

SHIRE OF KOJONUP  
**Kojonup**



# AGENDA

## Ordinary Council Meeting

**15 June 2021**

**TO: THE SHIRE PRESIDENT AND COUNCILLORS**

NOTICE is hereby given that a meeting of the Council will be held in the Council Chambers, Administration Building, 93 Albany Highway, Kojonup on Tuesday, 15 June 2021 commencing at 3:00pm.

Qualified Persons Advice, etc.

I certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii. Where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

  
**RICK MITCHELL-COLLINS**  
**CHIEF EXECUTIVE OFFICER**

11 June 2021

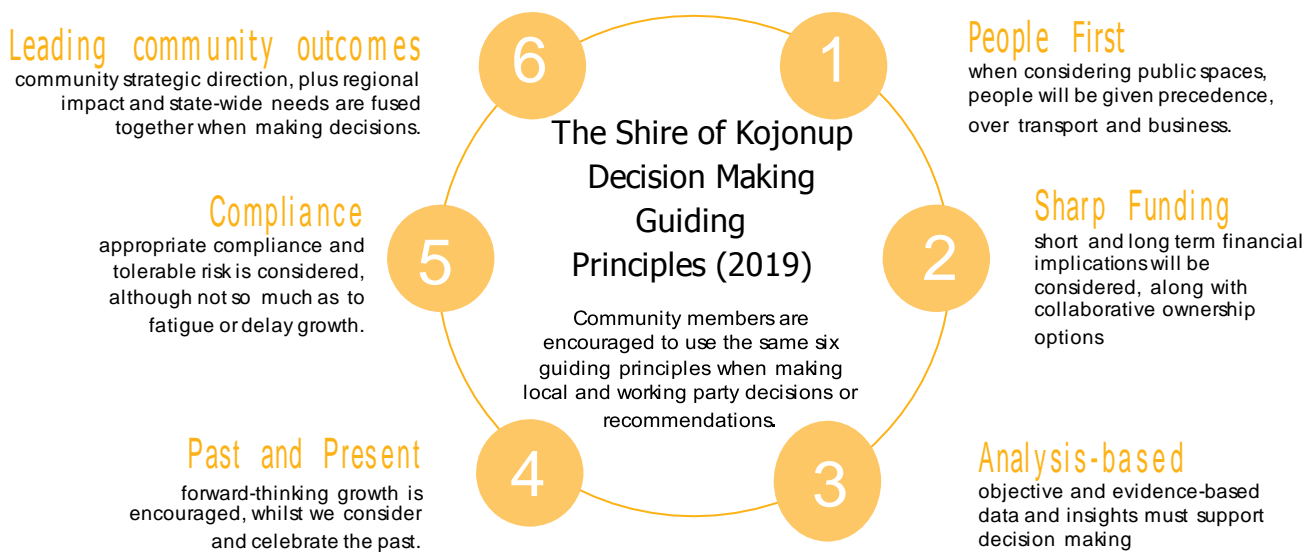
**AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 15 JUNE 2021**

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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.



AGENDA

**1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

The Shire President shall declare the meeting open at\_\_ 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 – Cr Pedler**

*Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elizabeth. Grant to her good health and strength in the executing of her duties.*

*We pray for all Ministers and Cabinet members of the Australian Federal and State Government. Grant to them wisdom in the welfare of Australia, so that truth and justice is established for all Australians.*

*Lastly Gracious Father, we pray for ourselves. We ask that you might grant to us the ability to speak with integrity and to work with uncompromising diligence. Grant to us the wisdom to make good decisions, remembering that we are one community. Grant to us the good humour to keep things in perspective in a community that is a diverse population.*

*We ask that we might always be mindful of the safety and welfare of the people of Kojonup. Grant to all who serve on Public Committees the ability to listen and work together with mutual respect for one another. Bless us with the personal joy of knowing that we have done our best.*

**2 ATTENDANCE AND APOLOGIES**

**COUNCILLOR**

Cr Benn	Shire President
Cr Radford	Deputy Shire President
Cr Fleay	
Cr Gale	
Cr Pedler	
Cr Webb	
Cr Wieringa	
Cr Singh	

**STAFF**

Rick Mitchell-Collins	Chief Executive Officer
Anthony Middleton	Manager Corporate and Community Services
Emily Sleight	Sport and Recreation Officer
Lorraine Wyatt	Executive/Human Resource Coordinator
Judy Stewart	Senior Administration Officer

**LEAVE OF ABSENCE**

Nil

**APOLOGIES**

Nil

**3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

**4 PUBLIC QUESTION TIME**

Questions may be submitted using the special email address for **Council Meeting Public Question Time** being [cmpqt@kojonup.wa.gov.au](mailto:cmpqt@kojonup.wa.gov.au)

The Manager Corporate and Community Services will table all correspondence received.

**4.1 Mr Digby Stretch - President Kojonup Bushfire Association (submitted via email 31 May 2021)**

*In April, the Bushfire Association AGM endorsed the list of FCO's for the next season, which was then endorsed by BFAC to go to shire as a recommendation.*

*With no consultation with BFA or BFAC, the Officer Recommendation put to council for the May 18<sup>th</sup> meeting had the CESM Kevin Bransby's name added to the BFAC recommendation for FCO's.*

*The FCO status of the CESM position has been contentious. The attached BFAC minutes make no reference to the CESM FCO issue, as it was not discussed.*

*It appears that the CEO has tried to avoid discussion of the topic by leaving it out of the BFAC meeting and adding it afterwards as a recommendation to council.*

*Does the Kojonup Shire Council consider this to be an appropriate level of governance and trust by the CEO?*

**Response:**

In accordance with the following points, item 11.1 in the 18 May 2021 Council Minutes is considered to be an “appropriate level of governance and trust by the CEO” and the Shire of Kojonup:

1. The minutes of the Bush Fire Advisory Committee (BFAC) meeting were provided to the Council in full as an attachment to the 18 May 2021 Council Meeting agenda item;
2. The recommendation within item 11.1 from the 18 May 2021, titled “Officer’s Recommendation” (not “Committee Recommendation”), includes under point 2 of the recommendation, the line “Kevin Bransby, CESM”. This does not appoint Mr Bransby as a Fire Control Officer (FCO), as disclosed in the motion. Mr Bransby is the only person *without* “FCO” listed after his name;
3. As Mr Bransby is not a Fire Control Officer, the FCO status of the CESM position is not considered to be contentious, nor would the BFAC minutes be expected to make reference to a matter that was plainly not discussed. Therefore, there would be no reason for the CEO to “try to avoid”, discussing something that isn’t true;
4. No questions were asked by elected members regarding item 11.1 at the 18 May 2021 Council Meeting and the motion was carried unanimously;
5. The question raised by Mr Stretch, and copied to all elected members and others, was subsequently raised by Cr Radford at the Briefing Session held 1 June 2021, whereby the minutes reflect the following outcome:  
*“CESM – Councillors agreed with inclusion of officer in resolutions at May Council meeting as officer still requires authorisation from CEO as per MOU.”*

**5 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

**7 CONFIRMATION OF MINUTES**

**7.1 COUNCIL MEETING 18 MAY 2021**

Minutes of the Council Meeting which was held on 18 May 2021 were previously circulated under separate cover and are at [Attachment 7.1.1](#).

**OFFICER RECOMMENDATION**

**That the Minutes of the Council Meeting held on 18 May 2021 be confirmed as a true record.**

**7.2 SPECIAL COUNCIL MEETING 1 JUNE 2021**

Minutes of the Special Council Meeting which was held on 1 June 2021 were previously circulated under separate cover and are at [Attachment 7.2.1](#).

**OFFICER RECOMMENDATION**

**That the minutes of the Special Council Meeting held on 1 June 2021 be confirmed as a true record.**

**8 ANNOUNCEMENTS** by the Presiding Member without discussion

**9 DECLARATIONS OF INTEREST**

**Item 17.2 – Chief Executive Officer Employment Contract – Extension of Term and Executive Leave Days**

- Rick Mitchell-Collins declared a Direct Financial Interest in this item being the Chief Executive Officer and the subject of the item.

**Item 17.3 - Chief Executive Officer Performance Appraisal**

- Rick Mitchell-Collins declared a Direct Financial Interest in this item being the Chief Executive Officer and the subject of the item.



**10 KEY PILLAR 1 – ‘PLACE’ REPORTS**

10.1 KEVIN O’HALLORAN MEMORIAL POOL – TEN (10) YEAR OPERATIONAL PLAN REVIEW

<b>AUTHOR</b>	Emily Hills – Sport and Recreation Officer
<b>DATE</b>	Friday, 4 June 2021
<b>FILE NO</b>	CP.MTC.29
<b>ATTACHMENT(S)</b>	10.1.1 - Kevin O’Halloran Memorial Swimming Pool Ten (10) Year Operational Plan Review March 2021

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 1 - Place	1.2 - Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.2.10 – Sporting Infrastructure Upgrades <ul style="list-style-type: none"> <li>• Create swimming pool leisure activities</li> <li>• East pool fence upgrade</li> </ul> 1.2.11 – Additional shade and life of pool tank at the Kevin O’Halloran memorial Swimming Pool to increase community use  1.2.13 – Investment in the swimming pool including shade and increasing the life of the pool tank

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

The purpose of the report is for Council to consider the review of the ten (10) year Operational Plan (Plan) for the operation, refurbishment and maintenance of the Kevin O’Halloran Memorial Swimming Pool.

**BACKGROUND**

At the April 2020 Ordinary Council Meeting, Council resolved as follows:

**OFFICER RECOMMENDATION/COUNCIL DECISION**

37/20

**“That the Ten (10) Year Precinct Plan for the Kevin O’Halloran Memorial Swimming Pool, as attached, be adopted.”**

Following this decision, Shire staff have progressed and updated the plan to include completed works, urgent works and a clear timeline for the suggested completion of projects.

#### **COMMENT**

The Kevin O’Halloran Memorial Swimming Pool is a highly utilised asset for residents in Kojonup. The Shire is providing an essential service by assisting with the provision of swimming lessons for children. The Centre for Disease Control and Prevention notes that drowning is the second leading cause of death in children aged 5-14 years, with swimming lessons reducing the risk of drowning by 88%.

In addition to educational opportunities, the Swimming Pool provides low-cost access to activities promoting health and wellbeing. With the various program offerings available for all ages over the summer period, community members have the ability to interact and remain physically active.

Following the purchase of the inflatable obstacle course in 2019, weekend sessions became very popular with families. This indicates that having extra activities available for patrons has a positive impact on facility usage. This would be further supported by the installation of a half-court basketball space and a small children’s playground area. Both of these spaces would encourage families to remain longer at the Swimming Pool by offering alternatives to being in the water.

The allocation of budget funds to complete urgent works as listed in the reviewed Plan in the 2021/2022 Financial Year, as well as the required annual and bi-annual servicing, will ensure the Swimming Pool remains a safe facility for users and staff. It is worth noting that the results of the Royal Life Saving Association WA’s Safety Assessment of 2020 indicate the current management processes regarding safety are being implemented well, and funds should continue to be allocated to ensure patron and staff safety at all times.

#### **CONSULTATION**

Gavin Bunbury - Swimming Pool Manager  
Briefing Session – 6 April 2021

#### **STATUTORY REQUIREMENTS**

*Health (Aquatic Facilities) Regulations 2007*

#### **POLICY IMPLICATIONS**

##### **2.2.14 Occupational Health and Safety**

In summary, we expect of our leaders:

- To lead by good example, create, adopt and maintain safe work practices and behaviours that lend to safe & healthy team environments;
- To resource our workplace and our teams so they can operate safely;
- To remove barriers that could prevent a safe and healthy environment;
- To promote and maintain standards defined by our Safety Management Plan, practices and Occupational Safety & Health legislation;
- To supervise effectively, encourage and foster work practices, and implement hazard management and work planning to the requirements of our OSH Safety Management Plan.

We expect all our workers and volunteers:

- To lead by good example, participate in safe work practices and behaviours that lend to safe and healthy team environments;
- To work respectfully and foster professional and healthy relationships with fellow team members and co-workers;
- To follow work procedures and instructions that will assist in meeting the objectives of this Policy;
- To follow the training they have been provided with in order to work safely;
- To report on hazards, incidents and safety concerns within the procedures of our Safety Management Plan and practices.

### 2.3.4 Asset Management

Asset Management Plans will form part of the Shire’s day-to-day business practices and will be used to make informed decisions in relation to service delivery across:

### 2.3.5 Risk Management

The Shire is committed to organisation-wide risk management principles, systems and processes that ensure consistent, efficient, and effective assessment of risk in all planning, decision making and operational processes. This will ensure compliance with the Integrated Planning requirements of the *Local Government Act (1995)* s. 5.56(2).

## FINANCIAL IMPLICATIONS

1C2950 – Swimming Pool Capital Improvement/Renewal

There has not been an allocation of funds for the scope of works listed in the Asset Management Plan in the 2020/2021 Budget. Council should consider the allocation of funds for urgent works and the items listed in the ‘Year Two 2021/2022’ column of the Ten Year Asset Management Plan Yearly costing’s in the 2021/2022 Budget.

## RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Asset Sustainability</i>	<i>Inadequate design – not fit for purpose</i>	<i>Routine maintenance schedule: Other infrastructure (Parks, reserves &amp; play equipment)</i>	<i>Nil – however routine maintenance occurs but does not address this specific issue</i>
<i>Business Disruption</i>	<i>Loss of key infrastructure</i>	<i>Business continuity framework</i>	<i>Nil</i>
<i>Facilities-Venues</i>	<i>Inadequate oversight or provision of peripheral services</i>	<i>Facility operation manuals and service plans</i>	<i>Nil</i>

*Risk rating Medium*

**IMPLICATIONS**

*Completing scheduled maintenance and programmed upgrades for the Swimming Pool will reduce risks to the Shire and patrons. Ongoing upgrades required by regulations specified in Health (Aquatic Facilities) Regulations 2007 will ensure the Shire are meeting legal requirements in managing an aquatic facility.*

**ASSET MANAGEMENT IMPLICATIONS**

8.3.9 Lists the Swimming Pool with a renewal value of \$3,884,325.00.

In Section 14, Individual Asset Summaries, there has been no allocation in either the Proposed Annual Renewal Expenditure or the Predicted Annual Renewal Expenditure for the items listed in the Swimming Pool Asset Management Plan.

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

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the reviewed Kevin O’Halloran Memorial Swimming Pool Ten (10) Year Operational Plan be adopted by council.**

**11 KEY PILLAR 2 – ‘CONNECTED’ REPORTS**

**11.1 SOUTHERN LINK VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (VROC) – REVIEW OF STRATEGIC DIRECTIONS 2021 - 2024**

<b>AUTHOR</b>	Rick Mitchell-Collins, Chief Executive Officer	
<b>DATE</b>	Tuesday, 8 June 2021	
<b>FILE NO</b>	GR.LRL.2	
<b>ATTACHMENT</b>	<a href="#">11.1.1 - Strategic Directions 2021-2024 (April 2021)</a>	
<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 2 - Connected	2.1 – Be growing our state-wide and local tourism and shopping capabilities through regional alliances.	2.1.1 – Build partnerships with WA recreation, business and tourism. 2.1.6 Explore shared services options with neighbouring local governments to improve efficiencies.

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

To adopt the Southern Link – Voluntary Regional Organisation of Councils (VROC) Review of Strategic Directions 2021 -2024.

**BACKGROUND**

Bevan Bessen (Tuna Blue Pty Ltd) has undertaken the review over two sessions with VROC Member Elected Representatives and Chief Executive Officers to finalise the Plan at the Southern Link Full VROC meeting held on 31 May 2021, where it was resolved:

**5/21 Decision:**

**Moved: Cr R Fleay**

**Seconded: Cr F Gaze**

**That the Southern Link VROC recommend to member Councils the adoption of the 2021 - 2024 Southern Link Strategic Plan as tabled.**

**CARRIED UNANIMOUSLY**

**COMMENT**

The Strategic Directions (2021 – 2024) of the Southern Link Voluntary Regional Organisation of Councils is the framework for the excellent working relationship that has developed between six Local Government Authorities in the Great Southern Region of Western Australia.

In the first Strategic Directions (2015 – 2020), the Councils spent time working out the basis of the VROC approach and focused on priorities such as the provision of aged housing and

independent living facilities, the development of regional records archiving, water recycling and regional road initiatives.

The current plan is now based on the value and benefits to be achieved from an expanded sub-regional group as a result of agreement in principle on the additional participation of the Shire of Gnowangerup and the Shire of Katanning. The focus is on building advocacy strength as a significant sub-regional bloc.

#### **CONSULTATION**

Southern Link VROC Meetings – 8 November 2019 and 4 December 2020

#### **STATUTORY REQUIREMENTS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

An additional two local governments in the VROC will enable financial contributions required to achieve strategic objectives, addressing common issues, joint initiatives, research, etc., to be shared amongst six shires rather than the previous four local governments.

#### **RISK MANAGEMENT IMPLICATIONS**

Nil

#### **ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Aligns with Local Government ability to undertake Integrated Planning and Reporting, both individually and collectively which is supported.

#### **VOTING REQUIREMENTS**

Simple majority

#### **OFFICER RECOMMENDATION**

**That Council adopts the reviewed Strategic Directions 2021-2024 of the Southern Link Voluntary Regional Organisation of Councils as attached.**

11.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MINUTES 25 MAY 2021

<b>AUTHOR</b>	Rick Mitchell-Collins, Chief Executive Officer
<b>DATE</b>	Wednesday, 2 June 2021
<b>FILE NO</b>	ES.MET.1
<b>ATTACHMENT(S)</b>	<a href="#">11.2.1 - LEMC Minutes 25 May 2021</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>“Smart Possibilities – Kojonup 2027+”</b>		<b>“Smart Implementation – Kojonup 2018-2022”</b>
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

The purpose of this report is to consider the minutes from the Local Emergency Management Committee meeting held 25 May 2021.

**BACKGROUND**

The Local Emergency Management Committee (LEMC) is established under Section 38 of the *Emergency Management Act 2005* and plays an important role in the Council’s decision-making process. Minutes of these meetings are presented to Council to be received.

**COMMENT**

All matters contained within the minutes are considered in this agenda item.

**CONSULTATION**

Members of the Local Emergency Management Committee

**STATUTORY REQUIREMENTS**

Section 38 of the *Emergency Management Act 2005*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>2) Business Disruption</i>	<i>Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.</i>	<i>Regular LEMC, DEMC Meetings</i>	<i>Nil</i>
<i>Risk Rating - Adequate</i>			
IMPLICATIONS			
<i>The Shire is legislated to establish and maintain a LEMC. Having a LEMC assists staff, Councillors and relevant Community members to be able to work together under pressure in times of extreme stress should an emergency situation arise thus mitigating risk.</i>			

**ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION**

**That the minutes of the Local Emergency Management Committee Meeting held 25 May 2021 be received.**



11.3 ELECTRIC VEHICLE CHARGING STATION FEES

<b>AUTHOR</b>	Emily Sleight – Sport and Recreation Officer
<b>DATE</b>	Friday, 4 June 2021
<b>FILE NO</b>	ET.CON.1
<b>ATTACHMENT(S)</b>	Nil

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 2 - Connected	2.1 - Be growing our state-wide and local tourism and shopping capabilities through regional alliances.	2.1.2 – Promote and facilitate Kojonup as a short term tourism destination to and from Albany

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

The purpose of this report is to consider the implementation of fees for users of the Shire owned Electric Vehicle Charger located at The Kodja Place.

**BACKGROUND**

At the Ordinary Council Meeting held 28 July 2020, Council resolved as follows:

**88/20 Moved Cr Radford, seconded Cr Fleay**

“That:

1. The offer of a donated Tritium 50kW Veefill station from Synergy including installation of the unit, to a total value of \$30,000, be accepted;
2. The Service Level Agreement and quote for Annual Fees from Gemtek be accepted;
3. Use of the charging station for electric vehicles be free for the 2020/2021 financial year as a trial and a tool to promote Kojonup, following which pricing will be set at a commercial level.”

**CARRIED 7/0**

As Council is in the process of finalising the 2021/2022 Budget, the decision on whether to implement a fee per kilowatt hour (kWh) for the Electric Vehicle Charger should be made prior to the advertising of Fees and Charges.

**COMMENT**

The Electric Vehicle Charger has been well utilised since its installation in November 2020. The unit was gifted to the Shire by Synergy, and is decorated with original artworks by local indigenous artist Craig McVee.

Figures gathered from the Chargefox billing management system indicate the following:

- 6100kWh of electricity used to end May 2021
- \$1159.10 cost in electricity to Shire to end May 2021
- 196 uses over the 6 month period to date

Average fees for Chargefox electric vehicle charging systems are between 30 and 40 cents per kWh. A table indicating projected usage and possible fee income is below.

	<b>2020/2021</b>	<b>2021/2022 – if charged</b>		
	<b>Nil charge</b>	<b>30c per kWh</b>	<b>40c per kWh</b>	<b>50c per kWh</b>
<b>Estimated kWh</b>	6100kWh	12200kWh	12200kWh	12200kWh
<b>Costs of usage</b>	\$1159.10	\$2300 (estimated)	\$2300 (estimated)	\$2300 (estimated)
<b>Annual service fee</b>	\$3963.00	\$3963	\$3963	\$3963
<b>Income</b>	Nil	\$3660 (estimated)	\$4880 (estimated)	\$6100 (estimated)
<b>Net position</b>	-\$5122.10	-\$2603.00	-\$1383.00	-\$163.00

#### **CONSULTATION**

Nil

#### **STATUTORY REQUIREMENTS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

The ongoing costs of running and maintaining the electric vehicle charging station are as per the service agreement with Gemtek signed November 2020, \$3,603.24 ex GST annually.

If figures are estimated for the 2021/2022 financial year in line with usage for the period November to end May 2021, total cost to the Shire will be approximately \$6263.00 for 2021/2022. This can be offset in part by setting a fee per kWh for users of the service. In line with average fees for Chargefox systems, a 30 cent rate per kWh would see the Shire reduce their costs to \$2603 for 2021/2022, a 40 cent rate per kWh would reduce it to \$1383.00 for 2021/2022 and a 50 cent rate per kWh would reduce it to \$163.00 for 2021/2022. Each option is preferable to continuing to offer the charging facility for free to users.

### RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Asset Sustainability</i>	<i>Insufficient budget to maintain or replace assets</i>	<i>Routine maintenance schedule</i>  <i>Asset replacement schedule</i>	<i>Nil</i>
<i>IT &amp; Communications</i>	<i>Power outage on site or at service provider</i>  <i>Failure of vendor</i>	<i>Maintenance program</i>  <i>Service level agreement with vendor</i>	<i>Negotiate service level agreement with vendor</i>  <i>Negotiate service level agreement with vendor</i>
<i>Supplier and Contract Management</i>	<i>Limited availability of suppliers</i>	<i>Tender / procurement process</i>	<i>Nil</i>
<i>Risk rating - Low</i>			
<b>IMPLICATIONS</b>			
<i>Insufficient budget to maintain or replace assets can be mitigated by the sale of electricity to partially offset the annual service fees and electricity charges associated with the electric vehicle charging station.</i>			

### ASSET MANAGEMENT IMPLICATIONS

Nothing exists currently in the Asset Management Plan in regards to electric vehicle charging facilities. The unit will require annual servicing, as specified in the Service Level Agreement, and reporting through the Chargefox system and replacement at the end of its useful life.

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

Nil.

### VOTING REQUIREMENTS

Simple Majority

### OFFICER RECOMMENDATION

**That Council adopt a 50 cent per kWh fee (excluding GST) for users of the Electric Vehicle Charger located at The Kodja Place for the 2021/2022 Financial Year as part of the List of Fees and Charges.**

## 12 **KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS**

### 12.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (MAY 2021)

<b>AUTHOR</b>	Anthony Middleton – Manager Corporate & Community Services
<b>DATE</b>	Wednesday, 9 June 2021
<b>FILE NO</b>	FM.FNR.2
<b>ATTACHMENT(S)</b>	<b>12.1.1 – May 2021 Monthly Financial Statements</b>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>“Smart Possibilities – Kojonup 2027+”</b>		<b>“Smart Implementation – Kojonup 2021 +”</b>
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

#### **DECLARATION OF INTEREST**

Nil.

#### **SUMMARY**

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 May 2021.

#### **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 July 2020 to 31 May 2021 represents eleven (11) months, or 92% of the year.

The following items are worthy of noting:

- Closing surplus position of \$170,334;
- Operating results:
  - 74% of budgeted operating revenue has been received; and
  - 94% of budgeted operating expenditure spent;
- Capital expenditure achieved 35% of budgeted projects;
- Cash holdings of \$3.71m of which \$3.48m is held in cash backed reserve accounts and \$347,553 is a grant held for other parties; and

- Page 9 & 10 of the statements detail major variations from year to date (amended) budgets 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. The recommendation does not in itself have a financial implication.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications for this report.

**ASSET MANAGEMENT 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**

**That the monthly financial statements for the 31 May 2021, as attached, be noted.**

12.2 MONTHLY PAYMENTS LISTING MAY 2021

<b>AUTHOR</b>	Vivicka Kahn - Finance Officer
<b>DATE</b>	Tuesday, 8 June 2021
<b>FILE NO</b>	FM.AUT.1
<b>ATTACHMENT</b>	<a href="#">12.2.1 – Monthly Payment Listing 1/05/2021 to 31/05/2021</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To receive the list of payments covering the month of May 2021.

**BACKGROUND**

Not applicable.

**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 Manager of Corporate and Community Services prior to the meeting.

**CONSULTATION**

No consultation was required.

**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 made in line with Council Policy.

**RISK MANAGEMENT IMPLICATIONS**

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

**ASSET MANAGEMENT PLAN IMPLICATIONS**

Nil

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

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

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 May 2021		TO – 31 May 2021
Municipal Cheques	14295 - 14295	\$25,204.89
EFTs	28051 - 28269	\$675,060.60
Direct Debits		\$388,776.10
Total		\$1,089,041.59

be received.

**13**    **KEY PILLAR 4 – ‘PROSPERITY’ REPORT**

Nil



**14 KEY PILLAR 5 – ‘DIGITAL’ REPORTS**

14.1 ELECTORAL REFORM SUBMISSION

<b>AUTHOR</b>	Rick Mitchell-Collins – Chief Executive Officer
<b>DATE</b>	Tuesday, 8 June 2021
<b>FILE NO</b>	GR.STL.1
<b>ATTACHMENT(S)</b>	<a href="#">14.1.1– WALGA and Shire of Kojonup Submissions</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>“Smart Possibilities – Kojonup 2027+”</b>		<b>“Smart Implementation – Kojonup 2018-2022”</b>
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 5 - Digital	5.4 – Have used technology to become a smart, safe, collaborative and informed region.	5.4.4 – Use continually collected data and analysis to better plan for population, accommodation, education, health and aged care services.

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To endorse the WALGA and Shire of Kojonup submissions to the State Government regarding Electoral Reform of the Legislative Council voting system.

**BACKGROUND**

Hon. John Quigley MLA, Attorney General; Minister for Electoral Affairs, announced on Friday, 30 April 2021 the establishment of a Ministerial Expert Committee to advise the Government on electoral reform. The Government now asks the Committee to review the electoral system for the Legislative Council and provide:

1. Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council, and
2. Recommendations for the distribution of preferences in the Legislative Council’s proportional representation system.

**COMMENT**

(Extracts from WALGA submission)

*“The Minister has expressed an opinion that the group ticket voting system that enables micro party candidates to be elected is not democratic.*

*Wilson Tucker, of the Daylight Savings Party, was elected to the Legislative Council with 98 first preference votes (which equates to less than 0.2 percent of valid votes) in the Mining and Pastoral Region.*

*Similar outcomes were observed in the Australian Senate prior to the 2016 election, which led to the changes to the Senate’s voting method.*

*Reform in WA should be undertaken to remove the group voting ticket from the Legislative Council voting system similar to the Senate reforms undertaken in 2016.*

*Practically, this would mean voters would be required to allocate preferences among parties above the line, or among candidates below the line, up to, at minimum, the number of vacant positions in the region or electoral district.*

*The aim of removing group ticket voting would be to make it much more difficult for micro parties to have candidates successfully elected through “preference harvesting”. The 2016 Senate reforms demonstrated that the removal of group voting tickets had this effect at the 2016 full-Senate and 2019 half-Senate elections.*

*In addition, given the familiarity of the method of voting for the Senate, adopting electoral reform of this nature would be unlikely to significantly increase the rate of informal voting.*

*Rejects the option of members of the Legislative Council being elected from an electorate comprising the entire state of Western Australia, principally on the basis that rural and remote political representation would be diminished irrevocably.*

*Representing communities through Local Government across the breadth of the vast state of Western Australia, WALGA recognises the importance of political representation. As demographic and other forces pull people away from some regions towards the metropolitan area, political representation becomes increasingly important. The terms of reference – demanding electoral equality – are contestable. It is the Local Government sector’s experience that equality has many facets. Different levels of State Government services provided to different communities exemplify inequality, as does the varying distance to be travelled to access services and elected representatives. Focusing on equality only in terms of the number of electors in a Legislative Council region neglects to recognise the social, societal, economic, and geographic reality among Western Australian communities.*

*Electoral equality, established on the basis of the number of electors, in the Legislative Council will reduce political representation of rural and remote communities. Consequently, the political representation provided by Local Government will become even more important. This additional responsibility will be very challenging for many non-metropolitan Local Governments which are already stretched beyond their current capacity and resourcing.”*

#### **CONSULTATION**

WALGA Policy Forum – Cr R Fleay as Great Southern Zone representative and State Councillor sought Local Government input.

Briefing Sessions – 18 May and 8 June 2021

#### **STATUTORY REQUIREMENTS**

*Electoral Act 1907*

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

### RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 Compliance	<p><i>Failure to correctly communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal &amp; public domain legal documentation.</i></p> <p><i>Ineffective policies &amp; processes</i></p>	<p><i>External Audits (compliance)</i></p>	<p><i>Nil</i></p>
Risk Rating - Adequate			
IMPLICATIONS			
<p><i>Supporting the WALGA and Shire of Kojonup submission lessens the risk associated with less representation in non-metropolitan electorates.</i></p>			

### ASSET MANAGEMENT IMPLICATIONS

Nil

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

Nil

### VOTING REQUIREMENTS

Simple Majority

### OFFICER RECOMMENDATION

That Council endorses the WALGA and Shire of Kojonup submission recommendations listed below:

1. Group Ticket Voting be removed from the Legislative Council Electoral System, and reforms be adopted modelled on the Senate reforms of 2016.
2. A regional system be retained, and the whole state electorate option be rejected.
3. The Ministerial Expert Committee on Electoral Reform be required to consider the importance of political representation for rural and regional Western Australia.

**15**    **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**16 NEW BUSINESS**

**17 CONFIDENTIAL REPORTS**

17.1 LEASE OF COUNCIL PROPERTY – PART OF LOT 9999 THORNBURY CLOSE, KOJONUP – TENDER 3 OF 2020/21

<b>AUTHOR</b>	Judy Stewart – Senior Administration Officer
<b>DATE</b>	Wednesday, 9 June 2021
<b>FILE NO</b>	CP.LEA.1

17.2 CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT – EXTENSION OF TERM AND EXECUTIVE LEAVE DAYS

<b>AUTHOR</b>	Lorraine Wyatt – Executive/Human Resource Coordinator
<b>DATE</b>	Wednesday, 9 June 2021
<b>FILE NO</b>	Personnel

17.3 CHIEF EXECUTIVE OFFICER PERFORMANCE APPRAISAL

<b>AUTHOR</b>	Lorraine Wyatt – Executive/Human Resource Coordinator
<b>DATE</b>	Thursday, 10 June 2021
<b>FILE NO</b>	Personnel

**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 proceed behind closed doors in accordance with Section 5.23(2)(a)-(c) of the *Local Government Act 1995* at \_\_\_\_\_pm.**

**PROCEDURAL MOTION**

**That the meeting be reopened to the public at \_\_\_\_\_pm.**

**18 NEXT MEETING**

Ordinary Council Meeting Tuesday, 27 July 2021 commencing at 3.00pm.

**19 CLOSURE**

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

**20     ATTACHMENTS (SEPARATE)**

Item 7.1	7.1.1	Unconfirmed Minutes of the Council Meeting held on 18 May 2021
Item 7.2	7.2.1	Unconfirmed Minutes of the Special Council Meeting held 1 June 2021
Item 10.1	10.1.1	Kevin O’Halloran Memorial Swimming Pool Ten (10) Year Operational Plan V1.0
Item 11.1	11.1.1	Strategic Directions 2021 – 2021 (April 2021)
Item 11.2	11.2.1	LEMC Minutes 25 may 2021
Item 12.1	12.1.1	Monthly Financial Statement May 2021
Item 12.2	12.2.1	Monthly Payment Listing 1/05/2021 to 31/05/2021
Item 14.1	14.1.1	WALGA and Shire of Kojonup Submission