

Kojonup



SHIRE OF KOJONUP

MINUTES

Ordinary Council Meeting

22 October 2024

UNCONFIRMED

MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 22 OCTOBER 2024

TABLE OF CONTENTS

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS.....	5
2	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	6
3	ATTENDANCE.....	6
3.1	APOLOGIES.....	6
3.2	APPROVED LEAVE OF ABSENCE	6
4	DECLARATION OF INTEREST	6
5	PUBLIC QUESTION TIME.....	6
5.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	6
5.2	PUBLIC QUESTION TIME	6
6	CONFIRMATION OF MINUTES	7
6.1	ORDINARY COUNCIL MEETING 24 SEPTEMBER 2024.....	7
7	PRESENTATIONS	7
7.1	PETITIONS.....	7
7.2	PRESENTATIONS.....	7
7.3	DEPUTATIONS	7
7.4	DELEGATES’ REPORTS	7
7.4.1	CR MATHWIN – WALGA CONFERENCE	7
8	METHOD OF DEALING WITH AGENDA BUSINESS	7
9	REPORTS.....	8
9.1	KEY PILLAR ‘LIFESTYLE’ REPORTS.....	8
9.1.1	DONATION TO LEANNE PIERRE-HUMBERT TO SUPPORT PARVOVIRUS VACCINE PROGRAM.....	8
9.2	KEY PILLAR ‘ECONOMICS’ REPORTS	12
9.3	KEY PILLAR ‘VISITATION’ REPORTS	12
9.4	KEY PILLAR ‘PERFORMANCE’ REPORTS.....	12
9.4.1	ADMINISTRATION OFFICE, LIBRARY AND DEPOT SHUTDOWN DURING THE 2024/2025 CHRISTMAS AND NEW YEAR PERIOD	12
9.4.2	ORDINARY COUNCIL MEETING DATES FOR 2025	15
9.4.3	COMMITTEES OF COUNCIL – MEETING DATES FOR 2025	19
10	APPLICATIONS FOR LEAVE OF ABSENCE.....	26
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	26
11.1	MYRTLE BENN RESERVE MITIGATION	26
12	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	26
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	27
13.1	THE GEORGE CHURCH COMMUNITY MEDICAL CENTRE INC. (GCCMC), MEMORANDUM OF UNDERSTANDING (MOU).....	27
14	MEETING CLOSED TO THE PUBLIC	27
14.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	27
14.1.1	HALL AND PRIOR BUSINESS SALE, PROPERTY LEASE AGREEMENT AND RESIDENTIAL AGREEMENTS – SPRINGHAVEN FRAIL AGED LODGE	27
14.2	PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC.....	29

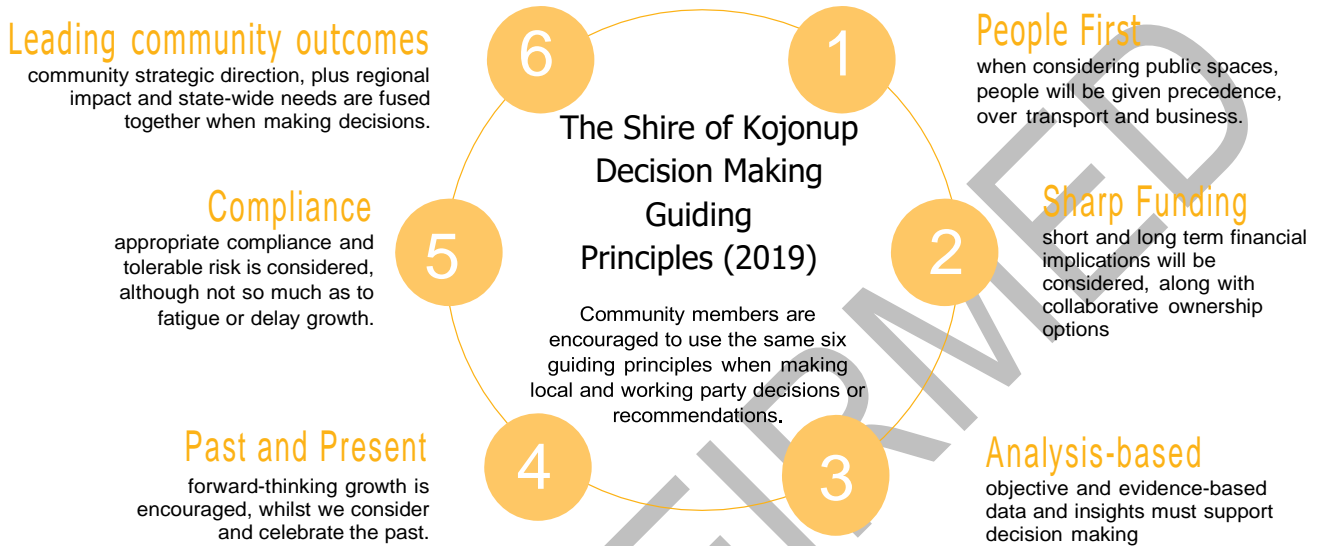
14.1.1 HALL AND PRIOR BUSINESS SALE, PROPERTY LEASE AGREEMENT AND RESIDENTIAL
AGREEMENTS – SPRINGHAVEN FRAIL AGED LODGE29

15 CLOSURE.....29

16 ATTACHMENTS (SEPARATE)30

UNCONFIRMED

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 3.00pm and draw the meeting's attention to the disclaimer below:

Disclaimer

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

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

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

Acknowledgement of Country

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

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

Prayer

Almighty God, we pray for wisdom for our reigning monarch King Charles.

We ask for guidance in our decision making and pray for the welfare of all the people of Kojonup.

Grant us grace to listen and work together as a Council to nurture the bonds of one community.

Amen

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3 ATTENDANCE
COUNCILLORS

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

STAFF

Grant Thompson	Chief Executive Officer
Tonya Pearce	Governance and Rates Officer

3.1 APOLOGIES

3.2 APPROVED LEAVE OF ABSENCE

4 DECLARATION OF INTEREST

9.1.1 Donation to Leanne Pierre-Humbert to support parvovirus vaccine program.
Cr Mathwin – Impartiality Interest.

COUNCIL DECISION

124/24 Moved Cr Radford Seconded Cr Webb

That Council

1. notes Cr Mathwin's Impartiality Interest; and,
2. authorises Cr Mathwin to stay present in the Chamber, participate in the debate, and be allowed to vote on the item 9.1.1 related to the impartiality conflict of interest.

CARRIED 6/0

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

5 PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Not applicable

5.2 PUBLIC QUESTION TIME

Nil

6 CONFIRMATION OF MINUTES

6.1 **ORDINARY COUNCIL MEETING 24 SEPTEMBER 2024**

Unconfirmed Minutes of an Ordinary Council Meeting held 24 September 2024 are at [attachment 6.1.1](#).

OFFICER RECOMMENDATION/COUNCIL DECISION

125/24 Moved Cr Mathwin

Seconded Cr Mickle

That the Minutes of an Ordinary Council Meeting held 24 September 2024 be confirmed as a true record.

CARRIED 7/0

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

7 PRESENTATIONS

7.1 PETITIONS

7.2 PRESENTATIONS

7.3 DEPUTATIONS

7.4 DELEGATES' REPORTS

7.4.1 CR MATHWIN – WALGA CONFERENCE

Important that the Shire is represented at the Conference. The networking is highly valuable with other Councils and Councillors. Overall important we attend as a Council.

There were motivational speakers on the first day, with the Annual General Meeting (AGM) in the afternoon.

The sessions that were highly valuable could have been completed in a day, with the AGM and a night time function.

The Agency Heads Breakfast didn't yield as much value as was expected.

Will provide constructive feedback to WA Local Government Association (WALGA) to have the conference over one (1) day.

8 METHOD OF DEALING WITH AGENDA BUSINESS

Nil

9 **REPORTS**

9.1 **KEY PILLAR ‘LIFESTYLE’ REPORTS**

9.1.1 **DONATION TO LEANNE PIERRE-HUMBERT TO SUPPORT PARVOVIRUS VACCINE PROGRAM**

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Tuesday, 15 October 2024
FILE NO	FM.SPN.1
ATTACHMENT(S)	9.1.1.1 Email Leanne Pierre-Humbert

‘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
Lifestyle	2. Proactive Community Spirit	2.6 Wellbeing advancement

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider donating \$2000 to Dr Leanne Pierre-Humbert, Veterinarian, to initiate a dog parvovirus vaccine program, targeting and supporting those residents that do not have the financial capacity to vaccinate their dogs, with the objective to help contain and eradicate the virus and disease in the dog population in Kojonup.

BACKGROUND

Parvovirus is currently prevalent in the Shire and is currently affecting and killing dogs, particularly around the town of Kojonup.

This virus is a disease that causes vomiting and diarrhoea in dogs leading to death. Affected animals, especially young dogs/puppies often die after continually vomiting and diarrhoea over a period of 3 to 5 days.

Dogs that have been exposed and recover can become shedders of the virus for variable periods of time.

The virus remains in the soil for a period of 3 years and is particularly dangerous in the moist warm months of spring and into summer.

It is highly contagious, and is carried on car tyres, people’s shoes and skin as well as obviously in any discharge from an infected or carrier animal.

COMMENT

Leanne Pierre-Humbert has requested a donation from the Shire to support a parvovirus vaccine program targeting the lower socio economic groups in the community that do not have the financial capacity to utilise a vet to vaccinate their dogs. Please refer to the attachment 9.1.1.1 for further details.

Dr Leanne Pierre-Humbert is proposing that her time and consumables (i.e. needles etc.) required to vaccinate the animals will be donated in kind.

The vaccines can be sourced at cost in the price range of \$15.50 – \$16.00 per dose.

Dr Leanne Pierre-Humbert has also noted an opportunity exists to increase and raise awareness and compliance in the town.

Dr Leanne Pierre-Humbert has consulted with Dr Kate Clayton, local veterinarian on the program roll out.

The vaccine proposed is expected to provide protection from Parvovirus for a period of three (3) years.

It is proposed that health care card holders within the Kojonup and Muradup town boundaries will be eligible for the free vaccine.

Dr Leanne Pierre-Humbert has requested the Shire consider donating up to \$2000 for this project.

This amount could potentially cover the vaccinations for 100 dogs protection for an approximate three (3) year period.

CONSULTATION

Manager Financial and Corporate Services

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

ADMIN 018 DONATIONS TO LOCAL GROUPS OR INDIVIDUALS

POWER/ DUTY

The Chief Executive Officer 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 groups 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 Council.

Requests for amounts over \$200 must be approved by 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 Council regularly.

FINANCIAL IMPLICATIONS

The two Chart of Accounts (COA) below each have a budget of \$1,000 therefore there is no financial change or impact to the budget. Both COA’s would need to be utilised to fund the vaccine program.

COA 2006	Donations CEO discretion	\$1000
COA 2008	Donations - Council	\$1000

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3. Compliance	Lack of training, awareness & knowledge	Councillor / Staff Induction Process	Nil
Risk Rating: Low			
IMPLICATIONS			
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.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

126/24 Moved Cr Wieringa

Seconded Cr Egerton-Warburton

That Council approves donating \$2,000 to Dr Leanne Pierre-Humbert, Veterinarian, to initiate a dog parvovirus vaccine program as presented, to target and support those residents that do not have the financial capacity to vaccinate their dogs, with the objective to help contain and eradicate the virus and disease in the dog population in Kojonup.

AMENDMENT

127/24 Moved Cr Mathwin

Seconded Cr Wieringa

That Council approves donating up to a maximum of \$2,000 to Dr Leanne Pierre-Humbert, Veterinarian, to initiate a dog parvovirus vaccine program as presented, to target and support those residents that do not have the financial capacity to vaccinate their dogs, with the objective to help contain and eradicate the virus and disease in the dog population in Kojonup.

CARRIED 7/0

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

UNCONFIRMED

9.2 KEY PILLAR ‘ECONOMICS’ REPORTS

9.3 KEY PILLAR ‘VISITATION’ REPORTS

9.4 KEY PILLAR ‘PERFORMANCE’ REPORTS

9.4.1 ADMINISTRATION OFFICE, LIBRARY AND DEPOT SHUTDOWN DURING THE 2024/2025 CHRISTMAS AND NEW YEAR PERIOD

AUTHOR	Tonya Pearce - Governance and Rates Officer
DATE	Friday, 11 October 2024
FILE NO	CM.PRO.1
ATTACHMENT(S)	Nil

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

DECLARATION OF INTEREST

The author is a Shire of Kojonup employee and, as such, is affected by the outcome of this report.

SUMMARY

To approve the Administration Office, Library and Depot shutdown during the 2024/2025 Christmas and New Year period.

BACKGROUND

A shutdown of the Administration Office, Library and Depot during the Christmas and New Year holiday period has occurred for several years; it is suggested that the same arrangements take place during the 2024/2025 Christmas and New Year period.

COMMENT

In 2024 Christmas Day and Boxing Day fall on Wednesday, 25 December and Thursday, 26 December with the public holidays to be observed on those days. New Year’s Day falls on Wednesday, 1 January 2025 with the public holiday to be observed on that day.

It is proposed that the Administration Office, Library and Depot be closed from 4.30pm on Friday, 20 December 2024 through until usual hours Monday, 6 January 2025 as follows:

- Friday, 20 December 2024 – Administration Office, Library and Depot close at 4.30pm
- Monday, 23 December 2024 – Offices closed - leave required
- Tuesday, 24 December 2024 – Offices closed - leave required
- Wednesday, 25 December 2024 – Christmas Day public holiday

Thursday, 26 December 2024 – Boxing Day public holiday
 Friday, 27 December 2024 – Offices closed - leave required
 Monday, 30 December 2024 - Offices closed - leave required
 Tuesday, 31 December 2024 – Offices closed – leave required
 Wednesday, 1 January 2025 - New Year’s Day public holiday
 Thursday, 2 January 2025 – Offices closed – leave required
 Friday, 3 January 2025 - Offices closed – leave required
 Monday, 6 January 2025 - Administration Office, Library, and Depot reopen with officers commencing at usual work times.

Staff will be required to utilise leave accruals which can include:

- annual leave
- rostered days off
- Local Government days
- time in lieu; or
- leave without pay (only by prior arrangement with the Chief Executive Officer [CEO]).

Staff planning to work throughout this period can only do so with the approval of the CEO. A skeleton crew may be required for emergencies and/or call outs.

CONSULTATION

Chief Executive Officer

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Team Members will be required to utilise leave accruals which are accounted for in the 2024/2025 Annual Budget and reduces the Shires benefits liability. The only impact will be cashflow which is accounted for in the Team Member benefit provisions reserve account. Therefore the financial impact is minimal.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
5 – Employment Practices	Insufficient staff numbers to achieve objectives	Health and Wellbeing initiatives	Nil
Risk Rating: High			
IMPLICATIONS			
Continuing the practice of shutting down operations over the Christmas/New Year period, as occurs in many local governments and has occurred for many years at the Shire of			

Kojonup, aligns with health and wellbeing initiatives. A Skeleton crew may be required to remain accessible for essential services.

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

128/24 Moved Cr Mathwin

Seconded Cr Radford

That Council approve:

1. The operational shutdown of the Administration Office, Library and Depot during the 2024/2025 Christmas and New Year period from 4.30pm Friday, 20 December 2024 to reopen at usual opening time on Monday, 6 January 2025; and
2. That the above mentioned closure be advertised on the Shire of Kojonup website and via local public notice.

CARRIED 7/0

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

9.4.2 ORDINARY COUNCIL MEETING DATES FOR 2025

AUTHOR	Tonya Pearce – Governance and Rates Officer
ATE	Friday, 11 October 2024
FILE NO	GO.CNM.6
ATTACHMENT(S)	Nil

'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

DECLARATION OF INTEREST

Nil

SUMMARY

Council to consider its Ordinary Meeting schedule for the 2025 calendar year.

BACKGROUND

In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, local governments are required to give local public notice and publish on their websites the date, time and place of 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.

COMMENT

In October 2005 it was resolved that Council's ordinary meetings would 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 author is recommending changing this resolution to generally the fourth Tuesday of the month in line with the general dates recommended in this report.

This is in-line with the discussions at the 20 August 2024 Briefing Session, where the concept of briefing sessions be reduced to one day a month and Council meetings continue to generally be held on the fourth Tuesday of a month in the 2025 calendar year.

Occasionally, timeframes associated with specific matters may alter scheduled ordinary meeting dates due to the circumstances in that month. The following recommendation represents changes to the scheduled fourth Tuesday of each month for the holding of Council's Ordinary Meetings in 2025:

- There is no ordinary meeting of Council held during the month of January.

- The December ordinary meeting date has typically been held a week earlier and it is recommended that this practice continues to align to the Christmas and New Year period shutdown.
- The May ordinary meeting date to be held earlier to align to Budget workshop and decision making process.
- The July ordinary meeting date to be held earlier to align to Budget workshop and decision making process.
- In 2025 the September ordinary meeting date on the fourth Tuesday, is the last day of the month so bought forward to 23 September.

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires that Council's scheduled ordinary meetings, which will be open to the public, are published on the local government's official website before the beginning of the year in which the meetings are to be held and that the notice should include the date, time and location of the meetings.

Given the above, the recommended 2025 ordinary meeting schedule for Council is as follows:

25 February 2025
25 March 2025
29 April 2025
20 May 2025
24 June 2025
22 July 2025
26 August 2025
23 September 2025
28 October 2025
25 November 2025
16 December 2025

CONSULTATION

Chief Executive Officer
Briefing Session – 20 August 2024

STATUTORY REQUIREMENTS

Section 5.25 (1) (g) - *Local Government Act 1995* –

5.25. Regulations about council and committee meetings and committees

(1) Without limiting the generality of s. 9.59, regulations may make provision in relation to—

- (g) the giving of public notice of the date and agenda for council or committee meetings;

Regulation 12 - *Local Government (Administration) Regulations 1996* –

12. Publication of meeting details [Act s. 5.25(1) (g)]

(1) In this regulation —

meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held—

- (a) ordinary council meetings;

- (b) *committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.*
- (3) *Any change to the meeting details for a meeting referred to in sub-regulation (2) must be published on the local government’s official website as soon as practicable after the change is made.*
- (4) *If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government’s official website as soon as practicable after the decision is made.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

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. This includes new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public domain legal documentation.	Councillor/Staff Induction Process Councillor/Staff training	Nil
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 - Adequate			
IMPLICATIONS			
Allows compliance with s. 5.25 (1) (g) of the <i>Local Government Act 1995</i> and r. 12 – <i>Local Government (Administration) Regulations 1996</i> - publication of meeting details.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

129/24 Moved Cr Egerton-Warburton Seconded Cr Mickle

That:

1. Ordinary Meetings of Council be scheduled to be held in the Shire of Kojonup (Shire) Council Chambers, 93 Albany Highway, Kojonup, generally on the fourth Tuesday of each month in 2025 commencing at 3:00pm, with the following exceptions:
 - No scheduled meeting to be held in January.
 - Month of December to be held earlier to align to the Christmas and New Year shutdown.
 - Month of May to be held earlier to align to Budget workshop and decision making process.
 - Month of July to be held earlier to align to Budget workshop and decision making process.
 - In 2025 the month of September fourth Tuesday is the last day of the month so brought forward to 23 September.
2. The following dates be approved for the 2025 calendar year for Ordinary Meetings of Council:
 - 25 February 2025
 - 25 March 2025
 - 29 April 2025
 - 20 May 2025
 - 24 June 2025
 - 22 July 2025
 - 26 August 2025
 - 23 September 2025
 - 28 October 2025
 - 25 November 2025
 - 16 December 2025
3. That Council's approved Ordinary Meeting schedule for 2025, as above, be published on the Shire of Kojonup website and local public notice given.

CARRIED 7/0

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

9.4.3 COMMITTEES OF COUNCIL – MEETING DATES FOR 2025

AUTHOR	Tonya Pearce – Governance and Rates Officer
ATE	Friday, 11 October 2024
FILE NO	GO.CNM.6
ATTACHMENT(S)	Nil

'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

DECLARATION OF INTEREST

Nil

SUMMARY

Council to adopt a schedule of meeting place, dates and times for Committees of Council for the 2025 calendar year.

BACKGROUND

In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, local governments are required to give local public notice and publish on their websites the date, time and place of meetings of Council committees that shall be held within the proceeding 12 month period.

COMMENT

Council Committees include:

- Audit and Risk Committee (required to meet quarterly)
- Kojonup Natural Resource Management (NRM) Advisory Committee (required to meet at least half yearly)
- Bush Fire Advisory Committee (required to meet biannually)
- Disability Access and Inclusion Committee (required to meet biannually)
- Historical, Tourism and Cultural Committee (required to meet biannually)
- Kojonup Aging in Place Committee (required to meet four times per year)
- Roads and Technical Services Advisory Committee (required to meet quarterly)

It is proposed that the Audit and Risk Committee continues to schedule its meetings to be held on the first Tuesday of February, May, August and November for the 2025 calendar year.

It is proposed that the NRM meetings be held on the third Thursday of February, May, August and November for the 2025 calendar year.

It is proposed that the Bush Fire Advisory Committee (BFAC) schedule its meetings to be held on the second Wednesday in February (as scheduled at the 14 October 2021 BFAC meeting) and August for the 2025 calendar year.

It is proposed that the Disability Access and Inclusion Committee schedule its meeting to be held on the first Wednesday of February and November of the 2025 calendar year.

It is proposed that the Historical, Tourism and Cultural Committee schedules its meetings to be held on the first Wednesday of March, June, August and November of the 2025 calendar year.

It is proposed that the Kojonup Aging in Place Committee schedule its meetings to be held on the first Wednesday of February, May, September and December, and as required, for the 2025 calendar year.

It is proposed that the Roads and Technical Services Advisory Committee schedule its meetings to be held on the third Wednesday of February, May, September and December, and as required, for the 2025 calendar year.

Any re-scheduling or new meeting dates will be advertised to the public.

CONSULTATION

Chief Executive Officer

STATUTORY REQUIREMENTS

Section 5.25 (1) (g) - *Local Government Act 1995* –

5.25. Regulations about council and committee meetings and committees

- (1) *Without limiting the generality of s. 9.59, regulations may make provision in relation to—*
- (g) *the giving of public notice of the date and agenda for council or committee meetings;*

Regulation 12 - *Local Government (Administration) Regulations 1996* –

12. Publication of meeting details [Act s. 5.25(1) (g)]

- (1) *In this regulation —*
- meeting details**, *for a meeting, means the date and time when, and the place where, the meeting is to be held.*
- (2) *The CEO must publish on the local government’s official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held—*
- (a) *ordinary council meetings;*
- (b) *committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.*

- (3) Any change to the meeting details for a meeting referred to in sub-regulation(2) must be published on the local government’s official website as soon as practicable after the change is made.
- (4) If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government’s official website as soon as practicable after the decision is made.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2 – Business Disruption	Failure to adequately prepare and respond to events that cause disruption to the local community and/or normal business activities.	Maintain regular communications with agencies and support services.	Draft Bushfire Risk Management Plan
3 – Compliance	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and legislative changes.	Audit & Risk Committee	Nil
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.	Advisory committees/groups	Nil
7 - Environment	Inadequate prevention, identification, enforcement and		Nil

	management of environmental issues.	Support and work with environmental & land care groups.	
Risk rating – Moderate/Low/Moderate/Low			
IMPLICATIONS			
Scheduled meetings with Advisory Committees of Council lessens risk by meeting legislative requirements and maintaining regular communication that may assist in preventing disconnect with community members and groups who perform vital roles within the Shire of Kojonup.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

130/24 Moved Cr Webb

Seconded Cr Radford

That:

1. Meetings of advisory committees of Council be scheduled to be held in the Shire of Kojonup Administration Reception Lounge, 93 Albany Highway, Kojonup in 2025 as follows:
 - Audit and Risk Committee – first Tuesday of February, May, August and November commencing at 9.00am;
 - Kojonup Natural Resource Management Advisory Committee (NRM) – third Thursday of February, May, August and November commencing at 5.00pm;
 - Bush Fire Advisory Committee – second Wednesday in February and August – commencing at 7.00pm;
 - Disability Access and Inclusion Committee – first Wednesday in February and November – commencing at 1.00pm;
 - Kojonup Aging in Place Committee – first Wednesday of February, May, September and December commencing at 9.00am;
 - Historical, Tourism and Cultural Committee – first Wednesday of March, June, August and November at 9.00am;
 - Roads and Technical Services Advisory Committee – second Thursday of February, May, September and December commencing at 9.00am.

2. The following dates be approved for the 2025 calendar year for advisory committee meetings of Council:

Audit and Risk Committee:

 - 4 February
 - 6 May
 - 5 August
 - 4 November

NRM Committee:

- 20 February
- 15 May
- 21 August
- 20 November

Bush Fire Advisory Committee:

- 12 February
- 13 August

Disability Access and Inclusion Committee:

- 5 February
- 5 November

Kojonup Aging in Place Committee:

- 5 February
- 7 May
- 3 September
- 3 December

Historical, Tourism and Cultural Committee:

- 5 March
- 4 June
- 6 August
- 5 November

Roads and Technical Services Advisory Committee:

- 13 February
- 15 May
- 11 September
- 11 December

AMENDMENT

131/24 Moved Cr Wieringa

Seconded Cr Mathwin

To amend:

Audit and Risk Committee – first Wednesday of February, May, August and November commencing at 9.00am;

Historical, Tourism and Cultural Committee – first Tuesday of March, June, August and November at 9.00am;

Audit and Risk Committee:

- 5 February
- 7 May
- 6 August
- 5 November

Historical, Tourism and Cultural Committee:

- 4 March
- 3 June
- 5 August
- 4 November

MOTION AS AMENDED WAS PUT

That:

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- 13 August

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- 5 February
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Kojonup Aging in Place Committee:

- 5 February
- 7 May
- 3 September
- 3 December

Historical, Tourism and Cultural Committee:

- 4 March
- 3 June
- 5 August
- 4 November

Roads and Technical Services Advisory Committee:

- 13 February
- 15 May
- 11 September
- 11 December

CARRIED 7/0

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

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10 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 MYRTLE BENN RESERVE MITIGATION

COUNCIL RECOMMENDATION/COUNCIL DECISION

132/24 Moved Cr Webb

Seconded Cr Wieringa

That due to urgency around seasonal changes, and to improve fire control activities in the reserve, the Shire funds the initial cost for the fire break at the Myrtle Benn Reserve, up to \$15,000, while awaiting the outcome of a grant from the Mitigation Activity Fund. It is noted that the Shire will take the risk of funding the exercise if the grant does not materialise.

CARRIED 7/0

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

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

13.1 THE GEORGE CHURCH COMMUNITY MEDICAL CENTRE INC. (GCCMC),
MEMORANDUM OF UNDERSTANDING (MOU)

COUNCIL RECOMMENDATION/COUNCIL DECISION

133/24 Moved Cr Egerton-Warburton

Seconded Cr Mickle

That:

1. due to time constraints related to motion 113/24, Ordinary Council Meeting on 24 September 2024, which approved the formation of a Memorandum of Understanding (MOU) with the George Church Community Medical Centre Inc. (GCCMC), Council delegates authority to the Chief Executive Officer (CEO) and the Shire President to meet with GCCMC and negotiate and finalise the Memorandum of Understanding (MOU) as per the workshopped changes from Council; and,
2. if no substantial amendments are required, the CEO and Shire President have authority to execute and sign the MOU on behalf of the Shire; or,
3. if any substantial amendments are required, the CEO and Shire President will present the MOU to Council for approval.

CARRIED 7/0

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

14 MEETING CLOSED TO THE PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.1.1 HALL AND PRIOR BUSINESS SALE, PROPERTY LEASE AGREEMENT AND RESIDENTIAL AGREEMENTS – SPRINGHAVEN FRAIL AGED LODGE

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Friday, 17 May 2024
FILE NO	CP.LEA.1
ATTACHMENT(S)	<p>14.1.1.1 – Hall & Prior Business Sale Agreement</p> <p>14.1.1.2 - 12B Elverd St Lease</p> <p>14.1.1.3 - 8B Newton St Lease</p> <p>14.1.1.4 - 8A Newton St Lease</p> <p>14.1.1.5 – Springhaven Property Lease</p>

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

134/24 Moved Cr Mickle

Seconded Cr Mathwin

That the meeting proceed behind closed doors in accordance with Section 5.23(2) (e) of the *Local Government Act 1995* at 3.25pm.

CARRIED 7/0

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

PROCEDURAL MOTION

136/24 Moved Cr Mickle

Seconded Cr Radford

That the meeting be reopened to the public at 3.35pm.

CARRIED 7/0

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

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

14.1.1 HALL AND PRIOR BUSINESS SALE, PROPERTY LEASE AGREEMENT AND RESIDENTIAL AGREEMENTS – SPRINGHAVEN FRAIL AGED LODGE

OFFICER RECOMMENDATION/COUNCIL DECISION

135/24 Moved Cr Egerton-Warburton Seconded Cr Wieringa

That Council:

1. Notes the Shire did not receive any public comment on the Major Land Transaction Business Case for Springhaven Frail Aged Lodge advertised as per section 3.59 of the Local Government Act 1995.
2. Receives and ratifies the Execution of the Business Sale Agreement, Property Lease Agreement and the three (3) Residential Agreements with Hall and Prior (Fresh Fields Management (NSW) No. 2 Pty Ltd (ABN 35 624 674 380)).
3. Authorises the Shire President and Chief Executive Officer to retrospectively execute the agreement with the Shire Seal, as presented.
4. Authorises the transfer amount of \$3,110,000.01 from the Springhaven Bonds Reserve account to the Shire of Kojonup Municipal account.
5. Authorises the CEO discretion to transfer the amount of \$131,480 from the Employee Benefits Reserve account to the Shire of Kojonup Municipal account if required for cashflow purposes.
6. Ratifies the completion adjustment payment of \$3,086,859 from the Shire of Kojonup Municipal account (including the transfer of individual resident bonds and leave accruals for Team Members minus the business sale amount), as presented, to Hall & Prior to finalise the transaction as per the Agreements.
7. Approves the closure of the Springhaven Bond Reserve account.
8. Delegates authority to the CEO to execute the Shire's obligations as set out in the Agreements, as presented.

CARRIED 7/0

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

15 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 3.35pm.

16 ATTACHMENTS (SEPARATE)

- | | | |
|-------|---------|---|
| 6.1 | 6.1.1 | Unconfirmed Minutes of an Ordinary Meeting of Council held on 24 September 2024 |
| 9.1.1 | 9.1.1.1 | Email Leanne Pierre-Humbert |

CONFIDENTIAL

- | | | |
|--------|----------|--------------------------------------|
| 14.1.1 | 14.1.1.1 | Hall & Prior Business Sale Agreement |
| | 14.1.1.2 | 12B Elverd St Lease |
| | 14.1.1.3 | 8B Newton St Lease |
| | 14.1.1.4 | 8A Newton St Lease |
| | 14.1.1.5 | Springhaven Property Lease |

UNCONFIRMED