

SHIRE OF KOJONUP



Council Minutes

17th July 2012

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 17th July 2012****TABLE OF CONTENTS**

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SHIRE OF KOJONUP**MINUTES****1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

The Shire President declared the meeting opened at 2:57pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and read aloud 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.

2 ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Cr Jane Trethowan	Shire President
Cr John Benn	Deputy Shire President
Cr Frank Pritchard	
Cr Michael Baulch	
Cr Greg Marsh	
Cr Jill Mathwin	
Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mrs Heather Marland	Senior Finance Officer
Mrs Pam McGregor	Public Gallery
Mr Ned Radford	Public Gallery
Mr John Lewis	Public Gallery
Mr Roger Bilney	Public Gallery
Mr William Harvey	Public Gallery
Mr Ian Robertson	Public Gallery
Mrs Barbara Hobbs	Public Gallery
Mr Graham Hobbs	Public Gallery
Mrs Debbie Robertson	Public Gallery

APOLOGIES

Cr Rosemary Hewson	Granted Leave of Absence at Meeting 19 June 2012
Cr Ian Pedler	Granted Leave of Absence at Meeting 19 June 2012

3 PUBLIC QUESTION TIME

Pam McGregor read the following question and subsequently provided a copy so it could be recorded verbatim.

“On 22nd May, by email, my husband and I lodged an appeal against the decision to approve the Flat Rocks Wind Farm development made by the Shire Council at its Special Meeting on 23rd November 2011 as that decision had continued to cause us concern and the conditions applied to that approval did not adequately protect the people who will be forced to live in close proximity to the turbines. Apart from a verbal comment from the Shire CEO when I happened to call in at the Shire Office to collect a copy of the Shire Newsletter in early June, stating that the Council were unsure as to whether there was in fact an appeal period, we have had no other acknowledgement of that email being received or

any further communication regarding the appeal we thus lodged. My first question to the Council is why no response to us regarding our appeal against the decision of 23rd November 2011?”

Chief Executive Officer – Apologised for no reply. Advised, as per the verbal update, that further legal advice was required.

Pam McGregor – Requested the opportunity to show a DVD that would add value to Council and queried when this could be done?

Chief Executive Officer – Advised that if copies could be circulated and when this was not satisfactory suggested the Council Briefing Session 21st August 2012 at 11:00am.

Follow up comment. Councillors will also require a copy being provided on that day for Council's records.

Pam McGregor – Queried the status of the Flat Rocks Wind Farm.

Chief Executive Officer - Advised that the Shire had not received any updates on the status.

Roger Bilney – Outlined correspondence in which he advised the Shire of Dandaragan's approach to Wind Farm with a condition requiring agreement of neighbouring landowners in response to the DEC (Department of Environment & Conservation) noise report, and also queried why he had not received a response.

Chief Executive Officer – Apologised for the delay. Advised Legal advice was required as he believed there was no alibility to retrospectively add conditions. Outlined some differences between the applications before the two Shires and was querying advice from the Shires Planning Officer that Dandaragan noise levels were higher.

Roger Bilney – Responded that the higher levels were only by agreement with neighbours and that such agreement provided a good way to negate any conflict.

William Harvey – Noted the response to the questions that he had provided and summarised the answers as being:

1. The CEO
2. \$1,225,000
3. \$975 K
4. The CEO
5. No
6. No
7. No

Expressed concern at the project, and specifically the management of it by the CEO (Chief Executive Officer). The basis of these concerns were summarised as:

- the impropriety over the budget over run and failure to communicate the total project cost;
- the veil of secrecy used by the Council where details weren't made public and specifically that he had approached 12 people who should have been able to answer his questions but either didn't know, or advise they couldn't comment;
- that people not being willing to comment is due to bullying and intimidation from the CEO and he had heard from others that he is a control freak;
- he had concerns about the behaviour of the CEO since he heard about the amalgamation process where the CEO bundled the Councillors onto a bus without notice to go to a meeting where they agreed to amalgamate. When he and others turned up at a briefing session after the Council agreed to amalgamate the CEO:
 - o tried to stop them addressing the meeting;
 - o lied about the existence of the signed agreement when they had it in their pocket; and
 - o followed them out of the meeting to request their email addresses, then emailed the agreement to them that evening, despite earlier denying its existence.

Cr Jill Mathwin – (Shire President at the time of the events above) reaffirmed that:

- no agreement had been signed by the Shire to amalgamate;
- she had signed a press release / community letter advising they had agreed to investigate the option;
- the approach was needed to properly consider the options; and
- the reasons behind the approach were clearly communicated by her to a public meeting on the issue.

Shire President - Advised that the Council was required to undertake research to determine whether amalgamation was a viable option and subsequently found that we could not see the benefit, but the process had to be undertaken.

Chief Executive Officer – Confirmed that there was no signed agreement to amalgamate and that the document emailed was the VROC (Voluntary Regional Organisation of Councils) press release/ community letter signed collectively by the Presidents and delegates of the VROC.

William Harvey – Then provided the issue with the Medical Centre and its impact on the Library and Kodja Place as an example where things are worked up without discussion by the CEO.

Shire President – Advised that the CEO had initial discussions with KTA (Kojonup Tourist Association) President John Benn and Glenys Russell and that the Council had requested further talks take place with KTA, first before broader public consultation.

William Harvey – Outlined the issues with the way that meeting was handled, where he was called by people on the day of the meeting to make sure that the Kojonup Tourist Association had enough support and 30 attended the public meeting, yet he knows of some who were turned away by the CEO.

Chief Executive Officer – Outlined that one member of the public came to the Shire Office and asked for specifics of the public meeting on the medical centre that evening. He was advised that the Shire hadn't called a public meeting and that KTA had invited the CEO to explain one of the options to their members. Cr Benn, as President of the Kojonup Tourist Association, requested the meeting and KTA handled notice to their members.

William Harvey – Outlined the meeting and how the CEO did the "hard sell" on his preferred option, also attempting to leverage his previous experience with Medical Centres.

Expressed his concern regarding what was driving the proposal, viewed that it was the over run of the sporting complex, noting that the newsletter that included the medical centre options did not state the cost of the complex, and on subsequent interviews the President has stated that there was no over run. He was worried about this lack of disclosure and the secrecy behind it.

Shire President: Advised at time of interview she believed no overrun had occurred.

Chief Executive Officer – Highlighted the other costs outside the complex such as the sewer upgrade from the bowling club to CBH (Co-operative Bulk Handling) made it difficult to assess against the original budget and the inclusions / exclusions assigned to components of grant funding over multiple years made it difficult to collate.

Advised the issues above are why an external audit will be undertaken on the project and this is included in the agenda.

Ian Robertson – Questioned when the project will be finished and the final cost.

Chief Executive Officer – Advised \$40,000 in 2012/2013 budget to finish window treatments, storage, mirrors etc. Advised that he did not have final figure available.

Shire President – Advised that it is hard to draw the line as when it would be classed as completed as there were already discussions about playgrounds, changes to fencing etc.

Ian Robertson – Expressed concern that a final figure could not be given. Advised that there is a lot wrong with the sporting complex according to the football club and expressed disappointment that some things will need to be ripped up and replaced which they suggest could cost \$200,000.

Shire President – Advised that she is the Chair of the committee and had received different feedback about the satisfaction of the football club, and was not aware of any of the issues. Advised that she will approach the football club President.

Ian Robertson – Questioned whether the complex cost will impact on funds available for medical centre

Chief Executive Officer – Advised that it would not impact on Medical Centre funds

Barbara Hobbs – Expressed concern that the football club say certain things were not delivered.

Shire President – Advised that the sporting clubs were fully involved and that many of the extensions in scope were in response to things raised. Outlined that there were things to finish off and that the committee, which has representatives from each of the groups will continue to have a role.

Barbara Hobbs – Questioned whether there was any redress against the builder about the issues raised by the football club.

Chief Executive Officer – Advised that he would need to discuss any issues with the builder

William Harvey – Questioned the CEO whether he believed that he would have redress.

Chief Executive Officer – Confirmed if the issue is a breach of standards such as plumbing then there were processes to address these.

Cr Greg Marsh – Confirmed that he had spoken to William Harvey about medical centre but advised he viewed it confidential as key stakeholders had not been consulted.

Debbie Keillor – Expressed concern that there was a bigger issue being highlighted and that was the Council processes and specifically the confidential sessions, advising:

- discussion on Medical Centre and Kodja Place and Library, should have occurred in a forum when it can be minuted; and
- that a desire to not create stress in community is admirable, however is not confidential.

Shire President – Advised that no debate or decision is made at briefing sessions, just discussion on broad issues that may come up in the future, and while hoping to improve the process further it was outlined as a very important process to guide staff in the early development of issues.

Chief Executive Officer – Advised that the briefing sessions were introduced before he commenced on advice from the Department of Local Government review team to improve teamwork with management and engage all Councillors earlier in the process.

It was outlined that the briefing sessions included components of agenda and concept forums and an extract was read from the Local Government Council Forum Guideline:

Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted. Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allows elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance. Such forums assist individuals to become better informed and to clarify their views.

William Harvey – Urged the Council to take heed and be open and transparent, and suggested that the briefing session process did not help with the current community perception.

Shire President – Agreed that improvements can always be made and they had discussed appropriate minutes for the agenda forum component.

Chief Executive Officer – Outlined that there was also a resourcing issue and acknowledged where things could have been done differently. The focus on cost cutting and financial recovery was highlighted over the initial tenure of the CEO and he acknowledged the failure to address the capacity building to meet the community's current expectations.

Stated that he did not intend to be the CEO at the end of the financial year and outlined that this would give an opportunity for the Council and community to clarify their expectations through the Integrated Planning and develop a transition plan for finding a new CEO.

William Harvey – Suggested that the load could be lessened on the CEO by the use of committees.

Shire President – Acknowledged the suggestion but also highlighted some issues with community committees where the Council expects officers to ask questions or consider issues that may be contrary to the majority view that may lead to personal attacks against the officer.

William Harvey – Suggested that the community was there to help the Council and it requires a two way conversation.

Shire President – Confirmed that they will be investigating all options with future committee and support structures.

Pam McGregor – Questioned whether future briefing sessions would be minuted and open to the public.

Chief Executive Officer – Advised:

- briefing sessions would be open to the public unless confidential as defined under the Local Government Act, such as dealing with staff matters;
- the budget adoption today allows for additional staff resources to take minutes;
- the Council have discussed moving the meeting from the 3rd to the 4th Tuesday to allow better notice of agendas, including the forums in the future; and
- Council will be considering a communication policy.

Pam McGregor – Advised that the community should have input into the policy.

Shire President – Agreed acknowledging that that was the plan.

Cr Frank Pritchard – Reassured those present of the separation between informal briefing session and formal Council meetings.

Chief Executive Officer – Clarified that nothing included in Briefing Session is discussed at the Council meeting held at/on the same day.

Pam McGregor – Advised that Council's website listed the December meeting says 2nd not 3rd Tuesday.

Chief Executive Officer – Noted that Council nominate the December meeting date given the impact of Christmas.

Shire President – Advised funding to plan for integrated planning to clarify many of the community expectation issues raised.

Follow Up to Questions

*Total expenditure for the Sporting Complex at 30 June 2012 was **\$1,818,943** which is consistent to that provided to the Council meeting on 20 March when the loan was considered.*

Additional expenditure payable to the builder arising after commencement of the project was:

• Required sewer extension	\$151,440
• Required water main, storm water and fire upgrade	\$64,154
• Required electrical main upgrade	\$27,907
• Electrical supply to temp footy change rooms	\$8,612
• Air conditioning	\$13,485
• Replace pool verandah required as existing could not be reinstated	\$15,675
• Scaffolding costs	\$64,834
• Total of builders extras	\$346,107

Additional expenditure, compared to the original grant application, was incurred due to the location, increase in size and specification of the kitchen as determined by the committee. This was incorporated in the builders project cost. Following concern from the football club at the impact of the build on their season and ability to run a bar, the temporary change room specification expenditure was increased to \$62,520, which had not been budgeted for in the initial grant.

The Builder confirmed that at first use there was an issue with the grade on one of the showers. This was retiled at no cost to the Shire. The nature of elevated shower stall dividers means that some water may

splash further than the designated area but it would be monitored and if required easily fixed by use of disabled stripping similar to used at Springhaven.

The Builder had discussion with the committee representative from the football club to confirm no significant outstanding issues that haven't been addressed, scheduled, or referred to the committee.

4 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

The following questions on notice were lodged via email (council@kojonup.wa.gov.au) on 21st June 2012, and as requested is being tabled.

MADAM PRESIDENT,

At a recent public meeting, held as a result of a petition supported by a substantial number of residents, you declared that your Council would improve its communication and be open and transparent with electors. As we are about to embark on planning, designing, funding and building a medical centre, I believe it is timely to examine the outcome of the renovations to the sporting complex, a building of similar magnitude. I have some specific questions in regard to that project which I would appreciate you and your Council answering.

1. Who was responsible for the planning, design and costing of the renovation to the sporting complex that formed the basis of the grant application for external funding for the project ?
2. What was the cost of the project in that proposal ?
3. What was the total amount of external funding received for the sporting complex project?
4. Who was responsible for and managed the building process from the planning /design phase right through to completion of the project?
5. Was the project put out to tender?
6. Was a contract signed with the builder?
7. Was an engineer or an architect engaged for the project?

I request that this letter be tabled at a full Council meeting and the answers be recorded in the minutes.

Yours faithfully
William Harvey

RESPONSE TO QUESTIONS TAKEN ON NOTICE

This response has been compiled by the Chief Executive Officer on behalf of the Shire President and has been formatted to specifically correlate to the questions numbered above.

1. Who was responsible for the planning, design and costing of the renovation to the sporting complex that formed the basis of the grant application for external funding for the project ?

The detailed planning commenced with the Swimming Pool Redevelopment Committee. In 2001 a consultant produced 8 options for combinations of the pool and sporting complex ranging from \$1,545,000 to \$6,730,000 in Table 1 (attached to the agenda) as part of a feasibility study. With the cost escalation flagged in this report of 3.5% per annum the 2009 building cost estimates are extrapolated to between \$2,034,470 and \$8,862,165.

The options included master plan layouts and cost breakdown with consultation with engineers and quantity surveyors.

The work undertaken at the pool and sporting complex between 2009 and 2011 included all of the work in option 1 plus additional change room, toilets upstairs, upgraded kitchen and complete re-roof. There was also an extension of approximately 180 square metres of floors space to accommodate the additional toilet facilities and covered viewing area.

In 2003 Cr Trethowan became the Shire representative on the redevelopment committee. There was concern at the level of capital required and where to source additional funds. With the Department of Sport

and Recreation – Albany Office a regional facilities tour was organised for members, after which more discussion was held with various clubs about co-location and potential impact on operating costs until 2005.

Specifically the refurbishment option became the most cost effective, however, the pool was unable to be emptied since 2004 due to groundwater issues and there was concern based on the previous engineering over the life of the shell if essential maintenance could not be undertaken.

A reassessment of the pool advised that it could be refurbished, which then confirmed that if it did not need to be relocated then the complex building was also viewed in the optimal location. Discussion with clubs in 2007 identified issues with relation of the bowling club rooms as part of the extension or co-location of the complex redevelopment and the Bowling Club was supported in its application for Community Sport and Recreation Facilities Fund grant money in 2007 where they had to commit to the greens in the existing location.

There was a lack of momentum until the Royalties for Regions program was initiated in 2008/09. This gave the impetus to work up Community Sport and Recreation Facilities Fund application through the Department of Sport and Recreation for 1/3 the cost of eligible expenditure. The individual Country Local Government Fund allocation of the Royalties for Regions program was used to offset the 2/3 Shire and/ or club contribution.

In 2009, once the structural integrity of the existing complex was confirmed a full refurbishment was decided as the optimal choice, with Netball and Basketball representatives accepting the covered court option would form a future stage.

As part of the work up for the Shire's CSRFF application its in house Registered Builder commenced review of the plans and involved a draftsman to look at layout options for toilets upstairs, extra change room space and viewing platform area, and a quantity surveyor was involved in the work up of the CSRFF grant budget.

Concurrently the CEO was using the project as a university assignment for a unit of the Masters of Business and Engineering Asset Management. Apart from advice from peer engineers within the course for design options, the business case done as an assignment, featuring comparison with Rawlinson's Cost Construction Index unit rates, formed the basis of the cost benefit justification for the grant application as the previously only new buildings had been funded.

The kitchen design was coordinated by a subgroup of the redevelopment committee with experience in local event and corporate catering and their guidance was reviewed by a specialist hospitality / catering designer to produce plans and specifications for use by the builder.

During the construction the representative from users met to discuss fit-out, and access / functional aspects of future expanded use by clubs. At these meetings changes were requested to cover variations to things such as heating and cooling which added to the cost.

In summary there was not one coordinator or project manager, however, as a Shire project the responsibility ultimately lies with the Chief Executive Officer.

2. What was the cost of the project in that proposal ?

The cost of the project submitted in the grant to Department of Sport and Recreation for Community Sport and Recreation Facilities Fund consideration was \$1,098,052.

The project was considered by Council on 29 September 2009 where it resolved:

103 / 09 MOVED Cr Benn seconded Cr Trethowan that:

- 1. Council authorise the Chief Executive Officer to submit a Community Sport and Recreation Facilities Fund grant application, for the refurbishment of the Kojonup Sporting Complex, up to a value of \$1,225,000.*
- 2. Council authorise the Chief Executive Officer to pursue additional contribution to this project, as Councils priority for any regional component of the Country Local Government Fund.*

3. *Provision be made in the 2010/11 budget for expenditure if the CSRFF grant is approved.*
4. *Council rank the Sporting Complex refurbishment/ redesign as their number one CSRFF priority for this grant round.*

The difference between the grant application and the estimated total cost had regard to exclusions of different types of grants being applied for at the time.

3. What was the total amount of external funding received for the sporting complex project?

Community Sport and Recreation Facilities Fund grant	\$330,000
Country Local Government Fund 2008/09 allocation	\$251,042
Country Local Government Fund 2010/11 allocation	\$394,286
Total external funds	\$975,328

4. Who was responsible for and managed the building process from the planning /design phase right through to completion of the project?

See response to question 1. Ultimately it is the responsibility of the Chief Executive Officer but involved multiple building, architectural, drafting and design specialists or consultants, in addition to the extensive work done for the redevelopment committee feasibility studies.

5. Was the project put out to tender?

No.

The Shire was proceeding without the need to tender as it was going to be undertaken by its employee registered builder, with coordination of trades and access to engineering and architectural support as required.

When the staff builder ceased employment on 19 January 2010 the Shire had to urgently cover the gap with building maintenance and reached agreement with Michael Prandi for rates to be the same as offered to the Department of Building Maintenance and Works (BMW) for similar work that had recently been tendered.

Clarification was sought and received, given the CLGF funds were from the 2008/09 allocation, that if the nominated \$251,000 that had been flagged for pre-order of materials were not expended by June 2010 the Shire would lose those funds.

As the sporting complex project was a refurbishment there was also no firm engineering design plans, as these were going to be refined needed refining based on detailed work up by the Shire builder over between January and April 2010. This meant that the Shire was faced with considering an hourly rate / cost plus arrangement, or proceeding to tender with incomplete plans where the risk / uncertainty would come at a premium from builders and with the knowledge that significant variations would need to be undertaken through the build.

This was in an environment of peak demand on builders because of the 'building the education revolution' projects and the deadlines for completion of the projects limiting available options.

The CEO sought guidance from the Council at a briefing session in February 2010 on how they wished to progress the issue. The issues above such as the time frame to complete a tender process and the availability of a builder starting immediately thereafter were discussed and the CEO advised of an offer from Michael Prandi to extend the maintenance and refurbishment services, such as was already being worked up for the Doctors house, to the complex at the same rates as offered through the BMW. The CEO confirmed that he had sighted the service alliance document and response to BMW.

It was discussed that although not good governance the Local Government Act allows for tenders not to be called in extenuating circumstances such as where there is only one supplier.

The Councillors noted the CEO's advice that he believed that the sighted arrangement with BMW represented a reasonable approach to determining value for money if, in the absence of finalised plans, the project was effectively on a cost plus basis anyway. However, the CEO also advised that Council may be asked to justify their position in the future.

It was noted by the Council that there was a commitment to use local trades and contractors where possible and that as a local builder that Michael would work hard to deliver the best outcome for the community. As an aside it was suggested that Laurie Prandi's involvement with the original complex and knowledge if required may prove invaluable as the project evolves around the existing structure.

It was also discussed that the timing of the project would be critical to minimise the impact on various clubs and sporting associations through the consideration of the various peak and offseason time frames for various sports.

The CEO clarified the verbal consensus that there was no direction to him from Council to go to tender and instead the existing maintenance arrangement, which was proposed to include the new Doctors house refurbishment, should be extended to include the complex. There was no formal resolution of Council on this advice or guidance to the CEO.

The CEO has interpreted Council's direction not to put an item to a Council meeting resolving to call for tenders as being covered by Section 11(2)(f) of the Local Government (Functions and General) Regulations 1996 that:

*Tenders do not have to be publicly invited according to the requirements of this Division if —
(f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier;*

6. Was a contract signed with the builder?

No.

The existing agreement for work based on the submitted BMW service alliance requirements was maintained. Allowing the building to proceed on a cost plus basis with detailed records on materials, labour and margins kept if further verification was required.

The builder met with the Councillors in October 2011 to provide an update on the additional works outside the original scope such as the sewer and water upgrades and provide an indication of costs to complete the project over the remaining 6 months. This estimate was subsequently honoured by the builder further reducing margins.

7. Was an engineer or an architect engaged for the project?

There have been various engineers, architects, drafts people and builders involved in the project since a refurbishment was initially considered as an option.

The Shire of Kojonup has also assisted the builder with access to Building Surveyor and Environmental Health resources to ensure compliance with current building standards. 'As constructed plans' are currently being produced for independent building certification, which was nominated by the CEO as one of the deliverables of the CLGF grant funding.

Once this certification is received the acquittal process can be finalised, which includes an audit of finances and conditions of the grant. In addition the CEO has proposed an item to Council in this agenda requesting external auditors review the governance and compliance processes around the project to guide future capital works and the current policy review.

A copy of the external auditor report is proposed to be sent directly to the Council's Audit Committee and the Department of Local Government. Department of Local Government (DLG) and Department of Regional

Development and Lands (RDL) staff have been notified that the Council did not go to tender on this project, with DLG staff happy to receive the auditors report and provide advice as required.

Officer Comment

Shire Officers acknowledge the concerns arising from not documenting effectively a non decision, not to go to tender. The CEO acknowledges this error and with hindsight should have guided Council more strongly to document their reasons above in a specific item to Council at a later date.

Officers were mindful, given previous criticism in 2004 of the misuse of urgent items to Council without thorough reports, and also subsequent guidance on the importance of not discussing issues that may arise at a Council meeting during briefing sessions on the same day. There should have been an item presented to the following ordinary meeting, or special Council meeting, to document the Council's reasons for not going to tender, to formally accept the extension of the building maintenance arrangements to include the recreation complex refurbishment, to authorise the CEO to formalise a specific contract for the project, and to document expected performance measures.

The proposed external audit will make recommendations on the processes to guide Councils improvement in the future.

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

53/12 MOVED Cr Pritchard seconded Cr Mathwin that Cr Marsh be granted Leave of Absence for the Council meeting to be held on 21st August 2012.

CARRIED 6/0

6 CONFIRMATION OF MINUTES

ORDINARY MEETING 19th June 2012

Corrections:

COUNCIL DECISION

54/12 MOVED Cr Benn seconded Cr Pritchard that the Minutes of the Ordinary Meeting of Council held on 19th June 2012 be confirmed as a true record.

CARRIED 6/0

7 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

8 PETITIONS, DEPUTATIONS & PRESENTATIONS

Nil

9 DECLARATIONS OF INTEREST

Cr John Benn declared an impartiality interest in the budget allocation of \$4,000 for Lions Club as he is a member.

The Presiding member brought forward item 12.1 "Kojonup Tourist Railway Proposed Structure for Housing Locomotive" for the benefit of the public who were waiting for discussion on this item.

10 FINANCE REPORTS**10.1 FINANCIAL MANAGEMENT – MATERIAL VARIANCES**

AUTHOR: Kim Dolzadelli - Manager Corporate Services
DATE: Wednesday, July 11, 2012
FILE NO: FM.POL.1
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being asked to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances for the 2012/13 financial year.

BACKGROUND

Financial Management Regulation 34 (5) states:

“Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in Statements of Financial Activity for reporting material variances.”

The material variance is calculated by comparing budget estimates to the end of the month to actual amounts of expenditure, revenue and income to the end of the month to which the statement relates.

A further requirement is that a detailed budget review must be carried out at the close of the half - year.

Last year Council adopted a “Material” Variance figure of either \$1,000 or 8%, whichever is the greater, for each individual account. It is a requirement for Council to formally adopt its desired level of variance each year.

COMMENT

It is proposed that Council adopt a “Material” Variance figure of either \$1,000 or 8%, whichever is the greater, for each individual account for the 2012/13 financial year – the same level as last year.

CONSULTATION

None necessary.

STATUTORY ENVIRONMENT

Financial Management Regulation 34 contains provisions setting out the basic information, which must now be included in the monthly reports to Council.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS - SIMPLE MAJORITY**OFFICER RECOMMENDATION**

That Council set a level of above 8%, or a minimum of \$1,000, as its adopted level of Material Variance to be used for its statements of financial activity for the 2012/13 financial year.

COUNCIL DECISION

58/12 MOVED Cr Marsh seconded Cr Mathwin that Council set a level of above 8%, or a minimum of \$1,000, as its adopted level of Material Variance to be used for its statements of financial activity for the 2012/13 financial year.

CARRIED**6/0**

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Thursday, 12 July 2012
 FILE NO: FM.AUT.1
 ATTACHMENT: 10.2 Monthly Payment Listing

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments that were made from 1st June 2012 to 30th June 2012.

BACKGROUND

Not applicable.

COMMENT

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

CONSULTATION

No consultation was required.

STATUTORY ENVIRONMENT

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 F3 provides authorities and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made are for items where Council has provided a budget authority.

STRATEGIC IMPLICATIONS

There are no strategic implications involved with presentation of the list of payments.

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 made under delegated authority from 1/06/2012 to 30/06/2012 comprising of Municipal Cheques 12274 to 12318, EFT's 8846 to 8991 and Internal Payment Vouchers 4018 to 4049 totalling \$842,499.09 and as attached to this agenda, be received.

COUNCIL DECISION

59/12 MOVED Cr Marsh seconded Cr Benn that in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 1/06/2012 to 30/06/2012 comprising of Municipal Cheques 12274 to 12318, EFT's 8846 to 8991 and Internal Payment Vouchers 4018 to 4049 totalling \$842,499.09 and as attached to this agenda, be received.

CARRIED**6/0**

10.3 ACCOUNTING WORK – INTERIM AUDIT

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Wednesday, 11 July 2012
 FILE NO: FM.AUD.2
 ATTACHMENT: 10.3 Interim Audit Management Letter Year Ended 30th June 2012

DECLARATION OF INTEREST

Nil

SUMMARY

Council's Auditors recently completed the Interim Audit, and a copy of their report is an attachment to this report.

BACKGROUND

Auditors carry out two (2) audits per year, the first, Interim Audit, being part of the way during the year. The final audit is completed following the closure of the financial year, when the accounts have been closed off and completed.

COMMENT

The following systems were reviewed during the Interim Audit; bank reconciliations, payments, revenue, payroll, works costing, debtors, creditors and rates subsidiary ledgers.

The report on the results of the Interim Audit for the 2011/12 raises one issue that recommends write off of five Sundry Debtor accounts.

The Officer agrees with the Auditors recommendation, with the exception of one item which was paid in full post audit, for the write off of four outstanding Sundry Debtors totalling \$234.00 due to their nature and unlikely recover. The officer has prepared a separate report in order for Council to decide on this matter.

CONSULTATION

No consultation is required, however a copy of this report will be sent to all members of Council's Audit Committee.

STATUTORY ENVIRONMENT

There are no specific statutory requirements relating to Interim Audits.

POLICY IMPLICATIONS

There are no known policy implications by the adoption of this report. Council has previously adopted a policy that all of these types of reports and letters are to be reported to Council.

FINANCIAL IMPLICATIONS

A separate report is being present to this meeting with respect to the Auditors recommendation for the write off of Sundry Debtor accounts totalling \$234.00.

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from this report.

OFFICER RECOMMENDATION

That the Interim Audit Report for the year ended 30th June 2012 be received and noted.

COUNCIL DECISION

60/12 MOVED Cr Mathwin seconded Cr Pritchard that the Interim Audit Report for the year ended 30th June 2012 be received and noted.

CARRIED**6/0**

5:05pm Mr John Lewis left the Chamber.

10.4 FINANCIAL MANAGEMENT – PROPOSED WRITE OFF OF SUNDRY DEBTOR

AUTHOR: Kim Dolzadelli – Manager of Corporate Services
 DATE: Wednesday, 11 July 2012
 FILE NO FM.DEB.3
 ATTACHMENTS: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being asked to consider the Interim Audit Recommendation to write off Sundry Debtor accounts totalling \$234.00.

BACKGROUND

Council's Auditor, Russell Harrison of Lincolns Accounts and Business Advisors, conducted the Interim Audit on 30th June 2012.

In the Management Letter as attached in Item 10.3 to this Agenda the Auditor noted the following Sundry Debtor accounts as outstanding beyond a reasonable period and that the nature of the accounts and overdue period make the collectability extremely unlikely, the following tables excludes the Sundry Debtor that has paid their account in full since time of Audit:

Debtor	Amount	Description
73578 - New Image Photographics	\$132.50	Hire of RSL Hall on 19 April 2011
72837 - P & T Collins	\$63.00	Standpipe Water June & November 2010
73038 - Rikki Derschow	\$22.00	Overdue Inter-Library Loan Book June 2011
73718 - Colin Clinch	\$16.50	Overdue Inter-Library Loan Book June 2011

The Auditor has recommended that the above Sundry Debtor accounts be written off.

COMMENT

The Officer agrees with the Auditors recommendation.

Council has an amount of \$2,000 in the Operating Statement of the 2012/13 Draft Annual Budget for the provision of Doubtful Debt expenses.

Many attempts to recover the above amounts have been made by Council staff:

- New Image Photographics last know address is in Queensland and phone numbers and other contact details are not connected or bring no response,
- P & T Collins have proven impossible to contact and water usage dates back to 2010,
- Rikki Derschow & Colin Clinch have unreturned Library books for which the Shire has had to pay for, the amounts are over 12 months overdue – their lending ability at the Library has been suspended until such time that they reimburse Council these costs, however given

the nature of the debt, amounts and time frame it is considered appropriate for the Debtor accounts to be written off the Shires books. Having said this they will not gain access to Library services unless the amounts are paid.

As these amounts relate to a prior years a formal Council resolution by “Absolute Majority” is required for the amounts to be written off.

CONSULTATION

None necessary.

STATUTORY ENVIRONMENT

Local Government Act 1995 section 6.12 - Power to defer, grant discounts, waive or write off debts

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

Provision to cover the writing off of these amounts is covered in Councils Operating Statement contained in the 2012/13 Annual Budget.

STRATEGIC IMPLICATIONS

There are no strategic implications from the adoption of this recommendation.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Council approves the write off of the following Debtor Accounts totalling \$234.00:

Debtor	Amount	Description
73578 - New Image Photographics	\$132.50	Hire of RSL Hall on 19 April 2011
72837 - P & T Collins	\$63.00	Standpipe Water June & November 2010
73038 - Rikki Derschow	\$22.00	Overdue Inter-Library Loan Book June 2011
73718 - Colin Clinch	\$16.50	Overdue Inter-Library Loan Book June 2011

COUNCIL DECISION

61/12 MOVED Cr Benn seconded Cr Marsh that Council approves the write off of the following Debtor Accounts totalling \$234.00:

Debtor	Amount	Description
73578 - New Image Photographics	\$132.50	Hire of RSL Hall on 19 April 2011
72837 - P & T Collins	\$63.00	Standpipe Water June & November 2010
73038 - Rikki Derschow	\$22.00	Overdue Inter-Library Loan Book June 2011
73718 - Colin Clinch	\$16.50	Overdue Inter-Library Loan Book June 2011

CARRIED

6/0

10.5 FINANCIAL MANAGEMENT – 2012/2013 BUDGET ADOPTION

AUTHOR: Mr Kim Dolzadelli – Manager of Corporate Services
DATE: Wednesday, July 11, 2012
FILE NO: FM.BUD.2
ATTACHMENT: 10.5 Shire of Kojonup 2012/2013 Draft Annual Financial Budget

DECLARATION OF INTEREST

Nil

SUMMARY

To consider and adopt Council's 2012/2013 Budget and to set the rates, minimums, discounts and fees and charges.

BACKGROUND

The Local Government Act, 1995, requires each Local Government to prepare a budget for its municipal fund for each financial year. The form, manner and content of the budget are prescribed in the Act and the Financial Management Regulations.

Council must adopt its budget by an Absolute Majority no later than 31st August in the budget year unless the Minister for Local Government has granted an extension.

COMMENT

Council has met previously in workshop forums to consider a draft budget, which has formed the basis of the final document. The draft annual budget for 2012/13 has been prepared in accordance with the Local Government Act 1995 and is attached for consideration and final adoption.

Balances shown in this draft annual budget as 2011/12 Actual are as forecast at the time of budget preparation and are subject to final adjustments.

The proposed increase in 2012/13 rates is 5.5%. Shire of Kojonup rates revenue for 2012/13 has been based on total property values as at 30th June 2012 with an increase of 5.5% applied.

All Unimproved Values have been revalued by the Valuer Generals Office in accordance with relevant statutory legislation. There was an overall small reduction in total Unimproved Valuation for the Shire.

Although rates in the dollar have been altered accordingly; the impact on individual properties will vary based on the degree to which the new value of the property moves against the average for the Shire.

CONSULTATION

Council has been consulted during budget workshops to assess the priorities of proposed capital works, plant replacement, abnormal operating items, community grant process, reserve transfers and rate increase levels.

The community grants process is in its seventh year, as such conditions are known by all applicants. It was advertised and open to community groups to fund projects or programs of public benefit.

STATUTORY ENVIRONMENT

Section 6.2 Local Government Act 1995
Regulations 22-33 Local Government (Financial Management Regulations) 1996

Section 6.2(1) of the Local Government Act 1995 requires that prior to 31st August 2012, Council adopt a budget for its municipal fund for the year ending 30th June 2013.

The annual budget is to incorporate:

- a) particulars of the estimated expenditure proposed to be incurred by the local government;
- b) detailed information relating to the rates and service charges which will apply to land within the district including:

- i. the amount it is estimated will be yielded by the general rate; and
- ii. the rate of interest (if any) to be charged by the local government on unpaid rates and service charges.
- c) the fees and charges proposed to be imposed by the local government;
- d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
- e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
- f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and such other matters as are prescribed.

POLICY IMPLICATIONS

Applicable policies have been considered in the preparation of the Budget.

FINANCIAL IMPLICATIONS

The Budget is the instrument by which Council sets the financial priorities and is the basis of all financial decisions made by Council and Officers during the budget year.

STRATEGIC IMPLICATIONS

The Budget is the key annual financial document that provides the resources for achieving Council objectives.

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

(Except where otherwise indicated)

COUNCIL DECISION

62/12 MOVED Cr Benn seconded Cr Pritchard inclusion of \$15,000 for Kodja Place Website.

CARRIED 6/0

5:47pm Shire President left the Chamber.

5:47pm Deputy Shire President adjourned the meeting.

5:55pm Shire President reconvened the meeting.

ORIGINAL OFFICER RECOMMENDATION

- 1 That the proposed budget as attached (or as amended, by Council where deemed appropriate) be adopted for the 2012/2013 year and the levels of income and expenditures be authorised.
- 2 That the following rate levels be adopted for the 2012/2013 year:
 - a) For all rateable properties where Gross Rental Valuations are applied a rate of 13.7282 cents in the dollar with a Minimum Rate of \$600 to apply.
 - b) For all rateable properties where Unimproved Valuations are applied, a rate of 0.7891 cents in the dollar with a Minimum Rate of \$600 to apply.
- 3 That where payments are received after the due date, penalty interest at a rate of eleven (11%) per centum per annum, to be calculated on a daily basis will be imposed on all outstanding Rates and Service Charges.

Pensioners who are registered in accordance with the Rates Rebates and Deferments Act 1993 are exempt from this provision.

- 4 That for those ratepayers who pay all their rates and charges and arrears in full within 14 days (2nd August 2012) of the date of rate notice issue (19th July 2012) they be offered a discount of 2.5% on the amount of their current rate charge for the 2012/2013 year.
- 5 That the following Rates Instalment payment Options be adopted:
- Option 1 Payment in full
- Total amount of rates and charges included on the rate notice to be paid in full by 23rd August 2012.
- Full payments received on or before 2nd August 2012 are eligible for a discount of 2.5% on the amount of their current rate charge for the 2012/2013 year.
- Option 2 Payments to be made by two (2) instalments as will be detailed on the Rates Notices with the following dates:
- | | |
|-------------------|--------------------------------|
| First Instalment | 23 rd August 2012 |
| Second Instalment | 21 st December 2012 |
- Option 3 Payments to be made by four (4) instalments, as will be detailed on the Rate Notices with the following dates:
- | | |
|-------------------|--------------------------------|
| First Instalment | 23 rd August 2012 |
| Second Instalment | 22 nd October 2012 |
| Third Instalment | 21 st December 2012 |
| Fourth Instalment | 19 th February 2013 |
- 6 That where payments are made by instalment, an administration charge of \$9 for each instalment after the first instalment shall apply. Interest on instalments shall be 5.5% p.a calculated daily from the date the first instalment is due to the date of each subsequent instalment is due.
- 7 That the following Rubbish/Recycling charges be imposed for the 2012/2013 year:
- a) For 240 litre bin collection, Rubbish weekly and Recycling fortnightly a charge of \$300 per combined service per annum. In the case that the ratepayer is a registered eligible Pensioner, as determined by the Rates Rebates and Deferments Act 1993, the charge will be \$245,
 - b) For an additional Fortnightly Recycling Service a charge of \$135 be charged, and
 - c) For an additional Weekly Rubbish Service a charge of \$165 be charged.
- 8 That the transfers/movements to and from Reserve Accounts as detailed in Note 6 of the budget document and in accordance with Council's adopted policies, be authorised, and
- 9 That the Fees and Charges as listed in Appendix G of the budget document, be imposed for the 2012/2013 year.

AMENDED OFFICER RECOMMENDATION

- 1 That the proposed budget as attached (or as amended, by Council where deemed appropriate) be adopted for the 2012/2013 year and the levels of income and expenditures be authorised, including an amendment for inclusion of \$15,000 for Kodja Place Website and Reduction of \$15,000 to COA 6062.
- 2 That the following rate levels be adopted for the 2012/2013 year:

- a) For all rateable properties where Gross Rental Valuations are applied a rate of 13.7282 cents in the dollar with a Minimum Rate of \$600 to apply.
- b) For all rateable properties where Unimproved Valuations are applied, a rate of 0.7891 cents in the dollar with a Minimum Rate of \$600 to apply.
- 3 That where payments are received after the due date, penalty interest at a rate of eleven (11%) per centum per annum, to be calculated on a daily basis will be imposed on all outstanding Rates and Service Charges.
- Pensioners who are registered in accordance with the Rates Rebates and Deferments Act 1993 are exempt from this provision.
- 4 That for those ratepayers who pay all their rates and charges and arrears in full within 14 days (2nd August 2012) of the date of rate notice issue (19th July 2012) they be offered a discount of 2.5% on the amount of their current rate charge for the 2012/2013 year.
- 5 That the following Rates Instalment payment Options be adopted:
- Option 1 Payment in full
- Total amount of rates and charges included on the rate notice to be paid in full by 23rd August 2012.
- Full payments received on or before 2nd August 2012 are eligible for a discount of 2.5% on the amount of their current rate charge for the 2012/2013 year.
- Option 2 Payments to be made by two (2) instalments as will be detailed on the Rates Notices with the following dates:
- | | |
|-------------------|--------------------------------|
| First Instalment | 23 rd August 2012 |
| Second Instalment | 21 st December 2012 |
- Option 3 Payments to be made by four (4) instalments, as will be detailed on the Rate Notices with the following dates:
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|-------------------|--------------------------------|
| First Instalment | 23 rd August 2012 |
| Second Instalment | 22 nd October 2012 |
| Third Instalment | 21 st December 2012 |
| Fourth Instalment | 19 th February 2013 |
- 6 That where payments are made by instalment, an administration charge of \$9 for each instalment after the first instalment shall apply. Interest on instalments shall be 5.5% p.a calculated daily from the date the first instalment is due to the date of each subsequent instalment is due.
- 7 That the following Rubbish/Recycling charges be imposed for the 2012/2013 year:
- a) For 240 litre bin collection, Rubbish weekly and Recycling fortnightly a charge of \$300 per combined service per annum. In the case that the ratepayer is a registered eligible Pensioner, as determined by the Rates Rebates and Deferments Act 1993, the charge will be \$245,
- b) For an additional Fortnightly Recycling Service a charge of \$135 be charged, and
- c) For an additional Weekly Rubbish Service a charge of \$165 be charged.
- 8 That the transfers/movements to and from Reserve Accounts as detailed in Note 6 of the budget document and in accordance with Council's adopted policies, be authorised, and

- 9 That the Fees and Charges as listed in Appendix G of the budget document, be imposed for the 2012/2013 year.

REASON FOR CHANGE: Council wished to amend the proposed Budget for inclusion of \$15,000 for Kodja Place Website and Reduction of \$15,000 to COA 6062.

6:09pm Mr Stephen Gash left the Chamber.

6:12pm Mr Stephen Gash returned to the Chamber.

COUNCIL DECISION

63/12 MOVED Cr Mathwin seconded Cr Marsh

- 1 That the proposed budget as attached (or as amended, by Council where deemed appropriate) be adopted for the 2012/2013 year and the levels of income and expenditures be authorised, including an amendment for inclusion of \$15,000 for Kodja Place Website and Reduction of \$15,000 to COA 6062.
- 2 That the following rate levels be adopted for the 2012/2013 year:
 - a) For all rateable properties where Gross Rental Valuations are applied a rate of 13.7282 cents in the dollar with a Minimum Rate of \$600 to apply.
 - b) For all rateable properties where Unimproved Valuations are applied, a rate of 0.7891 cents in the dollar with a Minimum Rate of \$600 to apply.
- 3 That where payments are received after the due date, penalty interest at a rate of eleven (11%) per centum per annum, to be calculated on a daily basis will be imposed on all outstanding Rates and Service Charges.

Pensioners who are registered in accordance with the Rates Rebates and Deferrals Act 1993 are exempt from this provision.

- 4 That for those ratepayers who pay all their rates and charges and arrears in full within 14 days (2nd August 2012) of the date of rate notice issue (19th July 2012) they be offered a discount of 2.5% on the amount of their current rate charge for the 2012/2013 year.
- 5 That the following Rates Instalment payment Options be adopted:

Option 1 Payment in full

Total amount of rates and charges included on the rate notice to be paid in full by 23rd August 2012.

Full payments received on or before 2nd August 2012 are eligible for a discount of 2.5% on the amount of their current rate charge for the 2012/2013 year.

Option 2 Payments to be made by two (2) instalments as will be detailed on the Rates Notices with the following dates:

First Instalment	23 rd August 2012
Second Instalment	21 st December 2012

Option 3 Payments to be made by four (4) instalments, as will be detailed on the Rate Notices with the following dates:

First Instalment	23 rd August 2012
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Second Instalment	22nd October 2012
Third Instalment	21st December 2012
Fourth Instalment	19th February 2013

- 6 That where payments are made by instalment, an administration charge of \$9 for each instalment after the first instalment shall apply. Interest on instalments shall be 5.5% p.a calculated daily from the date the first instalment is due to the date of each subsequent instalment is due.**
- 7 That the following Rubbish/Recycling charges be imposed for the 2012/2013 year:**
- a. For 240 litre bin collection, Rubbish weekly and Recycling fortnightly a charge of \$300 per combined service per annum. In the case that the ratepayer is a registered eligible Pensioner, as determined by the Rates Rebates and Deferments Act 1993, the charge will be \$245,**
 - b. For an additional Fortnightly Recycling Service a charge of \$135 be charged, and**
 - c. For an additional Weekly Rubbish Service a charge of \$165 be charged.**
- 8 That the transfers/movements to and from Reserve Accounts as detailed in Note 6 of the budget document and in accordance with Council's adopted policies, be authorised, and**
- 9 That the Fees and Charges as listed in Appendix G of the budget document, be imposed for the 2012/2013 year.**

CARRIED BY ABSOLUTE MAJORITY

6/0

10.6 SHIRE OF KOJONUP BUILDING MAINTENANCE TENDER

AUTHOR: Stephen Gash - Chief Executive Officer
DATE: 10 July 2012
FILE NO: FM.TND.3
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To authorise tenders to be called for building maintenance and minor refurbishment services on Shire of Kojonup property.

BACKGROUND

Until 2010 the Shire of Kojonup used to employ a Registered Builder to undertake building maintenance and construction work. In January 2010 when it no longer had a registered builder on staff it sought to have trial the work being undertaken by a contractor which included coordination of all trades, occupational health and safety and reporting requirements.

COMMENT

The value of maintenance and refurbishment / building work under the value of \$100,000 per discrete job, for the period since January 2010 has averaged at \$178,000 per year which includes all materials and contracts, labour and margin. Work over the value of \$100,000 will be subject to separate tender.

The proposed term of any contract would be 2 years, having regard to agreed key performance indicators and contract compliance.

The weighting of the evaluation criteria will be finalised before calling for tenders, however, the lowest or any tender may not necessarily be accepted. Tenderers will be required to:

Provide and hold fixed agreed rates for building maintenance work and specifically for nominated trades.

Agree to response times including after hours / emergency calls.

Coordinate any trades or subcontractors to:

Comply with the agreed rates and response times

Comply with all workplace orientation / contractor induction and certification requirements including White Card (or equivalent)

Provide evidence of and maintain adequate:

Builders registration

Construction insurance

Public liability insurance

Workers compensation cover

Safety management plans

Competency and approvals to handle asbestos

Access to drafting services

If tenders are only received for components of the contract these will be considered with regard to the impact on any additional administration or contractor management costs likely to be worn by the Shire through not having an exclusive agreement.

CONSULTATION

Nil required

STATUTORY REQUIREMENTS

Local Government Act 1995 (as amended)

Local Government Act (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The contract costs will commence in the 2012/13 budget and be controlled by the adopted Council budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS - SIMPLE MAJORITY

OFFICER RECOMMENDATION

That the Chief Executive Officer be authorised to finalise the evaluation weighting criteria and call for tenders for the building maintenance services for Shire owned buildings.

COUNCIL DECISION

64/12 MOVED Cr Marsh seconded Cr Pritchard that the Chief Executive Officer be authorised to finalise the evaluation weighting criteria and call for tenders for the building maintenance services for Shire owned buildings.

CARRIED

6/0

10.7 EXTERNAL AUDIT OF MAJOR CONSTRUCTION PROJECTS

AUTHOR: Stephen Gash - Chief Executive Officer
 DATE: Wednesday, 11 July 2012
 FILE NO: FM.AUD.1

ATTACHMENTS: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To consider an external audit of nominated major construction projects.

BACKGROUND

The Council flagged a desire for the Audit Committee to have a more structured approach to internal audit.

After a considerable period of reduced construction activity, due to restricted funds, the Shire has started undertaking larger construction projects. Officers recommend that the audit committee consider an external audit of nominated capital projects for financial performance, compliance with conditions, governance and reporting.

COMMENT

Shire officers have noted the public questions regarding the Recreation Complex tender process, project management, and financial management. There is also a concurrent desire by the community for greater management of significant capital works by committee.

Officers are seeking an independent audit of the Sporting Complex and any other projects nominated by Council, with respect to the grant process, tender process, project management, financial performance, governance and reporting.

This provides an opportunity for Council to:

- Review existing systems and processes;
 - Learn from past experience and best practice and make amendments as required;
 - Provide feedback where required to questions on specific projects and assurance to the public on systems and processes; and
 - Review the performance of the administration and resources to support required processes.
- Improve communication regarding project scoping, delivery and ongoing management.

The review would also be timely to allow clear guidance on governance and performance requirements to any future committee's involved in major projects. Organisation wide project management frameworks and templates are proposed, given five staff from various directorates are undertaking formal project management training, and Council has commenced a review of all its policies and procedures,

Given the role of the audit committee, and membership comprising only Councillors and one community member, it is appropriate for it to consider the scope of the audit and receive any findings from an external auditor directly. For further transparency officers suggest that the appointed auditor be requested to provide a copy directly to the Department of Local Government.

The extent of projects covered should have regard to any queries that Council are seeking advice on, the ability to learn lessons and apply to current practice, and value for money.

The Department of Local Government have been approached to advise that officers are seeking the review and confirm that they are happy to receive the advice directly from external auditors. There was also a outstanding query from the Local Government Review Team in 2004 which recommended external audits be conducted on the Kodja Place and Springhaven building projects.

The audits were not done at the time because of limited resources and the implication of legal action against the Shire. It was recommended that the Chief Executive Officer write to the Director General of the Department of Local Government seeking direction whether the recommended audits were still required. If not the Council could select representative projects for evaluation that provide better value for money than going back over 15 years.

CONSULTATION

Mr David Morris – Department of Local Government

This issue will require further advice from the Director General of the Department of Local Government with respect to the outstanding audits.

STATUTORY REQUIREMENTS

Local Government Act 1995 (as amended)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

A full audit of all major construction projects including Springhaven, Kodja Place, Recreation Complex, Pool, Loton Close units and Katanning Rd housing would be approximately \$35,000. Review of the Recreation Complex is estimated at \$4,000 which can be supported within professional fee allocations in the 2012/13 budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS - SIMPLE MAJORITY

OFFICER RECOMMENDATION

That the Chief Executive Officer call a meeting of the Audit Committee, as soon as advice is received from the Department of Local Government, to consider external audit of building construction projects.

COUNCIL DECISION

65/12 MOVED Cr Mathwin seconded Cr Baulch that the Chief Executive Officer call a meeting of the Audit Committee, as soon as advice is received from the Department of Local Government, to consider external audit of building construction projects.

CARRIED

6/0

11 ENGINEERING & WORKS REPORTS

Nil

Item 12.1 was discussed before Item 10.1

12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS

12.1 KOJONUP TOURIST RAILWAY PROPOSED STRUCTURE FOR HOUSING LOCOMOTIVE

AUTHOR: Stephen Gash - Chief Executive Officer
 DATE: Friday, 13 July 2012
 FILE NO: RC.MUS.4
 ATTACHMENTS: 12.1 Kojonup Tourist Railway Correspondence & Site Map

DECLARATION OF INTEREST

Nil

SUMMARY

Correspondence has been received from Kojonup Tourist Railway Inc. (KTR) seeking Council's approval to locate a steam locomotive which has been offered to them, on Lot 0 which is the tourist railway precinct bound by Gordon Street, Benn Parade and Albany Highway, Kojonup.

BACKGROUND

KTR are in the process of rebuilding the Perth Zoo Train to be launched on 6th October this year and will be used for providing rides along the old Kojonup to Farrar track, and see the acquisition of the locomotive for static display as an added attraction for the heritage listed railway station precinct.

COMMENT

It is proposed to house the locomotive which weighs approximately 60 tonnes in a suitably constructed and secure enclosure as a static display. The enclosure will be near the Albany Highway end of the site near where the concrete bunkers are placed and a site plan of the proposed location is attached for Council's information. The location will give maximum exposure of the locomotive from the highway.

As the enclosure for the proposed locomotive display will be on heritage listed premises, it will be necessary to seek approval of the Heritage Council of Western Australia (HCWA) to erect the structure on the site. The Manager Regulatory Services will coordinate the submission of relevant plans and specifications and other supporting documentation to HCWA on behalf of KTR, and will liaise with their designated officer who assists local governments in the Great Southern region on matters relating to heritage listed places.

It will be important to ensure that design and use of materials for the proposed housing structure is sympathetic and in keeping with the existing built heritage on the site, as well as serving its intended purpose of protecting the locomotive from the elements and vandalism.

Committee members of the KTA are aware of domed roof type structures located in the Brookton, Pingelly and Beverley districts used to house various displays of historical significance and are keen to replicate something similar for this project.

Cost to Council for this proposal will be minimal with the only works required being the piping and covering of the open stormwater drain on the South side of the site for a distance equivalent to approximately the length of the housing structure. The cost of the structure will be dictated by requirements of the Heritage Council, if approved.

With a suitably designed structure for housing the display the locomotive will be an added attraction to the existing displays and will complement work already undertaken by Council to enhance the streetscape in the Kodja Place and tourist railway precinct vicinity.

The previous use of the land was covered by the 'Kojonup Farrar Order 2002'. With the change to legislation affecting railways this order became invalid, and the Shire has been working with the Department of Regional Development and Lands to finalise a management order over the reserve to preserve the same use. Previously this allowed lease of the section from Albany Highway to the Farrar reserve from the Council to the Kojonup Tourist Railway Inc for the purpose of running and maintaining a tourist railway.

Recently a survey was conducted of railway reserves to examine suitability for service corridors, such as gas pipelines. The last approach from Department of Regional Development and Lands suggested that their preference was for the management order in favour of the Shire of Kojonup was to allow the Shire to provide non exclusive licence over the land. The implications of this will need to be clarified with the Office of Rail Safety with respect to the accreditation of the railway. It also has implications for the building management, maintenance and liability over the heritage listed portion of the reserve.

The final building envelope may also be impacted by a portion of old road reserve that was maintained as unallocated crown land. This runs through the preferred site, and another envelope may be require if this cannot be resolved.

CONSULTATION

The President of KTA, Ned Radford has met with Stephen Gash, CEO Shire of Kojonup to discuss the proposal. The CEO has also briefed the Manager Regulatory Services, who will coordinate the provision of relevant documentation for HCWA and Building Licence approval, in consultation with the KTA committee of which both the CEO and Manager Regulatory Services are members.

Final approval and use of the land must also be in accordance with the Management Order over the reserve.

STATUTORY ENVIRONMENT

Heritage Act of Western Australia - approval for structure.
Local Government Act- Building Code of Australia for building License.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Any minor earthworks in relation to the drain can be incorporated within the existing reserve management budget.

STRATEGIC IMPLICATIONS

This project links to promotion of Kojonup and preservation of its heritage

VOTING REQUIREMENTS – SIMPLE MAJORITY

COUNCIL DECISION

55/12 MOVED Cr Mathwin seconded Cr Marsh to suspend standing orders.

CARRIED

6/0

Standing orders were suspended to allow a discussion with Ned Radford from the Kojonup Tourist Railway and to answer any technical questions regarding the locomotive and potential obligations on Council.

COUNCIL DECISION

56/12 MOVED Cr Mathwin seconded Cr Benn to resume standing orders.

CARRIED

6/0

ORIGINAL OFFICER RECOMMENDATION

That Council approve the location of the locomotive by the Kojonup Tourist Railway Inc. Lot No 0 Benn Parade (“the Railway Reserve”) subject to:

- 1 The proposal being approved by the Heritage Council of Western Australia, specifically the location, form, and structure of the proposed locomotive housing.
- 2 Alteration of the Management Order for the reserve to allow the `leasing of the area to the Kojonup Tourist Railway Inc for the purpose of operating and maintaining a tourist railway
- 3 Submission of a Development Application for issue of a Building License, showing the footprint of the locomotive housing structure is located within the approved building envelope.

AMENDED OFFICER RECOMMENDATION

That Council approve the location of the locomotive by the Kojonup Tourist Railway Inc. Lot No 0 Benn Parade (“the Railway Reserve”) subject to:

- 1 The proposal being approved by the Heritage Council of Western Australia, specifically the location, form, and structure of the proposed locomotive housing.
- 2 Alteration of the Management Order for the reserve to allow the `leasing of the area to the Kojonup Tourist Railway Inc for the purpose of operating and maintaining a tourist railway

- 3 Submission of a Development Application for issue of a Building License, showing the footprint of the locomotive housing structure is located within the approved building envelope.
- 4 That Council receive submissions.

REASON FOR CHANGE: That Council can consider any objections received.

COUNCIL DECISION

57/12 MOVED Cr Benn seconded Cr Pritchard that Council approve the location of the locomotive by the Kojonup Tourist Railway Inc. Lot No 0 Benn Parade (“the Railway Reserve”) subject to:

- 1 The proposal being approved by the Heritage Council of Western Australia, specifically the location, form, and structure of the proposed locomotive housing.
- 2 Alteration of the Management Order for the reserve to allow the leasing of the area to the Kojonup Tourist Railway Inc for the purpose of operating and maintaining a tourist railway
- 3 Submission of a Development Application for issue of a Building License, showing the footprint of the locomotive housing structure is located within the approved building envelope.
- 4 That Council receive submissions.

CARRIED

6/0

Item 10.1 was discussed after 12.1

13 CORPORATE & COMMUNITY SERVICES REPORTS

13.1 EXPRESSION OF INTEREST - DISPOSAL OF OLD RECYCLING STATION BUILDINGS

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Wednesday, July 11, 2012
 FILE NO: CP.MTC.32 & CP.ACD.7
 ATTACHMENT: 13.1 Photos of Structures/Items

DECLARATION OF INTEREST

Nil

SUMMARY

To approve the disposal of buildings located at the Old Shire of Kojonup Recycling/Transfer Station by way of Expression of Interest.

BACKGROUND

In 2009/10 Council constructed a Recycling/Transfer Station on reserve 11301 located off of Tunney Road and the old Recycling/Transfer Station located on reserve 24160 accessed from Soldier Road ceased operation.

Restoration works of the old site in the form of earthworks and plantings have previously been commenced as required in accordance with Department of Environment and Conservation requirements.

COMMENT

The sheds and other materials/structures are required to be removed as part of the continued post closure management and rehabilitation of the site, in accordance with Department of Environment and Conservation requirements for restoration of closed landfill sites.

The buildings in question are described below and photographs of the structures are also attached to this Agenda:

Main Shed(Recycling with attached kitchen/staff room)

The dimensions of the shed are: 30.0m long x 10.0m wide x 3.0m high.
The shed is constructed of steel frames and roof trusses with metal clad walls and a concrete floor.
The attached kitchen/staff room is of similar construction with a single bowl kitchen sink installed.
The shed has an iron clad roof with skylights and two whirlybird ventilators.
There is a collapsed metal awning that was attached to the front of the shed. The awning has been damaged but is salvageable.

Pesticide Shed

The dimensions of the shed are: 5.0m long x 3.0m wide x 3.0m high.
The shed is constructed of steel frames with a metal clad roof and concrete floor.

In addition to both sheds there is a base of a metal water tank approximately 400mm high that is filled with earth and was used as a base for a water tank to supply water to the staff room. The tank has been relocated to the new Recycle & Transfer Station and the remaining base would be useful as a planter box and could be disposed of with the sheds.

Expressions of Interest will be presented to Council for its consideration post closure of the expression period.

CONSULTATION

None required

STATUTORY ENVIRONMENT

Section 3.58 of the Local Government Act 1995 and Regulation 30 & 31 Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

There are no known Policy Implications.

FINANCIAL IMPLICATIONS

There are only minor financial implications with respect to the calling for Expressions of Interest and these can be easily accommodated in the Draft Budget for 2012/2013.

STRATEGIC IMPLICATIONS

The Shire of Kojonup has a legal and community obligation to restore the old Recycling/Transfer Station site.

VOTING REQUIREMENTS – Simple Majority

OFFICER RECOMMENDATION

1. That Council approves the calling for Expressions of Interest for the disposal of the following Buildings/Structures and items from the old Recycling/Transfer Station site as described below:

Main Shed(Recycling with attached kitchen/staff room)

- The dimensions of the shed are: 30.0m long x 10.0m wide x 3.0m high.
- The shed is constructed of steel frames and roof trusses with metal clad walls and a concrete floor.
- The attached kitchen/staff room is of similar construction with a single bowl kitchen sink installed.
- The shed has an iron clad roof with skylights and two whirlybird ventilators.
- There is a collapsed metal awning that was attached to the front of the shed. The awning has been damaged but is salvageable.

Pesticide Shed

- The dimensions of the shed are: 5.0m long x 3.0m wide x 3.0m high.
- The shed is constructed of steel frames with a metal clad roof and concrete

floor.

- In addition to both sheds there is a base of a metal water tank approximately 400mm high that is filled with earth and was used as a base for a water tank to supply water to the staff room. The tank has been relocated to the new Recycle & Transfer Station and the remaining base would be useful as a planter box and could be disposed of with the sheds.
2. That Council Consider Expressions of Interest at its next Council meeting post closure of the Expression of Interest period.

COUNCIL DECISION

66/12 MOVED Cr Benn seconded Cr Mathwin

1. That Council approves the calling for Expressions of Interest for the disposal of the following Buildings/Structures and items from the old Recycling/Transfer Station site as described below:

Main Shed(Recycling with attached kitchen/staff room)

- The dimensions of the shed are: 30.0m long x 10.0m wide x 3.0m high.
- The shed is constructed of steel frames and roof trusses with metal clad walls and a concrete floor.
- The attached kitchen/staff room is of similar construction with a single bowl kitchen sink installed.
- The shed has an iron clad roof with skylights and two whirlybird ventilators.
- There is a collapsed metal awning that was attached to the front of the shed. The awning has been damaged but is salvageable.

Pesticide Shed

- The dimensions of the shed are: 5.0m long x 3.0m wide x 3.0m high.
- The shed is constructed of steel frames with a metal clad roof and concrete floor.
- In addition to both sheds there is a base of a metal water tank approximately 400mm high that is filled with earth and was used as a base for a water tank to supply water to the staff room. The tank has been relocated to the new Recycle & Transfer Station and the remaining base would be useful as a planter box and could be disposed of with the sheds.

2. That Council Consider Expressions of Interest at its next Council meeting post closure of the Expression of Interest period.

CARRIED

6/0

14 COMMITTEES OF COUNCIL

14.1 MEDICAL/HEALTH CENTRE ADVISORY COMMITTEE - APPOINTMENT OF MEMBERS

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Thursday, 12 July 2012
 FILE NO: CU.PBR.8
 ATTACHMENTS: 14.1.1 Nomination Flyer and Letters
 14.1.2 Confidential Attachment - Nominations

DECLARATION OF INTEREST

Nil

SUMMARY

To review nominations received and appoint Members to the Medical/Health Centre Advisory Committee.

BACKGROUND

A Medical Centre Petition was received by the Shire President Cr Jane Trethowan on Wednesday 2nd May 2012, this petition was tabled at the Council meeting held 15th May 2012 and considered by Council; the following decisions resulted from these discussions:

“COUNCIL DECISION

32/12 *MOVED Cr Pritchard seconded Cr Marsh that Petition as tabled/attached be received.*

CARRIED 6/0

COUNCIL DECISION

33/12 *MOVED Cr Hewson seconded Cr Marsh that a public meeting be called to discuss the Medical Centre Development on Tuesday 5th June 2012 at 7:00pm.*

CARRIED 6/0”

The Public meeting proceeded on Tuesday 5th June 2012 at 7:00pm and was attended by approximately 180 residents.

The following motions were passed at the Public meeting:

1. *That this meeting endorses the current use of the Kodja Place and the Council accepts the original purpose of the Kodja Place complex.*
2. *The Kojonup Shire Council form a committee of Council to advise the Council on the Purpose, Design, Location and funding of a Medical Centre located in the Shire of Kojonup. This committee shall have as its members at least four members elected by this meeting, the balance of the committee shall include other members as the Council determines.*
3. *That Judith Warland, Leith Hanna (Schmidt), Graeme Hobbs, Ned Radford, Jo Webb, Jenny Matthews, Pip Crook, and Ernie Graham be nominated as community members to serve on a Medical Centre committee.*

Council considered the motions passed at the Public meeting, held on Tuesday 5th June 2012 at 7:00pm, at its meeting held 19th June 2012 where the following decisions were made by Council:

COUNCIL DECISION

46/12 *MOVED Cr Hewson seconded Cr Pritchard that Council discuss the motions, as shown above, made at the public meeting.*

CARRIED 8/0

COUNCIL DECISION

47/12 *MOVED Cr Marsh seconded Cr Hewson that the Chief Executive Officer be endorsed to undertake research to establish the original purpose of the Kodja Place Complex and report back to Council.*

CARRIED 8/0

COUNCIL DECISION

48/12 *MOVED Cr Mathwin seconded Cr Pritchard that the Shire Council form a Medical/Health Centre Advisory Committee as a committee of council including Councillors and members of the Community to investigate and advise of the need, the purpose, design, location and funding of the Medical Centre. The number of appropriately skill based community members for this project to be decided by Council.*

CARRIED 7/1

COUNCIL DECISION

49/12 *MOVED* Cr Hewson seconded Cr Pritchard that Council:

- a) *acknowledges the 8 persons nominated at the Public Meeting held on Tuesday 5th June 2012 and provides them with an information pack and brief for the Medical/Health Centre Advisory Committee. Further that these individuals having been provided with the information pack and brief be requested to confirm their nomination;*
- b) *that a call for further nominations for membership on the committee be circulated throughout the district with a closing date of 11th July 2012.*
- c) *that all nominations be considered by Council at it's meeting held 17th July 2012.*

CARRIED 8/0

A flyer was distributed via Australia Post throughout the district and mailed to those persons whom reside outside of the district on 22nd June 2012 calling for nominations to the Committee; a copy of the Flyer is attached.

Letters were sent on Thursday 21st June 2012 to the 8 persons nominated at the Public Meeting; a copy of the template Letter is attached. A further letter was sent on Friday 6th July 2012 to the 8 nominees containing the Draft Terms of Reference for the Committee, a copy of the template letter is also attached.

The Draft Terms of Reference are as follows:

The Medical/ Health Advisory Committee is formed a s a formal committee of the Council to:

- Develop a communications plan to guide the consultation process, feedback mechanisms, surveys, public meetings, record keeping, and media releases from the Council and committee.
- To assess the needs for medical/ health centre accommodation:

Guidance Notes

The committee will be asked to consider the benchmark ratios of Doctors to population, under Commonwealth guidance for unmet area of need, and consider population trends for the future.

In conjunction with the Department of Health this will also consider after hours / emergency coverage and regional on call.

- Review the current medical centre and hospital accommodation for Doctors and other primary health providers.

Guidance Notes

This will include the building condition of the current medical centre and have regard to using existing facilities better or assessing gaps in accommodation.

- Consider options under the Primary Health Care Demonstration Site model of the Southern Inland Health Initiative and advise Council on whether to participate in any call for expressions of interest.

Guidance Notes

This will have regard to the broader primary health care support services required for the community and may include accommodation options / co-location with the hospital etc.

- Review previous medical centre plans, options, and feedback / submissions from the community to guide the committee.
- Provide a short list of options for consideration of Council to allocate resources for detailed work up of plans.

Guidance Notes

\$35,000 is proposed to be allocated in the 2012/13 budget to support business case work up and condition assessment.

- Develop a scope of works for appropriate architectural / design consultant / or building support for the options above based on the outcomes of the needs analysis and liaison with key stakeholders/ users.
- Review the detailed options and provide advice to Council on the outcome of detailed work up based on:
 - Meeting the identified community needs;
 - Meeting the identified functional needs of users;
 - Value for money
- Provide advice on funding and timing of the project.
- Provide advice to Council on any other issue that the committee view relevant to the Medical / Health Centre consideration.

The Draft Terms of Reference have been developed and will be the first item on the agenda at the first meeting of the committee. Members will have the ability to advise Council on suggested amendments to the draft below. Once the terms of reference are discussed the committee will consider what skills, knowledge, and resources are required to undertake the tasks in the terms of reference and advise Council where gaps may exist and external assistance required.

COMMENT

Committee representation should be considered on the basis of utilisation of specific skills where appropriate or to add diversity to reflect alignment with the community demographics.

Individual Councillors are entitled to be members of at least one committee, which comprises elected members only or elected members and employees. Therefore, Council needs to determine how many members should comprise this Committee.

The Act does not specifically mention anything about Deputies or proxies other than Deputy President and Deputy Presiding members. One of the pillars upon which the new Act is built is for better decision-making and more efficient and effective local government. (Ref: Section 1.3 (2)). Consequently, there is nothing that precludes Council from appointing one or two deputies for each Committee.

The following table list all persons nominated both through the Public meeting and broader Call for Nominations process, it also contains the response by nominees to their nomination:

Nominee	Nominated	Nomination Confirmed
Ernie Graham	Public Meeting	Yes - Verbal Acceptance
Graeme Hobbs	Public Meeting	Yes - Written Acceptance
Jenny Matthews	Public Meeting	Yes - Written Acceptance
Jo Webb	Public Meeting	Yes - Written Acceptance
Judith Warland	Public Meeting	Yes - Written Acceptance
Leith Hanna	Public Meeting	No - Withdrawn
Ned Radford	Public Meeting	Yes - Written Acceptance
Pip Crook	Public Meeting	Yes - Verbal Acceptance
Neil Young	Broader Call	Yes - Written Acceptance
Jill Mathwin	Broader Call	Nominated by Cr R Hewson

Where written advice with respect to nominations has been received these are provide as a confidential attachment, given they identify personal information. If accepted the Council would be seeking permission from the endorsed members to make their CV or supporting information

available to other members of the committee at the first meeting to inform all about their individual skills and experience.

Prior to considering individual membership Council should also consider the size of the committee. Officers view that 8 community members should be workable depending on the strength of the Presiding Member elected by the group as chairperson, and the commitment of individuals to contribute and reach outcomes.

Having consideration of the above factors it will be then appropriate for Council to consider the nominations received and any Councillor nominations that may be made at the meeting and then make formal appointments to the membership of the committee.

Committee Composition

Individual Councillors are entitled to be members of at least one committee, which comprises elected members only or elected members and employees. Therefore, Council needs to determine how many members should comprise each Committee.

CONSULTATION

No consultation has occurred.

STATUTORY REQUIREMENTS

The election / appointment of members to Committees and their operation is set out in Sections 5.8 to 5.25 inclusive plus the Local Government (Administration) Regulations, 1995.

Council may by **absolute majority** establish Committees comprising of 3 or more persons, be it members, employees and/ or other persons to exercise the powers and discharge the duties of the local government that can be delegated to committees.

A committee is to have as its members, persons appointed by **absolute majority** by the Council. Ref. Section 5.10 of the Act.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC IMPLICATIONS

There are no known strategic implications as long as an appropriate hand over is conducted for any change in membership.

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL DECISION

67/12 MOVED Cr Mathwin seconded Cr Pritchard to suspend standing orders.

CARRIED

6/0

COUNCIL DECISION

68/12 MOVED Cr Pritchard seconded Cr Marsh to resume standing orders.

CARRIED

6/0

OFFICER RECOMMENDATION

That pursuant to Section 5.10 of the Local Government Act, 1995 Council:

1. Appoint the following people as community Members to the Medical/Health Centre Advisory Committee.

_____, _____, _____, _____, _____
 _____, _____, _____, _____, _____
 _____, _____, _____, _____, _____

2. Appoint the following Councillors as Members to the Medical/Health Centre Advisory Committee.

_____, _____, _____, _____, _____
 _____, _____, _____, _____, _____
 _____, _____, _____, _____, _____

COUNCIL DECISION

69/12 MOVED Cr Pritchard seconded Cr Mathwin that pursuant to Section 5.10 of the Local Government Act, 1995 Council:

1. Appoint the following people as community Members to the Medical/Health Centre Advisory Committee.
 Ernie Graham, Graeme Hobbs, Jenny Matthews, Jo Webb, Judith Warland, Ned Radford, Pip Crook, Neil Young.
2. Appoint the following Councillors as Members to the Medical/Health Centre Advisory Committee.
 Cr Mathwin, Cr Benn, Cr Hewson.

CARRIED 6/0

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS
 of an urgent nature, introduced by a decision of the meeting

COUNCIL DECISION

70/12 MOVED Cr Marsh seconded Cr Mathwin that Council approve delegations of authority to the Chief Executive Officer to approve contractors to undertake tree removal under the WANDRRA.

CARRIED BY ABSOLUTE MAJORITY 6/0

17 CONFIDENTIAL REPORTS

Nil

18 NEXT MEETING
 Tuesday, 21st August 2012 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 6:34pm.

20 APPENDICES AND TABLED DOCUMENTS

21 **ATTACHMENTS**

Item 4	Table 1
Item 10.2	Monthly Payment Listing
Item 10.3	Interim Audit Management Letter Year Ended 30 th June 2012
Item 10.5	Shire of Kojonup 2012/2013 Draft Annual Financial Budget (As Adpoted)
Item 12.1	Kojonup Tourist Railway Correspondence & Site Map
Item 13.1	Photos of Structures/Items
Item 14.1.1	Nomination Flyer and Letters
Item 14.1.2	Confidential Attachment – Nominations

Presiding Member

Date