

Kojonup



PUBLIC MINUTES

Special Council Meeting

15 September 2026

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

Leading community outcomes

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

Compliance

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

Past and Present

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

6

1

5

2

4

3

The Shire of Kojonup Decision Making Guiding Principles (2019)

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

People First

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

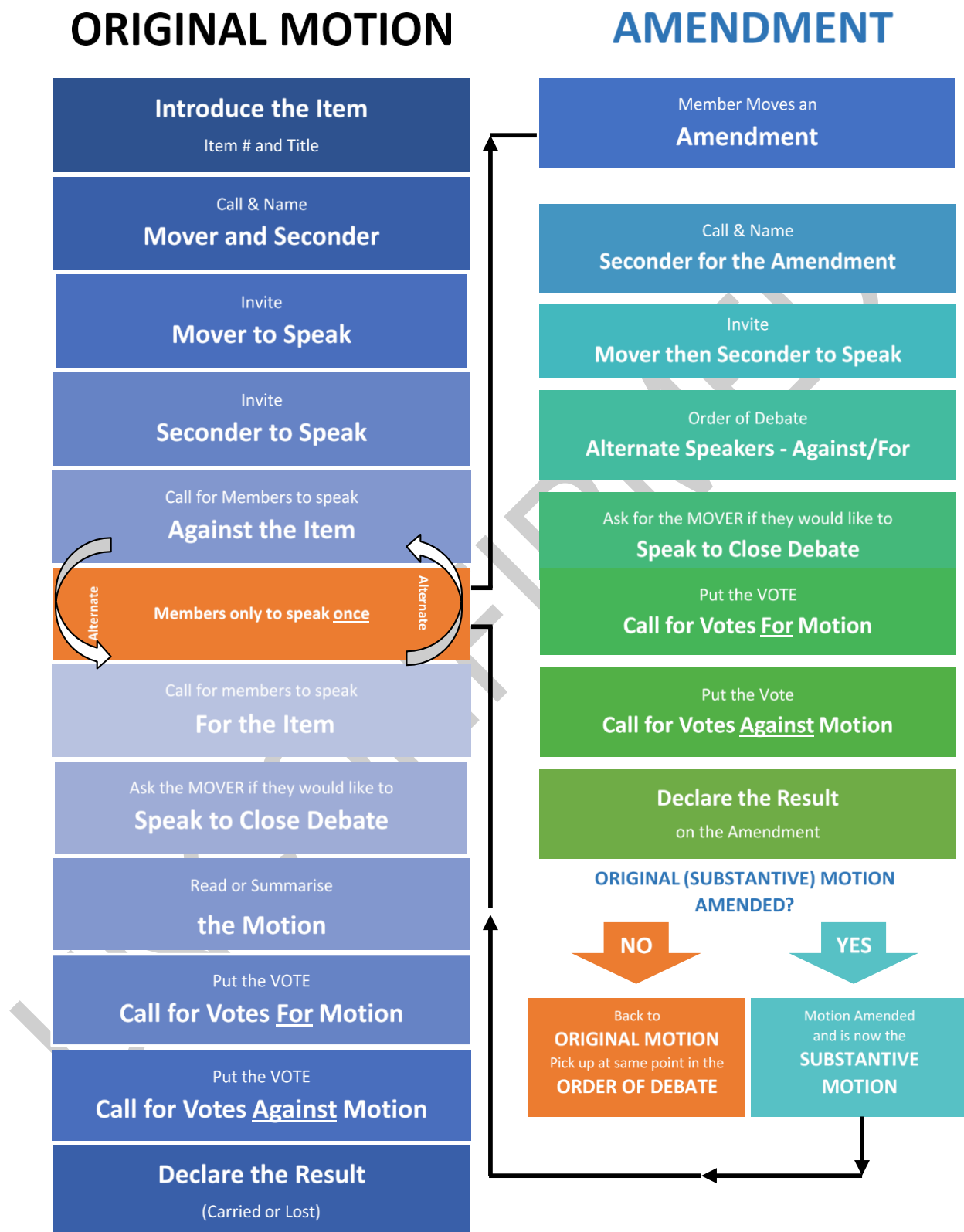
Sharp Funding

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

Analysis-based

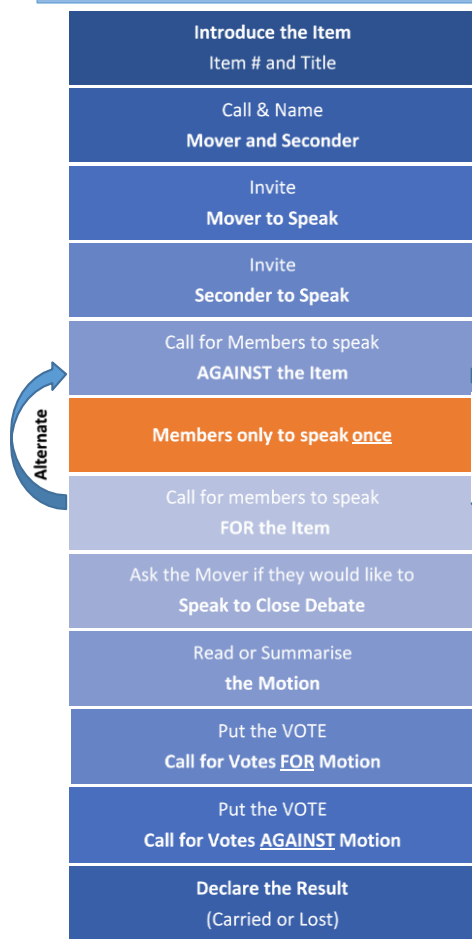
objective and evidence-based data and insights must support decision making

Process of Substantive Motion, Amendment to Motion and Foreshadowed Motion



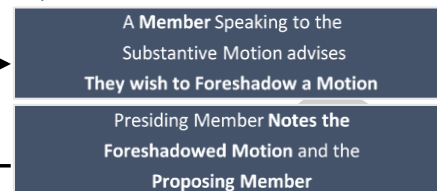
Minor clarification of wording of motions: A minor amendment of the motion can be done at any time through the Presiding Member with the approval of the Mover and the Seconder.

Substantive Motion

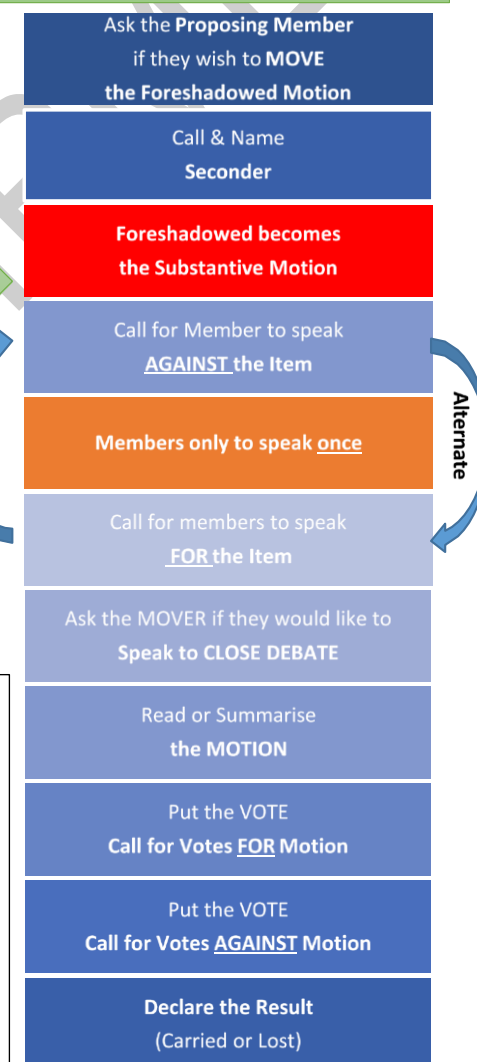


Process: Foreshadowed Motion

E.g. If the substantive motion is lost then I wish to foreshadow an alternative motion



Foreshadowed Motion



Substantive Motion LOST



Foreshadowed Motion
Lapses

Note:

1. Deferring an item wording:

"Deferred for consideration at [TIME] on [DATE] and resubmitting for debate to Council at Ordinary Council Meeting on [DATE]"

2. **"Laying an item on the table"**: is similar to **"deferring"** but the item needs to be re-tabled and be considered and debated in the same meeting.

3. Clarifying Questions can be asked at any time, BUT cannot be debated.

MINUTES OF A SPECIAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2026

TABLE OF CONTENTS

DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS	6
1. ANNOUNCEMENTS FROM THE PRESIDING MEMBER	7
2. RECORD OF ATTENDANCE AND APOLOGIES	7
3.1 ATTENDANCE	7
3.2 APOLOGIES	7
3.3 PUBLIC GUESTS	7
3.4 APPROVED LEAVE OF ABSENCE	7
3. DECLARATION OF INTEREST	7
4. PUBLIC QUESTION TIME	7
5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	7
5.2 PUBLIC QUESTION TIME	8
5. CONFIRMATION/RECEIVAL OF MINUTES	8
6. PRESENTATIONS	8
7.1 PETITIONS	8
7.2 PRESENTATIONS	8
7.3 DEPUTATIONS	8
7.4 DELEGATE REPORTS	8
7. METHOD OF DEALING WITH AGENDA BUSINESS	8
8. REPORTS	8
9.1 KEY PILLAR 'LIFESTYLE' REPORTS	8
9.2 KEY PILLAR 'ECONOMICS' REPORTS	8
9.3 KEY PILLAR 'VISITATION' REPORTS	8
14. MEETING CLOSED TO THE PUBLIC	10
9.4 KEY PILLAR 'PERFORMANCE' REPORTS	11
9.4.1 TENDER 4.25.26 – WASTE MANAGEMENT SERVICES: WASTE COLLECTION, DISPOSAL AND TRANSFER STATION SERVICES	11
14.2 PUBLIC READING RESOLUTIONS THAT MAY BE MADE PUBLIC	15
14.2.1 TENDER 4.25.26 – WASTE MANAGEMENT SERVICES: WASTE COLLECTION, DISPOSAL AND TRANSFER STATION SERVICES	15
10. APPLICATIONS FOR LEAVE OF ABSENCE	15
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	15
12. QUESTIONS FROM MEMBERS WITHOUT NOTICE	15
13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	16
14. MEETING CLOSED TO THE PUBLIC	16
14.1. MATTERS FOR WHICH THE MEETING MAY BE CLOSED	16
15. CLOSE	16

DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President declared the meeting open at 10.05am and drew the meeting's attention to the disclaimer below:

Disclaimer

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting. No responsibility whatsoever is implied or accepted by the Shire of Kojonup for any act, omission or statement or intimation occurring during Council or committee meetings.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire cautions 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.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

The Shire of Kojonup advises that anyone who has any application lodged with the Shire of Kojonup shall obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Kojonup in respect of the application.

These minutes are not a verbatim record but include the contents pursuant to Regulation 11 of Local Government (Administration) Regulations 1996. The meeting is audio recorded.

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*

1. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

2. RECORD OF ATTENDANCE AND APOLOGIES

3.1 ATTENDANCE

COUNCILLORS

Cr Roger Bilney	Shire President
Cr Michael Mathwin	Deputy President
Cr Ned Radford	Councillor
Cr Cindy Wieringa	Councillor
Cr Kerry Mickle	Councillor
Cr Cherilyne Michael	Councillor

SHIRE OFFICERS

Jill Johnson	A/Chief Executive Officer
Judy Stewart	Governance Officer

3.2 APOLOGIES

Nil

3.3 PUBLIC GUESTS

Paul Webb Warren Blackwood Waste representative

3.4 APPROVED LEAVE OF ABSENCE

Cr Craig Mitchell Councillor

3. DECLARATION OF INTEREST

Nil

4. PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5.2 PUBLIC QUESTION TIME

Nil

5. CONFIRMATION/RECEIVAL OF MINUTES

Nil

6. PRESENTATIONS

7.1 PETITIONS

Nil

7.2 PRESENTATIONS

Nil

7.3 DEPUTATIONS

Nil

7.4 DELEGATE REPORTS

Nil

7. METHOD OF DEALING WITH AGENDA BUSINESS

Nil

8. REPORTS

9.1 KEY PILLAR 'LIFESTYLE' REPORTS

9.2 KEY PILLAR 'ECONOMICS' REPORTS

9.3 KEY PILLAR 'VISITATION' REPORTS

PROCEDURAL MOTION	
That Council suspends Standing Orders at 10.11am to allow Mr Paul Webb, Warren Blackwood Waste representative, to clarify aspects of the tender being considered at Item 9.4.1 of this agenda.	
MOTION #:	116/26
MOVED:	Cr Bilney
SECONDED:	Cr Mickle
VOTE:	6/0
FOR:	Cr Bilney, Cr Mathwin, Cr Radford, Cr Wieringa, Cr Mickle, Cr Michael
AGAINST:	

Mr Paul Webb left the meeting at 11.52am.

PROCEDURAL MOTION	
That Council resumes Standing Orders at 11.54am.	
MOTION #:	117/26
MOVED:	Cr Bilney
SECONDED:	Cr Mickle
VOTE:	6/0
FOR:	Cr Bilney, Cr Mathwin, Cr Radford, Cr Wieringa, Cr Mickle, Cr Michael
AGAINST:	

PROCEDURAL MOTION	
That the meeting proceeds behind closed doors in accordance with Section 5.23 of the <i>Local Government Act 1995</i> at 11.56am.	
MOTION #:	118/26
MOVED:	Cr Mathwin
SECONDED:	Cr Michael
VOTE:	6/0
FOR:	Cr Bilney, Cr Mathwin, Cr Radford, Cr Wieringa, Cr Mickle, Cr Michael
AGAINST:	

14. MEETING CLOSED TO THE PUBLIC

STATUTORY REQUIREMENT

Section 5.23 of the *Local Government Act 1995* provides as follows: —

Meetings generally open to public

(1) The following are to be open to members of the public —

- (a) all council meetings;
- (b) all meetings of a committee.

(2) Despite subsection (1), if any of the following matters is to be dealt with at a meeting, the council or committee must close the meeting to members of the public to the extent necessary to ensure that the matter is dealt with at the meeting on a confidential basis —

- (a) a matter that a committee of a House of Parliament, or a joint committee of both Houses, has advised the local government must be dealt with on a confidential basis;
- (b) a matter relating to the recruitment or employment of the CEO or a senior employee, including the following —
 - (i) the termination of employment;
 - (ii) a review of performance under section 5.38;
- (c) a prescribed matter;
- (d) a matter that is the subject of a direction given under section 5.23AA(1).

(3) Despite subsection (1), the council or committee must close a meeting to members of the public to the extent necessary to ensure compliance with a requirement (however formulated) —

- (a) that is imposed under a written law, excluding this Act and local laws; and
- (b) that prohibits or restricts the making public of information.

(4) Despite subsection (1), if any of the following information is to be dealt with at a meeting, the council or committee may close the meeting to members of the public to the extent necessary to ensure that the information is dealt with at the meeting on a confidential basis —

- (a) legal advice, or other information, over which the local government holds legal professional privilege;
- (b) information relating to the personal affairs of an individual;
- (c) information contained in a tender received by the local government for a contract to the extent that the information —
 - (i) is a tendered price; or
 - (ii) a tendered methodology for calculating a price;
- (d) information contained in a tender received by the local government for a contract to the extent that —
 - (i) the information discloses any technology, or any manufacturing, industrial or trade process, that the tenderer proposes to use in performing the contract; and
 - (ii) the information has not previously been made public; and
 - (iii) the making public of the information would be likely to have an adverse effect on the tenderer's business interests;
- (e) information the making public of which would be likely to endanger the security (including cyber-security) of any of the local government's property or operations;
- (f) information the making public of which would be likely to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
- (g) prescribed information;
- (h) information that is the subject of a direction given under section 5.23AA(2).

(5) For the purpose of deciding whether to close a meeting to members of the public under subsection (4) in relation to any information, the following matters are irrelevant —

- (a) whether making the information public would cause embarrassment to any of the following —
 - (i) the local government;
 - (ii) the council or a council member;
 - (iii) a committee of the council or a member of a committee of the council;
 - (iv) an employee;
- (b) whether making the information public would —
 - (i) cause a loss of confidence in the local government; or
 - (ii) make the local government susceptible to adverse criticism;
- (c) whether the information relates to a matter that is controversial in the district;
- (d) a prescribed matter.

(6) Subsection (5) does not prevent other matters from being regarded as irrelevant.

(7) A decision to close a meeting to members of the public under subsection (2), (3) or (4) must be made (including voted on if necessary) at the meeting and while the meeting is open to members of the public.

(8) If a decision is made to close a meeting to members of the public under subsection (2), (3) or (4), the following must be recorded in the minutes of the meeting —

- (a) the decision;
- (b) the subsection under which the decision is made and, if that subsection is subsection (2) or (4), the paragraph of that subsection under which the decision is made;
- (c) if the provision recorded under paragraph (b) is subsection (2)(c) or (4)(g) — the applicable regulation (including any applicable subregulation or paragraph);
- (d) if the provision recorded under paragraph (b) is subsection (2)(d) or (4)(h) — a statement that a direction was given under section 5.23AA(1) or (2) (as the case requires);
- (e) an explanation of how the matter or information to which the decision relates falls within the scope of the provision recorded under paragraph (b);
- (f) a summary of the steps taken to ensure that the closure to members of the public is for no longer than required or authorised under the provision recorded under paragraph (b);
- (g) any prescribed information.

(9) Sections 5.95(3) and 5.96A(2) do not apply to information that is required to be recorded in the minutes of a meeting under subsection (8).

9.4 KEY PILLAR 'PERFORMANCE' REPORTS

9.4.1 TENDER 4.25.26 – WASTE MANAGEMENT SERVICES: WASTE COLLECTION, DISPOSAL AND TRANSFER STATION SERVICES

REPORTING OFFICER:	Jill Johnson – A/Chief Executive Officer
DATE:	Thursday, 10 September 2026
ATTACHMENT(S):	<u>UNDER SEPARATE COVER</u> 9.4.1.1 – Warren Blackwood Waste - Tender 9.4.1.2 – Warren Blackwood Waste - Insurance Documents

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

NB – With regard to advertising referred to within this item, the Western Australian Local Government Association Preferred Supplier Program procurement option was utilised and, therefore, the Request for Tender advertisement was supplied to a range of pre-qualified suppliers in accordance with legislated requirements.

DECLARATION OF INTEREST

Nil

PURPOSE OF THIS REPORT

The purpose of this report is for Council to consider acceptance of a tender submitted by Warren Blackwood Waste for the provision of Waste Management Services in the Shire of Kojonup (Shire).

BACKGROUND

The Shire's existing contract for the provision of waste collection, disposal and transfer station services has expired.

To ensure continuity of this essential community service, the Shire undertook a competitive public tender process for the provision of these services.

Request for Tender RFT4.25.26 was publicly advertised in accordance with the *Local Government Act 1995*, the *Local Government (Functions and General) Regulations 1996* and the Shire's Purchasing Policy. The Request for Tender sought submissions from suitably qualified contractors capable of providing a comprehensive waste collection service across the Shire.

A proposed contract for Waste Management Services will provide for:

- General Waste - Weekly Kerbside Collection;
- Recyclables - Fortnightly Kerbside Collection;
- Commercial/Public Bins – Weekly Collection; and
- Servicing Townsite Area Bins;

with a term of five (5) years, commencing in September 2026, and two further extension options of two (2) years each, exercisable at the discretion of the Shire.

Following the close of tenders, the sole submission received was assessed against the criteria published within the Request for Tender. These criteria considered mandatory compliance requirements together with qualitative assessment of the tenderer's experience, resources, recycling capability, bulk waste capability, pricing and proposed price adjustment mechanisms.

Following completion of the process, Warren Blackwood Waste was identified as a suitable tenderer and is recommended for appointment.

Warren Blackwood Waste has been the Shire's waste management service contractor since 2016 and has demonstrated a strong understanding of the Shire's operational requirements, collection routes and community expectations. Throughout this period the company has consistently provided kerbside refuse and recycling collection services to residents and businesses across the district, while maintaining a local operational presence within Kojonup.

The author considered Warren Blackwood Waste's submission to demonstrate:

- Extensive experience delivering comparable local government waste collection services;
- An established local workforce and operational depot capable of providing seamless continuation of services;
- Appropriate plant, equipment and contingency arrangements to maintain service delivery;
- Certified quality management systems;
- Demonstrated knowledge of the Shire's existing waste collection network and customer expectations; and
- A competitive pricing structure that represents the best value for money outcome when assessed against both qualitative and financial evaluation criteria.

Importantly, appointing Warren Blackwood Waste will allow for continuity of service with minimal implementation risk. As the incumbent contractor, Warren Blackwood Waste already has established collection routes, local staff, operational infrastructure and community familiarity, significantly reducing transition risks that can occur when changing service providers.

Officers are satisfied that Warren Blackwood Waste has demonstrated technical capability, financial capacity, organisational resources and local commitment necessary to successfully deliver the contract for the proposed term.

Accordingly, it is recommended that Council accept the tender submitted by Warren Blackwood Waste and authorise the Shire President and Chief Executive Officer to execute the associated contract documentation.

CONSULTATION

The Request for Tender was publicly advertised and assessed by the Shire.

STATUTORY REQUIREMENTS

- *Local Government Act 1995*
- *Local Government (Functions and General) Regulations 1996*
- Shire Purchasing Policy

POLICY IMPLICATIONS

Policy 2.1.1 – Purchasing and Creditor Control

FINANCIAL IMPLICATIONS

- Engagement of long-term contract across at least five financial years
- Funding is available within the adopted Waste Services budget
- Payments will be in accordance with the accepted schedule of rates

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
12. Supplier - Contract	Inadequate tendering process	Tender/ Procurement Process, Check contractor's insurance at inception and at renewal	Contract Management Framework Review and Implementation
RISK RATING:	Extreme		
IMPLICATIONS			
Applying due diligence during the Request for Tender and awarding of tender process assists in mitigating provision of waste management and contract risks.			

ASSET MANAGEMENT IMPLICATIONS

Nil

GREAT SOUTHERN VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Accepts the tender submitted by Warren Blackwood Waste for the provision of Waste Management Services to the Shire of Kojonup (Shire), as presented;
2. Authorises the Shire President and Chief Executive Officer to execute contract documentation between the Shire of Kojonup and Warren Blackwood Waste for Waste Management Services, as per the tender presented, for a term of five (5) years commencing in September 2026 with two further extension options of two (2) years each, exercisable at the discretion of the Shire; and
3. Advises Warren Blackwood Waste of Council's decision and conditions.

MOTION #:	
MOVED:	
SECONDED:	
VOTE:	
FOR:	
AGAINST:	

PROCEDURAL MOTION

That the meeting be reopened to the public at 12.02pm.

MOTION #:	121/26
MOVED:	Cr Mickle
SECONDED:	Cr Wieringa
VOTE:	6/0
FOR:	Cr Bilney, Cr Mathwin, Cr Radford, Cr Wieringa, Cr Mickle, Cr Michael
AGAINST:	

14.2 PUBLIC READING RESOLUTIONS THAT MAY BE MADE PUBLIC

14.2.1 TENDER 4.25.26 – WASTE MANAGEMENT SERVICES: WASTE COLLECTION, DISPOSAL AND TRANSFER STATION SERVICES

COUNCIL MOTION

That Council:

1. Accepts the tender submitted by Warren Blackwood Waste for the provision of Waste Management Services to the Shire of Kojonup (Shire), as presented;
2. Authorises the Shire President and Chief Executive Officer to execute contract documentation between the Shire of Kojonup and Warren Blackwood Waste for Waste Management Services, as per the tender presented, for a term of five (5) years commencing in September 2026 with two further extension options of two (2) years each, exercisable at the discretion of the Shire and subject to the following conditions:
 - a) The lease area is delineated on a map within the lease agreement;
 - b) Ministerial consent is sought;
 - c) The lease is non-transferable without Shire of Kojonup approval;
 - d) The rental is foregone in exchange for the Lessee accepting kerbside waste from Shire of Kojonup residents and ratepayers for free;
 - e) The lease agreement covers the entire operation;
 - f) The Shire of Kojonup is listed as an interested party on the insurance documents; and
2. Advises Warren Blackwood Waste of Council's decision and conditions.

MOTION #:	120/26
MOVED:	Cr Mathwin
SECONDED:	Cr Radford
VOTE:	6/0
FOR:	Cr Bilney, Cr Mathwin, Cr Radford, Cr Wieringa, Cr Mickle, Cr Michael
AGAINST:	
REASON FOR CHANGE TO OFFICER RECOMMENDATION:	To include conditions in the contract documentation.

10. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

14. MEETING CLOSED TO THE PUBLIC

14.1. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

15. CLOSE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 12.06pm.

Attachments:

UNDER SEPARATE COVER

- 9.4.1 9.4.1.1 – Warren Blackwood Waste - Tender
- 9.4.1.2 – Warren Blackwood Waste - Insurance Documents