

SHIRE OF KOJONUP

Kojonup



MINUTES

Special Council Meeting

7 September 2021

AGENDA FOR THE SPECIAL COUNCIL MEETING TO BE HELD ON 7 SEPTEMBER 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.

Leading community outcomes

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

Compliance

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

Past and Present

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

6

**The Shire of Kojonup
Decision Making
Guiding
Principles (2019)**

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

1

People First

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

2

Sharp Funding

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

3

Analysis-based

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

4

5

MINUTES

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President declared the meeting open at 3.00pm and draw the meeting's attention to the disclaimer below:

Disclaimer

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

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

Acknowledgement of Country

The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.

We pay our respect to their Elders past, present and emerging

Prayer – Cr Gale

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

COUNCILLORS

Cr Benn

Shire President

Cr Radford

Deputy Shire President

Cr Fleay

Cr Gale

Cr Webb

Cr Wieringa

Cr Singh

STAFF

Grant Thompson

Chief Executive Officer

Anthony Middleton

Manager Corporate and Community Services

Lorraine Wyatt

Executive/Human Resource Coordinator

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Pedler

3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES

Nil

8 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

9 DECLARATIONS OF INTEREST

Nil

Unconfirmed

10 KEY PILLAR 1 – ‘PLACE’ REPORTS

10.1 DELEGATED AUTHORITY FOR SPONSORSHIP

AUTHOR	Lorraine Wyatt, Executive/Human Resources Coordinator
DATE	Thursday, 2 September 2021
FILE NO	FM.SPN.1

BACKGROUND

The item below was circulated via email for presentation to Council at the Ordinary Council meeting held 17 August 2021 however, was not addressed. Payment was subsequently made by the finance department following the meeting on the assumption that the item was considered and approved.

COMMENT

The Chief Executive Officer (CEO) Delegated Authority is limited to \$200.00: Instrument of Delegation - Admin 018, Donations to Local Groups or Individuals. Budget code 2006 Donations – CEO Discretion, has an allocation of \$2,000. No other expenditure has been made against this code to date.

The item is presented again in its entirety (including attachment) and retrospective approval is now requested.

AUTHOR	Emily Sleight – Sport and Recreation Officer
DATE	Monday, 16 August 2021
FILE NO	FM.SPN.1
ATTACHMENT(S)	10.1.1 Royal Flying Doctor Sponsorship Letter

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 1 – Place	1.1 - Have maximised our ‘One Community’ program through specific events, celebration of built form and enhancement of our environment	1.1.1 - Develop and grow an annual calendar of events where community and visitors celebrate diversity, history and place
KP 2 – Connected	2.2 – Have enhanced our aged-care and health provisions by progressing our connections with regional and state-wide groups	2.2.2 – Enhance alliances with state and local health providers to grow a sustainable and modern health system

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to endorse sponsorship of the 2021 'Blanc et Noir' fundraising event for the Royal Flying Doctor Service.

BACKGROUND

A request was made to the Chief Executive Officer from the 'Blanc et Noir' committee for financial sponsorship for the 2021 event (Attachment 16.1.1). The Shire sponsored this event for the same value in 2016.

COMMENT

The Royal Flying Doctor Service plays an important role in all remote and regional communities, providing urgent emergency transportation for those in need of specialist medical services. The 'Blanc et Noir' event held at the Cherry Tree Pool Tennis Club is an opportunity to both donate funds to a worthwhile cause and support a community event.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Local Government Act 2020 – Section 11 states the functions which the CEO can perform under delegated authority of the Council.

POLICY IMPLICATIONS

Although not contained within a Council Policy, the Delegation Register advises the intent and limitations of Council delegations. Specified within the Delegation Register is the following:

INSTRUMENT OF DELEGATION

ADMIN 018

DONATIONS TO LOCAL GROUPS OR INDIVIDUALS

Delegate: Chief Executive Officer

Sub Delegate:

Adopted by Council: 21/08/2007

Last Reviewed: /2014

POWER/DUTY

The Chief Executive Officer (CEO) is Delegated Authority to determine requests for donation of monies up to the value of \$200 when a group or individual can demonstrate:

1. Significant direct benefit to the local community
2. The group is a community group or non-profit making organisation or running a non-profit activity
3. The group's financial status is such as to justify a donation from the Shire
4. Special circumstances or needs exist in the opinion of the CEO to warrant a donation, e.g. support of needy groups and individuals who bring credit to the district by achieving State or National representation or awards, which sees them requiring financial assistance for travelling, accommodation or other incidental expenses.

HEAD OF POWER

Local Government Act 1995 (as amended) section 5.42(1)

CONDITIONS

The aggregate of any donations made by the CEO under this Delegated Authority shall not exceed the amount allocated in the Shire’s Annual Budget for the purpose without prior approval from the Council.

Requests for amounts over \$200 must be approved by the Council and should have regard to the annual community grant submission process.

RELATED POLICY/FILE REFERENCE AND DOCUMENTATION REQUIREMENTS

Use of Delegation to be recorded on Shire of Kojonup Delegation Register and must be presented to the Council regularly.

As the sponsorship amount is over \$200, this report has been prepared for Council’s endorsement.

FINANCIAL IMPLICATIONS

Account 2006 – Donations CEO discretion will be reduced by \$1000, leaving a balance of \$1000 for the remainder of the 2021-2022 Financial Year.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>3. Compliance</i>	<i>Lack of training, awareness & knowledge</i>	<i>Councillor / Staff Induction Process</i>	<i>Nil</i>
<i>Risk rating Low</i>			
IMPLICATIONS			
<i>By ensuring all staff have access to and knowledge of the delegations register documentation, the Shire can ensure that future decisions made that fall under the scope of delegations are adhering to correct procedure</i>			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Singh seconded Cr Gale

That Council endorse Silver level sponsorship of the 'Blanc et Noir' fundraising event to the value of \$1000.00

CARRIED 7/0

COUNCIL DECISION

Moved Cr Singh seconded Cr Gale

That Council endorse Silver level sponsorship of the 'Blanc et Noir' fundraising event retrospectively to the value of \$1000.00

CARRIED 7/0

Reason: Council noted that the approval was retrospective and requested this be added to the record.

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

Nil

Unconfirmed

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

12.1 CHANGE OF MEETING DATE SEPTEMBER 2021

AUTHOR	Lorraine Wyatt – Executive/Human Resource Coordinator
DATE	Friday, 3 September 2021
FILE NO	GO.CNM.6
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.2 – Be exceptional in two-way communication within our community, and market our brand outside of our community.	3.2.2 - Engage with our residents and industry members through increased use of social media.

DECLARATION OF INTEREST

Nil.

SUMMARY

Council is being asked to change the September Council Meeting date from 21 September 2021 to 28 September 2021.

BACKGROUND

At the Ordinary Council Meeting held 17 August 2021, Council resolved to authorised three additional Elected Members attendance at the WALGA Convention and Trade Exhibition as follows:

97/21 Moved Cr Webb, seconded Cr Gale

That Council authorise the following Elected Members attendance at the WA Local Government Association Convention and Trade Exhibition to be held on Monday, 20 September and Tuesday, 21 September 2021:

1. *Cr Fleay*
2. *Cr Singh*
3. *Cr Gale*

The Shire President, Deputy Shire President and the Chief Executive Officer will also be attending the WA Local Government Association Convention and Trade Exhibition.

The September Ordinary Council Meeting is scheduled to occur on Tuesday 21 September 2021.

COMMENT

In accordance with the Regulation 12 of the *Local Government (Administration) Regulation 1996*, Local Governments are required to give local public notice of the date, time and place

with respect to ordinary council meetings and, committee meetings which are proposed to be open to members of the public and shall be held within the proceeding 12 month period. In October 2005 it was resolved that Council meetings will be held on the third Tuesday of each month commencing at 3:00pm except where dates clash with a public holiday or internal staffing management.

The September Ordinary Council Meeting is scheduled to occur on Tuesday 21 September 2021 however, Council will not be able to achieve a quorum as five of the Elected Members, the Shire President, Deputy Shire President and the Chief Executive Officer, will be attending the WA Local Government Association Convention and Trade Exhibition.

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires that the scheduled Ordinary Council meetings which will be open to the public, are given local public notice at least once per year and that the notice should include the date, time and location of the meetings. Given that the scheduled Ordinary Council meetings is a decision of Council, only Council can approve any changes or amendments.

At the time of writing this report, the Author is aware of four agenda items which will required consideration by Council before the end of the month therefore, this officer's recommendation will be to change the meeting date from 21 September 2021 to Tuesday 28 September 2021.

Council may also wish to consider that Local government ordinary elections will be held on Saturday, 16 October 2021. The Ordinary Council meeting date under the current arrangement (third Tuesday of the month), is 19 October 2021 at which time, councillors elect will be sworn in, the Shire President and Deputy Shire Presidents positions will be filled. Council may wish to foreshadow that a Special Council Meeting be held to deal with all other matters which new Councillors are not familiar with.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Local Government Act 1995 - Section 5.25(1)(g). Regulations about council and committee meetings and committees

Local Government (Administration) Regulations 1996 - Section 12. Meetings, public notice of

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil.

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

Nil

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Fleay seconded Cr Singh

That the September Ordinary Council Meeting be changed from Tuesday 21 September 2021 to Tuesday 28 September 2021:

CARRIED 7/1

Unconfirmed

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

Nil

Unconfirmed

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

Nil

Unconfirmed

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS

17 CONFIDENTIAL REPORTS

Nil

18 NEXT MEETING

To be confirmed.

19 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 3.07pm.

20 ATTACHMENTS (SEPARATE)

Item 10.1

10.1.1 Royal Flying Doctor Sponsorship Letter