

Kojonup



One community, many choices

SHIRE OF KOJONUP

MINUTES

Ordinary Council Meeting

24 February 2026

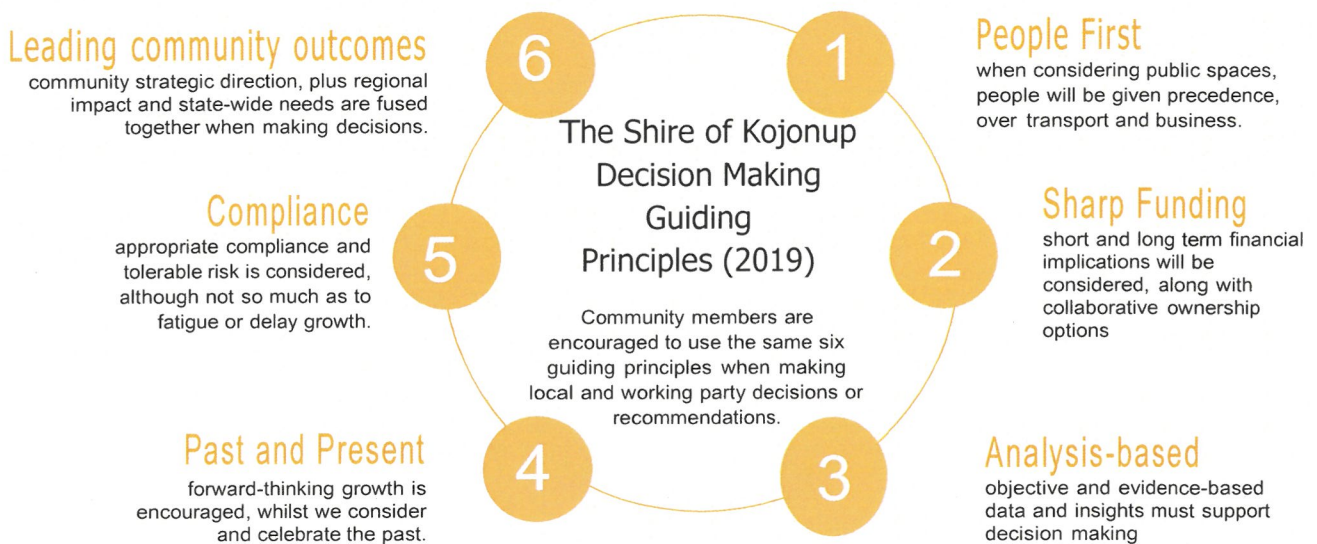
AGENDA FOR AN ORDINARY COUNCIL MEETING TO BE HELD ON 24 FEBRUARY 2026

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



MINUTES

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President shall declare the meeting open at 15:00pm 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 Wieringa
Cr Radford
Cr Mitchell
Cr Mathwin Deputy Shire President
Cr Mickle
Cr Michael

STAFF

Estelle Lottering Manager Regulatory Services
Jill Johnson Deputy CEO
Grant Thompson Chief Executive Officer

3.1 APOLOGIES

3.2 APPROVED LEAVE OF ABSENCE

Cr Bilney Shire President

4 DECLARATION OF INTEREST

5 PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Not applicable

5.2 PUBLIC QUESTION TIME

6 CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING 16 DECEMBER 2025

Unconfirmed Minutes of an Ordinary Council Meeting held 16 December 2025 are at [attachment 6.1.1](#).

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion 01/26: Moved – Cr Mickle Seconded – Cr Wieringa

That the Minutes of an Ordinary Council Meeting held 16 December 2025 be confirmed as a true record.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

6.2 SPECIAL COUNCIL MEETING 23 DECEMBER 2025

Unconfirmed Minutes of an Ordinary Council Meeting held 23 December 2025 are at [attachment 6.2.1](#).

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion 02/26: Moved – Cr Wieringa Seconded – Cr Mickle

That the Minutes of a Special Council Meeting held 23 December 2025 be confirmed as a true record.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

7 PRESENTATIONS

7.1 PETITIONS

7.2 PRESENTATIONS

7.3 DEPUTATIONS

7.4 DELEGATES' REPORTS

8 METHOD OF DEALING WITH AGENDA BUSINESS

9 REPORTS

9.1 KEY PILLAR ‘LIFESTYLE’ REPORTS

Nil

9.2 KEY PILLAR ‘ECONOMICS’ REPORTS

Nil

9.3 KEY PILLAR ‘VISITATION’ REPORTS

Nil

9.4 KEY PILLAR ‘PERFORMANCE’ REPORTS

9.4.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (DECEMBER 2025)

AUTHOR	Jill Johnson – Deputy Chief Executive Officer
DATE	Thursday, 19 February 2026
ATTACHMENT(S)	9.4.1.1 – Monthly Financial Statements to December 2025

‘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 Statement for the months ending 31 December 2025.

BACKGROUND

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

COMMENT

The attached Statement of Financial Activity for the period 1 December 2025 to 31 December 2025 represents six (6) months, or 50% of the year.

The following items are worthy of noting:

- Closing surplus position of \$5,201,984.
 - Capital expenditure achieved 35.7% of budgeted projects.
 - Cash holdings of \$6,052m of which \$1,139m is held in cash backed reserve accounts and \$4,913m is unrestricted cash.
 - Rates debtors outstanding equate to 23% of total rates raised for 2025/2026
 - 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

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>16) Financial Sustainability</i>	Failure or reduction in controls associated with financial management, accounting standards, purchasing to pay, order to cash, plant, equipment or machinery lease or purchase, Treasury Functions, bank reconciliations, budget etc. These include processes and controls that are end to end in external and internal to the organisation.	<i>Budget Controls</i>	Cash Flow Budget and reporting to be implemented
<i>Risk rating: Adequate</i>			
IMPLICATIONS			
Financial reporting is required to create transparency.			

ASSET MANAGEMENT IMPLICATIONS

9.4.2 MONTHLY PAYMENTS LISTING – DECEMBER 2025

AUTHOR	Rachael Egerton-Warburton – Finance and Payroll Officer
DATE	Friday, 19 February 2026
ATTACHMENT	9.4.2.1 - Monthly Payment Listing December 2025

‘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 months of December 2025.

BACKGROUND

Nil

COMMENT

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

Any comments or queries regarding the list of payments are 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.

9.4.3 DELEGATION REGISTER MANUAL – ANNUAL REVIEW

AUTHOR	Estelle Lottering
DATE	Monday, 19 February 2026
ATTACHMENT	9.4.3.1 - Delegation Register Manual– Existing copy (November 2023) showing changes

‘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 conduct an annual review of Council’s Delegation Register Manual (Register).

BACKGROUND

Section 5.46 (2) of the *Local Government Act 1995* requires that delegation’s manual be reviewed at least once every financial year. Council’s Delegation Register Manual was last reviewed by the Council in December 2023.

Council has resolved to adopt and delegate the functions referred to within the attached Delegations Register Manual to the Chief Executive Officer (CEO). Under the *Local Government Act 1995*, the Council is only able to delegate to the CEO and the CEO may then on delegate to other Officers. When a decision is made under delegation, it is as if that decision has been made by the Council.

Any changes made by Council between its annual reviews of the Register Manual are amended in the Register immediately following the Council meeting wherein the change was resolved.

COMMENT

A review of the Delegation Register Manual has been undertaken in accordance with the *Local Government Act 1995* to ensure that it contains the requirements for the Shire of Kojonup to function efficiently and to ensure good governance.

All managers and other relevant staff were given the opportunity to participate in the Register Manual review.

A notifiable change to the Delegation Register Manual are FIN003 – Write off Money owed to Shire. “The Chief Executive Officer is delegated authority under section 6.47 to write off small rates balances owed to the Shire less than \$100.00”

Update of sub-delegation authority and conditions

CONSULTATION

Chief Executive Officer
Deputy Chief Executive Officer
Manager Works and Infrastructure
Property Services Manager and NRM
Manager and Regulatory Services

STATUTORY REQUIREMENTS

The *Local Government Act 1995*, sections 5.42 to 5.46 and Regulation 19 of the *Local Government (Administration) Regulations 1996* relate to delegations.

Specifically, section 5.42 of the *Local Government Act 1995* allows for the delegation of some powers and duties from the Council to the CEO. Section 5.42 states:

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43. *Absolute majority required.*
A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

This report or its recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 - Compliance	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework.	Ineffective policies & processes; Ineffective monitoring of changes to legislation.	Nil
<i>Risk rating: Adequate</i>			
IMPLICATIONS			
This report ensures legislative compliance and continues a framework of delegations to ensure that the Council and staff are aware of and are undertaking their respective roles and responsibilities.			

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

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

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION / OFFICER DECISION

Motion: 5/26

Moved – Cr Wieringa

Seconded – Cr Mickle

That the Delegation Register Manual dated February 2026, with amendments as presented, be adopted in accordance with section 5.42 of the *Local Government Act 1995*.

Note: All references to “Manager of Finance, Corporate Services and Community” within the Delegation Register Manual are to be read as “Deputy CEO” from the date of adoption.

Alternative Motion:

That the motion 5/26 as presented:

“That the Delegation Register Manual dated February 2026, with amendments as presented, be adopted in accordance with section 5.42 of the Local Government Act 1995.

Note: All references to “Manager of Finance, Corporate Services and Community” within the Delegation Register Manual are to be read as “Deputy CEO” from the date of adoption.”

be deferred in order for the Chief Bushfire Control Officer to be consulted on delegations related to bushfire management decisions and then be presented for consideration at the 24 March 2026 Ordinary Council Meeting.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

Cr Mitchell raised on page 198 that the Deputy CEO is not mentioned in the Management List. CEO to follow up and rectify the list.

Cr Mathwin asked why the President is not on the delegated list for decisions relating to bushfire management decisions.

Concern was raised related to wording on the CEO delegations for Bushfire Management, if the CEO is not present in the Shire to make the decisions then how does the authority get delegated. Clarity is required on this section.

9.4.4 MINUTES OF THE ROADS AND TECHNICAL SERVICES ADVISORY COMMITTEE MEETING HELD 3 FEBRUARY 2026

AUTHOR	Estelle Lottering – Manager Regulatory Services
DATE	Monday, 19 February 2026
ATTACHMENT(S)	9.4.4.1 - Unconfirmed minutes of a Roads and Technical Services Advisory Committee Meeting held 3 February 2026

‘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 Roads and Technical Services Advisory Committee meeting held 3 February 2026.

BACKGROUND

The Roads and Technical Services Advisory Committee purpose is to advise Council on issues in relation to the Shire of Kojonup’s roads and technical services.

COMMENT

This item is the Council receiving the minutes of its Roads and Technical Services Advisory Committee meeting held 3 February 2026.

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 rd party adverse findings against Shire	Roads and Technical Services Advisory Committee	4 Meetings held per annum
<i>Risk rating: Low</i>			
IMPLICATIONS			
As per s.7.1A of the <i>Local Government Act 1995</i> , a local government is to establish an audit and risk committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion 06/26: Moved – Cr Mitchell Seconded – Cr Radford

That Council receive the unconfirmed minutes of a Roads and Technical Services Advisory Committee meeting held 3 February 2026.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

**9.4.5 NATURAL RESOURCE MANAGEMENT ADVISORY COMMITTEE (NRMAC) MEETING
4 FEBRUARY 2026 – MINUTES**

AUTHOR	Estelle Lottering – Manager Regulatory Services
DATE	Monday, 19 February 2026
ATTACHMENT(S)	9.4.5.1 - Unconfirmed minutes of a NRM Advisory Committee Meeting held 4 February 2026

‘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 4 February 2026.

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 4 February 2026.

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 rd party adverse findings against Shire	Natural Resource Management Advisory Committee	4 Meetings held per annum
<i>Risk rating: Low</i>			
IMPLICATIONS			
As per s.7.1A of the <i>Local Government Act 1995</i> , a local government is to establish an audit and risk committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion: 07/26 Moved – Cr Mickle Seconded – Cr Michael

That Council receive the unconfirmed minutes of the Natural Resource Management Advisory Committee meeting held on 4 February 2026.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

9.4.6 BUSH FIRE ADVISORY COMMITTEE (BFAC) MEETING MINUTES – 3 FEBRUARY 2026

AUTHOR	Estelle Lottering – Manager of Regulatory Services
DATE	Thursday, 19 February 2026
ATTACHMENT	<p>9.4.6.1 – BFAC Unconfirmed Meeting Minutes – 3 February 2026</p> <p>9.4.6.2 – BFAC Attachments for Meeting held on 3 February 2026</p>

<p>‘PLACEMAKING’ STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>“The Cultural Experience Centre of the Great Southern”</i> STRATEGIC/CORPORATE IMPLICATIONS</p>		
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 BFAC meeting held 3 February 2026.

BACKGROUND

The BFAC is established under Section 67 of the Bush Fires Act 1954 and plays an important role in the Council’s decision-making process. Minutes are required to be noted by Council.

COMMENT

Unconfirmed minutes of a BFAC meeting held 3 February 2026, **attachment 9.4.6.1 – BFAC Unconfirmed Meeting Minutes – 3 February 2026**, for Council noting.

CONSULTATION

Community Emergency Services Manager
 Manager Regulatory Services
 Chief Executive Officer

STATUTORY REQUIREMENTS

Section 67 of the Bush Fires Act 1954

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/CORPORATE IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2 - Business Disruption	Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.	Regular LEMC, DEMC Meetings	Nil
<i>Risk rating: Adequate</i>			
IMPLICATIONS			
Under legislation, the Shire of Kojonup (Shire) may establish and maintain a BFAC. The risk of not creating a BFAC is that the Shire supports the knowledge and capability in the Shire to manage bush fires. The Shire is reliant on the BFAC to be able to provide this knowledge and to support volunteer bush fire efforts, training and resourcing requirements in protecting community safety and assets.			

ASSET MANAGEMENT PLAN IMPLICATIONS

Nil

GREAT SOUTHERN VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion 08/26: Moved – Cr Radford Seconded – Cr Mitchell

That Council receives and notes the unconfirmed minutes of a Bush Fire Advisory Committee meeting held 3 February 2026.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

9.4.7 CUSTOMER COMPLAINTS AND UNREASONABLE CUSTOMER COMPLAINANTS’ POLICY – NEW POLICY

AUTHOR	Lisa Berry – Records Administration Officer
DATE	Tuesday 24 th February 2026
ATTACHMENT(S)	9.4.7.1 New Policy – Customer Complaints and Unreasonable Complainants Policy

‘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 for Council to consider and adopt the following Customer Complaints Policy:

1. Adopt a new policy, Customer Complaints and Dealing with Unreasonable Customer Conduct (*attachment 9.4.7.1 New Policy – Customer Complaints and Unreasonable Complainants Policy*).

BACKGROUND

As a part of an ongoing focus on improving Governance, with a focus on People Process and Technology, Shire Officers have been reviewing the current Customer Complaints process and have identified a need for dealing with Unreasonable Customer behaviours.

This also contributes to forming a part of the current Customer Service Charter.

COMMENT

Efficiency when dealing with Customer complaints and Unreasonable Customer behaviour.

This policy outlines the principles, responsibilities, and procedures for managing customers that are placing unreasonable demands on the Council. The main themes of this Policy are:

- **Policy Purpose and Scope:**
 1. Outline how the Shire of Kojonup manages complaints from the community members, whilst striving to meet our community’s expectations. We will use consistent, fair and equitable resolution processes and work with our community to understand and improve.
 2. Outline our process to address unreasonable behaviour by community members, including deliberate attempts to disrupt council business and operation.
 3. This policy applies to all employees, councillors, contractors, agents, and volunteers of the Shire of Kojonup. It applies to all complaints made by customers in relation to the Shire’s operations.

4. It will assist staff and councillors to identify unreasonable customer behaviour and the process to follow in dealing with such complaints.

- **Guiding Principles:** Accessibility, Commitment, Reasonable and Fair, Open and Transparent, Conduct, Health and Safety
- **Unreasonable Customer Conduct:** The Shire of Kojonup is committed to providing a safe and healthy workplace for all Council employees. We expect our staff to treat people with courtesy and respect, and we expect those same values reciprocated from the community. We do not tolerate occupational violence and aggression or behaviour which consumes a disproportionate amount of time and resources.
- **Recognising Unreasonable Customer Conduct:** Unreasonable persistence, Unreasonable demands, Unreasonable lack of cooperation, Unreasonable arguments, Unreasonable behaviour
- **Customer Management Strategies:** In instances where Unreasonable Customer Conduct has been assessed, the CEO may recommend the implementation of a CMS. The CEO will oversee the entire process of this strategy.
- **Customer Management Strategies available:** Limiting how the complainant may contact the Shire, assigning a specific Shire Officer or Councillor to handle all communications with the customer, Limiting or banning access to certain council facilities or services, limiting contact and responses, limiting times and days of contact, and in extreme circumstances referring to the police.
- **Support and Training:** Ongoing training and resources will be provided to staff to enhance their skills in customer communication and conflict resolution. Counselling and support will be offered to those staff members affected.
- **Documentation:** All incidents involving complaints and Unreasonable conduct will be documented in line with privacy and record keeping requirements. A register will be maintained, and each complaint will be registered within it.
- **Customer Service and Complaints handling Procedure:** This will outline the procedure for handling all customer complaints. The goal is to resolve issues efficiently and to the satisfaction of all parties involved.

CONSULTATION

Chief Executive Officer
Ombudsman Office of Western Australia

STATUTORY REQUIREMENTS

Work Health and Safety Act 2020
State Records Act 2000
Privacy and Responsible Information Sharing Act 2024

POLICY IMPLICATIONS

The policy shifts focus to 'managed, safe and efficient' interaction model, providing staff with clear boundaries to handle challenging interaction.

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Engagement Practices</i>	<i>Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Private Sector Companies, Government Agencies and/or Elected Members. This includes activities where communication, feedback or consultation is required and where it is in the best interests to do so.</i>	<i>Customer Service Charter</i>	<i>Customer Complaints and Unreasonable Complaints Policy</i>
<i>Risk rating: Adequate</i>			
IMPLICATIONS			
The risk of not having a policy and procedure to manage this is vexatious complaints may increase and or Team members may be placed in harms way with unreasonable complainants.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion 09/26: Moved – Cr Wieringa Seconded – Cr Mickle

The attached policy, as presented, be adopted and published in accordance with the State Records Act and the Privacy and Responsible Information Sharing Act.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

Cr Mitchell raised the issue of the Policy giving the CEO delegation to ban members of the Community for serious misconduct and he wishes the Council to consider that any decisions should be brought to Council for consideration before action is taken.

9.4.8 CODE OF CONDUCT FOR COUNCILLORS, COMMITTEE MEMBERS AND CANDIDATES – NEW POLICY

AUTHOR	Estelle Lottering – Manager Regulatory Services
DATE	Thursday, 19 February 2026
ATTACHMENT(S)	9.4.8.1 New Policy – Code of Conduct for Councillors, Committee Members and Candidates

<p>‘PLACEMAKING’ STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>“The Cultural Experience Centre of the Great Southern”</i> STRATEGIC/CORPORATE IMPLICATIONS</p>		
Key Strategic Pillar/s	Community Goal/s	Corporate Objective/s
Performance	12. A High Performing Council	12.1 Effective and Accountable Governance

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider and adopt the following Code of Conduct for Councillors, Committee Members and Candidates ([9.4.8.1 New Policy – Code of Conduct for Councillors, Committee Members and Candidates](#)), as required under the Local Government (Model Code of Conduct) Regulations 2021.

BACKGROUND

The Local Government (Model Code of Conduct) Regulations 2021 require all local governments in Western Australia to adopt a Code of Conduct for Councillors, Committee Members and Candidates.

The Shire of Kojonup is required to review and formally adopt a Code of Conduct that reflects the model prescribed under the Regulations. Shire Officers have undertaken a review of the current governance framework and identified the need to formalise this policy in accordance with legislative requirements.

The adoption of this Code of Conduct supports the Shire’s commitment to transparent, accountable and ethical governance, and contributes to community confidence in the elected Council.

COMMENT

The Code of Conduct sets clear standards of behaviour expected of all councillors, committee members and candidates. It supports ethical decision-making, protects the integrity of the council process, and provides a framework for managing complaints about member conduct.

The Code of Conduct outlines the standards and obligations applicable to all councillors, committee members and candidates of the Shire of Kojonup. The main themes of this Policy are:

- **Policy Purpose and Scope:**

1. The Code of Conduct applies to all councillors, committee members and candidates of the Shire of Kojonup. It sets out the standards of conduct expected in carrying out their roles and responsibilities.
 2. It provides a framework for managing complaints about alleged breaches of the Code of Conduct by councillors, committee members and candidates, including the process for lodging, investigating and resolving such complaints.
 3. The policy aligns with the Local Government (Model Code of Conduct) Regulations 2021 and Part 5 Division 9 of the Local Government Act 1995 (WA), ensuring the Shire meets its statutory obligations.
 4. It will assist councillors, committee members and the CEO to understand the standards of behaviour required and the process to follow when a potential breach of the Code is identified.
- **General Conduct Obligations:** Integrity, respect for others, accountability, transparency, and compliance with the law
 - **Conflict of Interest Obligations:** Councillors and committee members must declare and manage conflicts of interest in accordance with the Local Government Act 1995 (WA). The Code outlines the types of interests, disclosure obligations, and the process for managing conflicts to protect the integrity of Council decisions.
 - **Complaint Handling – Minor Breach Process:** Complaints of minor breaches must be lodged with the Shire’s Complaints Officer within six months of the alleged breach. The Code sets out the process for assessment, investigation, and determination of minor breach complaints in accordance with the Regulations.
 - **Serious Misconduct and External Referrals:** Complaints of serious misconduct by a councillor or employee are referred to the Corruption and Crime Commission (CCC). Complaints of minor misconduct by a local government employee are referred to the Public Sector Commission. The Shire will assist complainants to identify the appropriate external body.
 - **Conduct at Council Meetings:** Councillors and committee members are required to conduct themselves with respect and professionalism at all meetings. This includes refraining from offensive or disruptive behaviour, complying with meeting procedures, and respecting the chair’s authority and the rights of fellow members and the public.
 - **Training and Induction:** All new councillors and committee members will be provided with a copy of the Code of Conduct and relevant induction training. Ongoing guidance will be available from the CEO to support compliance with the Code.
 - **Documentation and Record Keeping:** All complaints about alleged breaches of the Code of Conduct will be documented in accordance with the State Records Act 2000 (WA) and the Privacy and Responsible Information Sharing Act. A complaints register will be maintained by the Complaints Officer and reviewed regularly by the CEO.
 - **Review of the Code of Conduct:** The Code of Conduct will be reviewed periodically or as required by changes to legislation or the Model Code of Conduct Regulations, to ensure it remains current and fit for purpose.

CONSULTATION

Chief Executive Officer

Records and Information Officer

Department of Local Government, Sport and Cultural Industries (DLGSC)

STATUTORY REQUIREMENTS

Local Government Act 1995 (WA) – Part 5, Division 9

Local Government (Model Code of Conduct) Regulations 2021 (WA)

Corruption, Crime and Misconduct Act 2003 (WA)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion 10/26:

Moved – Cr Michael

Seconded – Cr Mickle

That the Code of Conduct for Councillors, Committee Members and Candidates, as presented, be adopted and published in accordance with the Local Government (Model Code of Conduct) Regulations 2021.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

9.4.9 ADVISORY COMMITTEES OF COUNCIL – APPOINTMENT OF INDEPENDENT PRESIDING MEMBER AND INDEPENDENT SITTING FEE – AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC).

AUTHOR	Grant Thompson, CEO
DATE	19 February 2026
ATTACHMENT(S)	<i>9.4.9.1 – Tribunal Determination 2025-026 – Local Government CEO and Elected Council Members Determination Variation No.1 of 2025</i> <i>9.4.9.2 – Tribunal Determination 2025-006 – Determination of the Salaries and Allowances Tribunal</i>

<p>‘PLACEMAKING’ STRATEGIC COMMUNITY PLAN JULY 2023 TO JUNE 2033 To be <i>“The Cultural Experience Centre of the Great Southern”</i> STRATEGIC/CORPORATE IMPLICATIONS</p>		
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 appoint an Independent Presiding Member and Independent Deputy Presiding Member for Council’s Audit, Risk and Improvement Committee (ARIC) and to establish the sitting fee for the Independent Members as per the recent reforms to the *Local Government Act 1995*.

BACKGROUND

The *Local Government Amendment Act 2024*, which advances a range of reforms to the *Local Government Act 1995* and associated regulations, became law on 6 December 2024 and is now required to be enacted in the Shire. This new legislation affects local government audit committees as follows:

1. A local government must establish a committee of its council to be called the Audit, Risk and Improvement Committee (ARIC). Audit committees to have an improved focus as 'audit, risk and improvement' that are independently chaired, with greater clarity on how council committees should operate.
2. An employee of the local government is not to be a member of the ARIC, nor is a member to be nominated by, or is to be appointed to represent, any employee of the local government.
3. The presiding member of the ARIC cannot be a council member of the local government or of any other local government.
4. Any deputy presiding member of the ARIC cannot be a council member of the local government or of any other local government.
5. Two or more local governments may agree to establish a single committee to be the audit, risk and improvement committee of each of their councils (a shared committee).

The legislation, while in force since 6 December 2024, has transitional provisions relating to the establishment of the ARIC.

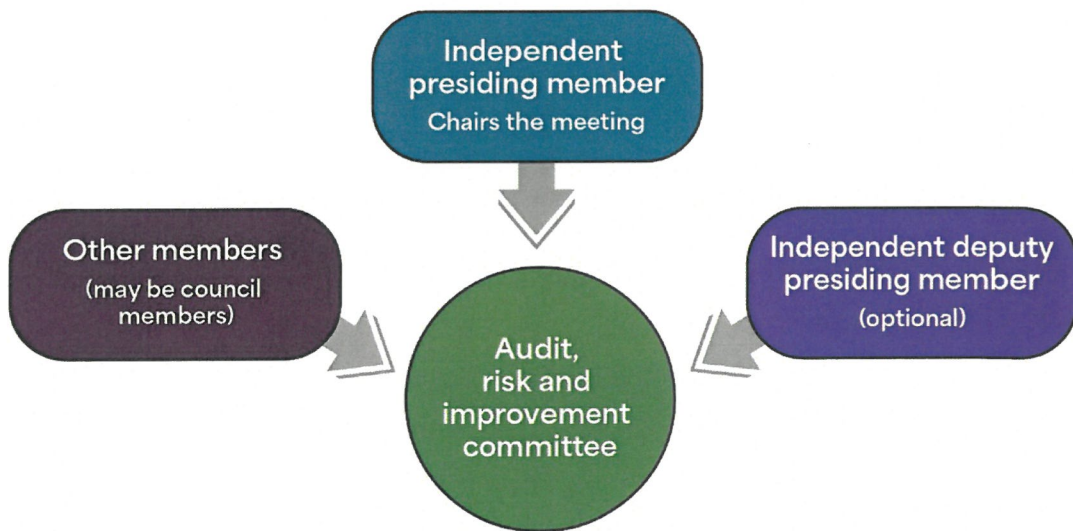
The introduction of an independent presiding member provides an opportunity for increased community confidence in the Shire’s financial and risk management.

Operations may also benefit through appointing an independent chair with risk and financial management expertise that may otherwise be unavailable.

In relation to the current Act, an audit committee is required to be established comprising 3 or more persons appointed by absolute majority by a local government.

Most of the members must be Council Members. The CEO or a local government employee cannot be a member.

Audit, risk and improvement committee model;



The new Audit, Risk and Improvement Committee comprises the following roles, with a total of 3 or more members.

Under the proposed amendments in the Bill, an ARIC now requires an independent presiding member. A local government can choose to appoint an independent deputy presiding member to chair the meeting if the independent presiding member is unable to do so.

If a local government chooses not to nominate a deputy presiding member, the council will need to appoint an independent proxy to chair the meeting should the need arise.

Smaller local governments may also now choose to share an ARIC to reduce the burden on their resources.

COMMENT

The current ARIC Independent Presiding Member, Cathy Ivey, has tendered herself unavailable to continue in this role at this present time. As a result of this circumstance and the October 2025 Election the Shire recently called for nominations for the Independent Presiding Member and Independent Deputy Presiding Member.

Council has received one (1) Independent Presiding Member Nomination for its Audit, Risk and Improvement Committee.

Council has received one (1) Independent Deputy Presiding Member nomination for its Audit, Risk and Improvement Committee.

It is therefore recommended these two nominations be appointed to the Audit Risk & Improvement Committee independent roles as per the recommended motion.

Furthermore, the Salaries and Allowances Tribunal (SAT) has determined that independent members of the ARIC should be paid a minimum sitting fee for their services. The SAT has released the *Local Government Chief Executive Officers and Elected Council Members Determination No 1 of 2025* and *local_govt_variation_no._01_of_2025 (9.4.9.2 – Tribunal Determination 2025-006 – Determination of the Salaries and Allowances Tribunal)*.

In clause **6.4A Meeting attendance fees for Independent Audit, Risk and Improvement Committee members – per meeting** the following applies:

In accordance with section 5.100(1)(b) of the Local Government Act 1995, the fee payable by a local government or regional local government council to an Independent Audit, Risk and Improvement Committee (ARIC) Member (whether Presiding Member, Deputy Presiding Member, Deputy Member or Member) for attendance at an ARIC meeting must be set within the range provided in table 8A. The fees provided in table 8A are exclusive of superannuation. Local government bodies should seek their own professional advice in regard to whether or not independent committee members are to be paid superannuation.

The range in table 8A is provided to enable local governments to appropriately compensate independent ARIC members depending on the skills and expertise required to undertake the roles. The local government must resolve that the fee represents value for money. The State Government’s Audit and Financial Advisory Services Common Use Agreement (CUAFA2024) may be used as guide.

Table 8A: per meeting fees for independent ARIC members – local government and regional local governments

Independent ARIC per meeting fees:

Table 8A: per meeting fees for independent ARIC members – local government and regional local governments

Independent ARIC per meeting fees		
Bands	Independent ARIC Member	
	Min	Max
1 – 4	\$105	\$1,215

In accordance with sections 5.100(4), (5) and (6) of the LG Act, an independent ARIC member can be reimbursed for attending ARIC meetings.

The extent to which an independent committee member can be reimbursed for expenses attending ARIC meetings is the actual travel and associated costs incurred by the independent member demonstrated to the satisfaction of the local government.

CONSULTATION

Chief Executive Officer
 Shire President
 Shire Deputy President

STATUTORY REQUIREMENTS

Local Government Act 1995 – sections 5.8 to 5.25: Council meetings, committees and their meetings and electors’ meetings
Local Government Amendment Act 2024
SAT Determination

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

The Audit Risk and Improvement Committee independent roles are now minimum paid roles as per the Salaries Allowances Tribunal determination 2025 (*9.4.9.2 – Tribunal Determination 2025-006 – Determination of the Salaries and Allowances Tribunal*).

The financial impact is 2 roles at \$105 per meeting, 4 meetings per year = \$840 per year. Travel allowances will be determined by the kilometre’s claimed, however, are estimated to range between \$400 - \$500 per year based on a round trip of 60km per sitting independent member per meeting.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
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 - <i>Adequate</i>			
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 meet 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

GREAT SOUTHERN VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS)
IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Motion 11/26:

Moved – Cr Mickle

Seconded – Cr Mitchell

That Council:

1. Appoints the following Independent Presiding Member and Independent Deputy Presiding Member to the Audit, Risk and Improvement Committee (ARIC):

Independent Presiding Member –

Pip Crook

Independent Presiding Deputy Member –

Digby Stretch

2. Authorises the CEO to implement the minimum committee attendance fee, as per the Salaries and Allowances Tribunal *Local Government Chief Executive Officers and Elected Council Members Determination No 1 of 2025* and *local_govt_variation_no._01_of_2025* for the Independent ARIC roles, set at \$105 per person per Audit Risk and Improvement Committee meeting and authorises reimbursement of travel costs at the current rate of 0.88 cents per kilometre for the 2025/2026 financial year.

Carried 6/0

For: Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

9.4.10 ADVISORY COMMITTEES OF COUNCIL – APPOINTMENT OF COMMUNITY REPRESENTATIVES –NATURAL RESOURCE MANAGEMENT COMMITTEE

AUTHOR	Estelle Lottering
DATE	Friday, 20 February 2026
ATTACHMENT(S)	9.4.10.1 – Terms of Reference – Advisory Committees of Council

‘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 endorse community representatives for membership on Council’s Natural Resource Management Committee.

BACKGROUND

The Shire advertised via noticeboards, Shire of Kojonup (Shire) website and social media and as requested by Council, was placed in the Kojonup News, on noticeboards, the Shire website and social media platforms.

The current Terms of Reference for Council’s Advisory Committees are at attachment 9.4.10.1

COMMENT

Council has received one community representative nomination for its Natural Resource Management (NRM) Committee. Community member Chris Lewis was nominated to join the Natural Resource Management 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 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

Motion 12/26: Moved – Cr Michael Seconded – Cr Mitchell

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

KOJONUP NATURAL RESOURCE MANAGEMENT (NRM) ADVISORY COMMITTEE

Community Member – Chris Lewis

Carried 6/0

For Cr Mathwin, Cr Radford, Cr Mickle, Cr Michael, Cr Wieringa, Cr Mitchell

10 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Cr Mitchell:

1. Requests Council to investigate and look at changing employee's allowances to be capped at \$600.00 per month.
2. Request the latest and last 4 years of statements from BGL Solutions (Oval Management) to review the expenditure.

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

STATUTORY REQUIREMENTS

Section 5.23(2) of the Local Government Act 1995 permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting and the reason for the decision to be recorded in the minutes.

PROCEDURAL MOTION

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

PROCEDURAL MOTION

That the meeting be reopened to the public at _____pm.

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15 **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 15:26 pm.

16 ATTACHMENTS (SEPARATE)

6.1	6.1.1	Unconfirmed Minutes of an Ordinary Council Meeting held on 16 December 2025
6.2	6.2.1	Unconfirmed Minutes of Special Council Meeting held on 23 December 2025
9.4.1	9.4.1.1	Monthly Financial Statements December 2025
9.4.2	9.4.2.1	Monthly Payment Listing December 2025
9.4.3	9.4.3.1	Delegation Register Manual– Existing copy (November 2023) showing changes
9.4.4	9.4.4.1	Unconfirmed minutes of a Roads and Technical Services Advisory Committee Meeting held 3 February 2026
9.4.5	9.4.5.1	Unconfirmed minutes of NRM Advisory Committee Meeting held 4 February 2026
9.4.6	9.4.6.1	BFAC Unconfirmed Meeting Minutes – 3 February 2026
	9.4.6.2	BFAC Attachments for Meeting held on 3 February 2026
9.4.7	9.4.7.1	New Policy – Customer Complaints and Unreasonable Complainants Policy
9.4.8	9.4.8.1	Code of Conduct for Council Members, Committee Members and Candidates
9.4.9	9.4.9.1	Tribunal Determination 2025-026 – Local Government CEO and Elected Council Members Determination Variation No.1 of 2025
	9.4.9.2	Tribunal Determination 2025-006 – Determination of the Salaries and Allowances Tribunal

9.4.10

9.4.10.1

Committees of Council – Terms
of Reference

Confirmed on [DATE] 2026 as a true record –



Presiding Member



Date