCAL GOVERNMENT ELECTIONS – REVIEW OF WALGA ADVOCACY POSITIONS

AUTHOR	Tonya Pearce - Governance and Rates Officer
DATE	Monday, 16 September 2024
FILE NO	CM.MET.01
ATTACHMENT	Nil

'PLACEMAKING' STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>"The Cultural Experience Centre of the Great Southern"</i> 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

WALGA recently undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of legislative reforms to the Local Government electoral process. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost of conducting Local Government elections in Western Australia.

The report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

Since 2008, WALGA has surveyed the sector on five occasions and at all times the sector has supported the following:

- first-past-the-post method of counting votes,
- voting at Local Government elections to be voluntary, and
- four-year terms with a two-year spill.

All Local Governments are now being asked to provide a Council decision on WALGAs advocacy positions as they relate to Local Government Elections, to see if the positions are still current.

To inform an item for the December meeting of State Council, Council decisions are requested by Monday 28 October 2024. Local Governments will also be able to provide feedback through the November round of Zone meetings.

#### BACKGROUND

The Local Government Amendment Act 2023 introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

#### COMMENT

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA State Council current advocacy positions:

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

#### 2.5.15 ELECTIONS

##### Position Statement

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
  - Online voting
  - Postal voting, and
  - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

##### Background

The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

##### State Council Resolution

February 2022 – 312.1/2022  
December 2020 – 142.6/2020

March 2019 – 06.3/2019  
December 2017 – 121.6/2017  
October 2008 – 427.5/2008

Supporting Documents [Advocacy Positions for a New Local Government Act  
WALGA submission: Local Government Reform Proposal  
\(February 2022\)](#)

#### 2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

State Council Resolution February 2022 – 312.1/2022  
March 2019 – 06.3/2019  
December 2017 – 121.6/2017

#### 2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.

Background Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

State Council Resolution May 2023 – 452.2/2023  
March 2019 – 06.3/2019  
December 2017 – 121.6/2017  
March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Council, and request Council to choose the advocacy option Council supports:

##### 1. PARTICIPATION

- (a) The sector continues to support voluntary voting at Local Government elections.
- OR
- (b) The sector supports compulsory voting at Local Governments elections.

##### 2. TERMS OF OFFICE

- (a) The sector continues to support four-year terms with a two year spill;
- OR
- (b) The sector supports four-year terms on an all in/all out basis.

##### 3. VOTING METHODS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method

of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

(a) Electronic voting; and/or

(b) Postal voting; and/or

(c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

(a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

(b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

(c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

**CONSULTATION**

CEO

**STATUTORY REQUIREMENTS**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Nil

**ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil

## VOTING REQUIREMENTS

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

122/24 Moved Cr Mathwin

Seconded Cr Mickle

That the Shire of Kojonup recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1. PARTICIPATION – Council support advocacy position: (a) The sector continues to support voluntary voting at Local Government elections.
2. TERMS OF OFFICE - Council support advocacy position: (a) The sector continues to support four-year terms with a two year spill
3. VOTING METHODS - Council support advocacy position: (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections
4. INTERNAL ELECTIONS - Council support advocacy position: (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
5. VOTING ACCESSIBILITY - Council support advocacy position: (a) Electronic voting; and/or  
(b) Postal voting; and/or  
(c) In-Person voting.
6. METHOD OF ELECTION OF MAYOR - Council support advocacy position: (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

CARRIED 7/0

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

10 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

COUNCIL RECOMMENDATION/COUNCIL DECISION

123/24 Moved Cr Mathwin

Seconded Cr Mickle

That The CEO investigate the feasibility of installing solar panels on relevant Shire assets, including approximate costing, and report back to council.

CARRIED 7/0

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

Explanatory Note: Council supported the Movers change to the motion in support of looking to install solar panels on relevant Shire assets.

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

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 4.20pm.

16 ATTACHMENTS (SEPARATE)

6.1	6.1.1	Unconfirmed Minutes of an Ordinary Council Meeting held on 20 August 2024
7.4.1	7.4.1	Cr Bilney – Great Southern Zone Meeting – 23 August 2024
7.4.2	7.4.2	Cr Mickle – Great Southern Recreation Advisory Group Meeting – 29 August 2024
9.1.1	9.1.1.1	2024.05.09 Shire of Kojonup Livingston Medical Fee Request
9.2.1	9.2.1.1	Building drawings
	9.2.1.2	Development Management Plan – Aus Oils Kojonup
	9.2.1.3	Extract from Planning and Development (Local Planning Scheme) Regulations 2015
9.4.1	9.4.1.1	Monthly Financial Report July 2024
	9.4.2.1	Monthly Financial Report August 2024
9.4.2	9.4.2.1	Monthly Payment Listing July 2024
	9.4.2.2	Monthly Payment Listing August 2024
9.4.3	9.4.3.1	Unconfirmed minutes of a KHTC Committee Meeting held 13 August 2024
9.4.4	9.4.4.1	Terms of Reference – Kojonup Historical, Tourism and Cultural Committee
9.4.5	9.4.5.1	Unconfirmed minutes of a NRM Committee Meeting held 30 August 2024
9.4.6	9.4.6.1	Unconfirmed minutes of a KAIP

Committee Meeting held 4 September 2024

9.4.7

9.4.7.1

Royal Life Saving 2020 Audit Extract

9.4.7.2

BK Thomson Quote 00003307


UNDER SEPARATE COVER

9.4.4

9.4.4.2

Expression of Interest – Community Representative Position – Kojonup Historical, Tourism and Cultural Committee

Confirmed on 22 October 2024 as a true record –

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

  
\_\_\_\_\_  
Date