

# SHIRE OF KOJONUP



## Council Minutes

***19<sup>th</sup> December 2006***

**SHIRE OF KOJONUP****AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 19<sup>th</sup> DECEMBER 2006****TABLE OF CONTENTS**

<b>1</b>	<b>DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS</b>	<b>3</b>
<b>2</b>	<b>ATTENDANCE, APOLOGIES &amp; LEAVE OF ABSENCE</b>	<b>3</b>
<b>3</b>	<b>PUBLIC QUESTION TIME</b>	<b>3</b>
<b>4</b>	<b>SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE</b>	<b>3</b>
<b>5</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>3</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES</b>	<b>3</b>
<b>7</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>4</b>
<b>8</b>	<b>PETITIONS, DEPUTATIONS &amp; PRESENTATIONS</b>	<b>4</b>
<b>9</b>	<b>DECLARATIONS OF INTEREST</b>	<b>4</b>
<b>10</b>	<b>FINANCE REPORTS</b>	<b>4</b>
10.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY	4
10.2	MONTHLY PAYMENTS LISTING	6
<b>11</b>	<b>ENGINEERING &amp; WORKS REPORTS</b>	<b>6</b>
<b>12</b>	<b>ECONOMIC &amp; ENVIRONMENTAL DEVELOPMENT REPORTS</b>	<b>7</b>
12.1	COUNCIL POLICY REVIEW HB2 – ADVERTISING DEVICES AT THE AIRPORT	7
12.2	2,4-D ESTER PERMIT SUPPORT	8
<b>13</b>	<b>CORPORATE &amp; COMMUNITY SERVICES REPORTS</b>	<b>10</b>
13.1	COMMUNITY SAFETY AND CRIME PREVENTION PLAN	10
<b>14</b>	<b>OCCUPATIONAL SAFETY &amp; HEALTH COMMITTEE MINUTES</b>	<b>12</b>
<b>15</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>12</b>
<b>16</b>	<b>NEW BUSINESS OF AN URGENT NATURE, INTRODUCED BY A DECISION OF THE MEETING</b>	<b>12</b>
<b>17</b>	<b>CONFIDENTIAL REPORTS</b>	<b>13</b>
<b>18</b>	<b>NEXT MEETING</b>	<b>13</b>
<b>19</b>	<b>CLOSURE</b>	<b>13</b>
<b>20</b>	<b>APPENDICES AND TABLED DOCUMENTS</b>	<b>13</b>
<b>21</b>	<b>ATTACHMENTS</b>	<b>13</b>

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

The President opened the meeting at 3.02pm alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points.

The President read the following statement:

*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 Jill Mathwin	Shire President
Cr Jane Trethowan	Deputy Shire President
Cr John Benn	
Cr Pat Bunny	
Cr Will Carrington-Jones	<i>arrived at 3.55pm</i>
Cr Ernie Graham	
Cr Rosie Hewson	
Cr Greg Marsh	
Cr Frank Pritchard	
Cr Geoff Thorn	
Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Ms Melissa Wilson	Manager of Health and Building
Mrs Cindy North	Manager of Community Development
Mrs Heather Marland	Senior Finance Officer
Mrs Rosemary Cussons	Personal Assistant

**APOLOGIES****3 PUBLIC QUESTION TIME**

Nil

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

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6 CONFIRMATION OF MINUTES**

ORDINARY MEETING 21<sup>st</sup> November 2006



Attachment 1 - Contains details of Council's Bank Reconciliations, and Investments. The report shows total funds of \$2,428,468.47.

Attachment 2 - Contains details of Council's Rates details. Collection is now up to 86.86%.

Attachment 4 – Contains details of up to date Capital Expenditure

Attachment 5 - The Statement of Financial Activities for the year. This is basically a “Sources and Applications of Funds” Statement, and is a summary of figures of the original budget, any amendments adopted to date, actual figures transacted to date, as well as our projections, in dollar terms, of the likely/expected outcomes for the year

Attachment 6.1 – Contains the Plant Purchases and Disposals as amended.

Attachment 7 - Contains details of “Restricted Monies”, which involves funds received in advance in prior years, which should be treated as “Restricted” until the expenditures associated with such purposes have been incurred.

Attachment 8 - Contains details of Council's Reserves Accounts, including movements to and from such accounts for the year.

Attachment 9 - The Monthly Status Report with regard to significant Finance and accounting work, so that the Council is kept informed as to the position of various items in this area.

Attachment 10 - Relates to Net Current Assets. The “Opening Balance” for the 2006/07 year will be virtually as projected. The month to month figure for the current year can be misleading, but the reality will become effective in the later part of the financial year.

#### **CONSULTATION**

None necessary.

#### **STATUTORY ENVIRONMENT**

Financial Management Regulation 34 sets out the basic information which must now be included in the monthly reports to Council.

#### **POLICY IMPLICATIONS**

None applicable.

#### **FINANCIAL IMPLICATIONS**

Occasionally Council may be asked to authorise certain budget amendments/variations by way of separate Senior Officer Reports, but those proposed variations will be taken into account in the monthly Financial Activities report.

#### **STRATEGIC IMPLICATIONS**

This will only occur where it involves variations to the multiple year proposals previously put forward. Impacts to the “Closing Balance” position will also occur or where a Budget review highlights the requirement for amendments to occur.

#### **VOTING REQUIREMENTS – SIMPLE MAJORITY**

#### **OFFICER RECOMMENDATION**

1. That the Monthly Financial reports, as attached, be accepted.

#### **COUNCIL DECISION**

172/06            **MOVED Cr Thorn that the Monthly Financial reports, as attached, be accepted.**

**CARRIED**

**9/0**

## 10.2 MONTHLY PAYMENTS LISTING

**AUTHOR:** Senior Finance Officer – Heather Marland  
**DATE:** 2006  
**FILE NO:** 06.15.01

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To receive a list of payments made since the last similar list was received.

**BACKGROUND**

Not applicable.

**COMMENT**

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

**CONSULTATION**

No consultation was required.

**STATUTORY ENVIRONMENT**

Regulations 13 (2) of the Local Government (Financial Management Regulations) 1996 requires such a list to be “presented” whenever payments have been made under a delegated authority. (Reference Delegation #18).

**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 the Payment Listing from 14/11/06 to 12/12/06 comprising of Municipal Cheques 8688 to 8721, EFTs 1975 to 2010 and Internal Payment Vouchers 783 to 814 totalling \$321,878.28 and as attached to this agenda, be received.

**COUNCIL DECISION**

**173/06**            **MOVED Cr Bunny that the Payment Listing from 14/11/06 to 12/12/06 comprising of Municipal Cheques 8688 to 8721, EFTs 1975 to 2010 and Internal Payment Vouchers 783 to 814 totalling \$321,878.28 and as attached to this agenda, be received.**

**CARRIED**

**9/0**

3.20pm Mrs Heather Marland left the Chamber

**11 ENGINEERING & WORKS REPORTS**

Nil

**12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS****12.1 COUNCIL POLICY REVIEW HB2 – ADVERTISING DEVICES AT THE AIRPORT**

**AUTHOR:** Melissa Wilson – Manager of Health and Building  
**DATE:** 1<sup>st</sup> December 2006  
**FILE NO:** 05.02.01  
**ATTACHMENT** Council Policy HB2

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To consider the proposed Council Policy HB2 - Advertising Devices at the Airport Category 4.

**BACKGROUND**

Council Policy HB2 provides guidance for officers and the Council for approvals of advertising devices at the Shire of Kojonup Airstrip. Previously this policy contained basic guidance by way of the number of devices permitted at the Airstrip.

The policy (attached) has been reviewed to allow for greater guidance in approvals of advertising devices for the Airstrip.

**COMMENT**

The proposed policy has more recognition of the Main Road of WA Guidelines for signage in the vicinity of a main road as these provide the basis of the approval process.

The proposed policy allows for fifteen (15) advertising signs to be located along the boundary of the Airstrip. Of these five (5) signs are reserved for businesses or organizations whose principal place of operation is in the Shire of Kojonup or those that have a significant portion of their operation located in the Shire of Kojonup.

Advertising devices will not be considered for approval if they contain information that:

*“• could harm or cause detriment to the State,*

- makes reference to a product which is unsafe, or is otherwise unsuitable to be referred to in the advertisement,*
- contains confusing, misleading, political, religious, offensive or objectionable information; and*
- would breach any provision of the Trade Practices Act and any other State or Commonwealth legislation.”*

The principal application conditions provide that signs will not be permitted to be:

- greater than 36m<sup>2</sup> in surface area for a maximum of two sides,
- greater than 7 meters above the ground level,
- located closer than 1 meter or further than 10 meters from the boundary of the airstrip,
- located so that it exposes a unsightly view of the sign to a road or other public place and
- located closer than 100 meters from the next closest sign.

The sign is also required to be mounted as a free standing structure (subject to building approval).

All successful applicants will be required to enter into an agreement/lease arrangement for a period of 3 years. The lease fee will be subject to change as amended in the annual fees and charges review however the agreement will be that the increase will be no more than 10% pa.

The lessee will be responsible for the installation, maintenance, and removal costs of the sign.

**CONSULTATION**

Consultation has taken place with the Council and feedback received.

**STATUTORY ENVIRONMENT**

Main Roads WA has delegated the authority to approve category 2, 3 and 4 advertising devices, in accordance with its guidelines, to the Shire of Kojonup.

**POLICY IMPLICATIONS**

The policy will allow for greater guidance in approving the advertising devices.

**FINANCIAL IMPLICATIONS**

Currently the lease fee for a sign at the Kojonup Airstrip is \$1540.00 pa.

**STRATEGIC IMPLICATIONS**

There are no known strategic implications.

**VOTING REQUIREMENTS – Simple Majority****OFFICER RECOMMENDATION**

That Council adopt policy HB2 – Advertising Devices at the Airport Category 4

**COUNCIL DECISION**

174/06	<b>MOVED Cr Trethowan that Council adopt policy HB2 – Advertising Devices at the Airport Category 4</b>
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**CARRIED****9/0**

## 12.2 2,4-D ESTER PERMIT SUPPORT

**AUTHOR:** Chief Executive Officer – Stephen Gash  
**DATE:** 13 December 2006  
**FILE NO:** 08.04.01

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To consider a request for support of 2,4-D Ester spraying in the Shire of Kojonup.

**BACKGROUND**

The Shire received the following request on 23 November 2006:

*To whom it may concern,*

*As you would be aware, the APVMA has suspended the use of 2,4-D High Volatile Esters (HVEs) for the control of summer weeds during the months when grain growers in your Shire need it the most. In order to allow growers to legally use this important weed control tool for **one** year while further research is being done, the Better Farm Integrated Quality Program (The CBH Group) has applied for a one year permit for the use of 2,4-D HVEs and have included your shire in the application. It is anticipated that this permit will expire on April 1 2007.*

*Several questions have been raised by the APVMA in relation to this permit, specifically with respect to the possibility of an adverse effect to state forests, remnant vegetation and susceptible crops. It would be beneficial if each nominated shire support this permit in writing. To that end, I have attached the covering letter, permit and a draft letter to Mr Ron Marks which I would request be sent at your earliest possible convenience.*

*Many growers have already begun their summer spray program and the CBH group as well as the APVMA are hopeful of a quick solution to this issue, it is imperative that your support is received as soon as possible. I apologise for the short time frames, but for the sake of expediting the process, those Shires which are unable to respond by Friday December 1st will be removed from the first round permit application.*

*Please note, this is not a debate as to whether the ban on 2,4-D should be, or should have been imposed, likewise, it not a debate on whether further research is required. Your support in this matter will simply allow the growers in your shire to continue to legally use 2,4-D HVEs for one more year while further research and adverse reporting data is compiled and challenged. If you do not*

wish to support this permit, you may nominate for your shire to be removed from the permit application by return email.

Kindly modify the attached letter as you see fit and email the letter to **Ron.Marks@apvma.gov.au** or mail it to the address provided in the letter. I would kindly ask that a copy is sent to myself so that I am aware of those shire which have supported the permit.

As specific questions are raised regarding your shire, they will be forwarded to you for your comment. If you have any questions or concerns please do not hesitate to contact me on the numbers below.

Kind regards,

Dave Jeffries  
Better Farm IQ Manager  
Australian Grains Centre  
david.jeffries@cbh.com.au  
[www.cbh.com.au](http://www.cbh.com.au)

The email provided a copy of the permit application and also a sample letter of support required. (Attachment 12.2)

#### **COMMENT**

The nature of the support requires consideration by Council and the deadline of 1 December 2006 could not be met. Mr Jefferies was contacted to explain this position and to express concern at the deadline and the sample letter of support, as the Shire does not possess the knowledge to make the statements suggested in the sample.

The Chief Executive Officer has been advised that a second round of the permit is envisaged within the next couple of weeks, and the Shire of Kojonup would be included if a letter of support provided.

The Pesticides Branch of the Department of Health were contacted and advised that the Pesticides Advisory Committee (PeAC) discussed the use of 2,4-D High Volatile Esters in Western Australian wheat belt regions during the summer season for the control of summer weeds and provided a letter of support that stated:

*“In light of support from the Department of Environment and Conservation (DEC) and the Department of Agriculture and Food confirming minimal risk to off target crops and native vegetation from summer spraying of 2,4-D High Volatile Esters in wheat belt regions and that the use of 2,4-D HVE in the wheat belt regions is not expected to produce significant public exposure the Department of Health supports the permit application by the CBH Group for a permit to apply 2,4-D High Volatile Esters in selected Western Australian Shires during the months of December to May.”*

With this expert advice already provided Council may consider the letter of support to state no objection to the permit, rather than attempting to comment on environmental impacts outside the scope of its knowledge. David Jefferies confirmed this approach would be acceptable for the letter of support and this position had been taken by other Shires.

#### **CONSULTATION**

Consultation was conducted with the Department of Health and several local farmers who advised that 2,4-D has a very specific use, but that it would be important for its use to be supported if the conditions required.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS** – Simple Majority**OFFICER RECOMMENDATION**

That Council endorse the Chief Executive Officer to provide a letter advising that the Shire of Kojonup has no objection to the 2,4-D Ester permit application.

**COUNCIL DECISION**

175/06

**MOVED Cr Thorn that Council endorse the Chief Executive Officer to provide a letter advising that the Shire of Kojonup has no objection to the 2,4-D Ester permit application.**

CARRIED

8/1

**13 CORPORATE & COMMUNITY SERVICES REPORTS****13.1 COMMUNITY SAFETY AND CRIME PREVENTION PLAN****AUTHOR:** Cindy North – Manager of Community Development**DATE:** 13<sup>th</sup> December 2006**FILE NO:** 03.02.01**ATTACHMENT:** Shire of Kojonup Community Safety and Crime Prevention Plan 2006 - 2009**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To endorse the Shire of Kojonup Community Safety and Crime Prevention Plan 2006 – 2009, as attached to the agenda.

**BACKGROUND**

In 2004, the Shire of Kojonup agreed to enter into a partnership with the newly established Office of Crime Prevention (OCP). The partnership focused on establishing strategic crime prevention agreements between local Councils and the State Government, and replaced the existing Safer WA structure, which was active within Kojonup at the time.

The idea of the partnership agreement was to build relationships with Local Governments, State Government agencies, police, local businesses, community groups and volunteers so that there could be improved safety and a crack down on crime within our community. The partnership agreement also aimed to improve services and tackle social problems such as alcohol, drugs, abuse, domestic violence, antisocial behaviour and other crime and community safety issues in our local community.

Under the partnership agreement, the Shire was required to complete a Community Safety and Crime Prevention (CSCP) Plan, and was provided with \$5,000 funding to undertake its development. The Plan outlines what action needs to be taken by all organisations involved in the Partnership to improve safety, services and reduce crime within Kojonup. The CSCP Plan also identifies and prioritises crime prevention and community safety activities and explains the roles and responsibilities each of the participating organisations.

In mid 2005, the OCP released its funding and planning templates to assist local governments in completing their Plans. Members of the Safer Kojonup Committee and Council staff attended a number of planning days to gain an understanding of the requirements of the plan and to help assist with its formulation. During this time it became evident that there would need to be a large amount of time and effort needed to complete the plan in order to meet the criteria that the OCP had set down.

With only \$5,000 allocated from the OCP to complete the Plan, it became obvious that much of the planning, desk top review, consultation and data analysis needed to be done in house, with the remainder of the Plan to be written up by a consultant. From March to June 2006, the ground work and

consultation was completed by the Shire, and during July, Estill Planning and Associates was engaged to finalise the Plan.

During October and November the Safer Kojonup Committee met to review the draft plan which had been provided to us by the Consultant. A number of changes were made and the format was altered to make the document more readable. The Plan also had to meet the requirements of the OCP and had to be consistent with their State Crime Prevention Strategy. After some minor adjustments the Shire of Kojonup Community Safety and Crime Prevention Plan received the endorsement of the OCP, and now as a final step, requires endorsement of the Council before being released as a public document.

#### **COMMENT**

The Plan details the community safety and crime prevention priorities for the Shire of Kojonup which have been identified by researching current crime statistics, antisocial activity and consulting with the community. The Plan has been broken into two parts. The main body of the Plan looks at the methodology, community safety issues, key issues, action plan, new initiatives and the next steps in implementing the Plan. The second part contains the five attachments which form the supporting body of the Plan and include the consultation, steering group and questionnaires that were done in order to gauge community perceptions.

The most important parts of the plan that are relevant for the implementation of strategies are contained from page 45 to 67. The Action Plan outlines the priorities, strategies, partnerships, resources and timeframes to address the key community safety and crime issues in Kojonup. Through the process seven key priorities were identified:

- Provide youth with activities/facilities
- Improved parenting skills and early childhood development
- Increase community awareness of drug laws and risk of taking drugs (legal and illegal)
- Educate youth and parents about alcohol laws and related issues
- Co-ordinate the alcohol accord amongst licence premise and educate the general public about liquor licensing laws
- Improved sense of community and reporting of crime
- Prevent drink driving

Upon endorsement of the Plan, the Shire of Kojonup receives \$20,000 towards initiatives which have been identified in the Plan. Three initiatives were identified by the Safer Kojonup Committee, these are:

- Appointment of a Youth Officer (\$10,000) – this is subject to alternate funding sources being applied for and granted
- A Smart Start (\$5,000)
- Fight Against Drugs (\$5,000)

The detail of these initiatives are included from pages 59 to 66 in the Plan. These will be the three key projects which the Safer Kojonup Committee will focus on over the next three years.

The Plan will be a living document, which will need to be updated and review annually. Due to the large size and detail of the plan, a smaller 1-2 page summarised flyer of the Plan will be produced early next year and will be placed as an insert into Kojonup News.

It is important that the community have a chance to read the outcomes of the Plan given the time and effort that was contributed by them through the consultation process. The large completed version of the Plan will be available at the Shire Office and Library for the community to view, however it was thought that a smaller flyer in the Kojonup News would be a better way to inform and gain comment from the community.

#### **CONSULTATION**

A large consultation process was conducted as part of the development of the Plan. This included consultation with the general community, youths, local businesses, agency groups, key stakeholders, Maori and Indigenous groups and local service groups. Extensive and ongoing consultation occurred regularly with the OCP.

#### **STATUTORY ENVIRONMENT**

There are no known Statutory Implications.

**POLICY IMPLICATIONS**

There are no known Policy Implications.

**FINANCIAL IMPLICATIONS**

The total cost in completing the Plan was \$7,000. This amount was obtained solely from grant funds. Now that the Plan has been endorsed by OCP, an invoice has been sent to them for \$20,000. It is hoped that this money will be sent to us in the next week. Work can start on the three new initiatives as soon as this money has been received.

**STRATEGIC IMPLICATIONS**

Crime prevention and community safety issues are of high importance to the Council, and carry not only a large social, but financial implication. Strategic planning and development of actions to combat crime and make Kojonup a safer place to live will have positive impact on our residents and their surrounds. By reducing crime and anti-social behaviour through well-targeted interventions, crime prevention can provide the essential conditions for community safety to flourish.

**VOTING REQUIREMENTS – Simple Majority****OFFICER RECOMMENDATION**

That the Shire of Kojonup Community Safety and Crime Prevention Plan 2006–2009, be endorsed by the Council.

**COUNCIL DECISION**

176/06            **MOVED Cr Bunny that the Shire of Kojonup Community Safety and Crime Prevention Plan 2006–2009, be endorsed by the Council.**

**CARRIED**

**9/0**

**COUNCIL DECISION**

177/06            **MOVED Cr Trethowan that the Manager of Community Development and the Community Safety and Crime Prevention Plan Committee be congratulated for the presentation of the Community Safety and Crime Prevention Plan and be thanked for their work.**

**CARRIED**

**9/0**

14    **OCCUPATIONAL SAFETY & HEALTH COMMITTEE MINUTES**

Nil

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**

178/06            **MOVED Cr Thorn that the business of formalising an Open Question Forum be discussed as New Business of an Urgent Nature.**

**CARRIED**

**9/0**

**COUNCIL DECISION**

179/06            **MOVED Cr Thorn that an Open Question Forum be put into place on the first Tuesday of every month commencing at 9.00am and the first such Forum be Tuesday 6<sup>th</sup> February 2007.**

CARRIED

9/0

**17 CONFIDENTIAL REPORTS****COUNCIL DECISION**

**180/06            MOVED Cr Trethowan that the meeting be closed to the public pursuant to Section 5.23 (2) (d) of the Local Government Act as the following item 17.1 relates to legal advice and contains confidential information.**

CARRIED

9/0

*3.50pm Mr Kim Dolzadelli, Mrs Cindy North, Ms Melissa Wilson and Mrs Rosemary Cussons left the Chamber*

**17.1 W LENYSZYN LEGAL ACTION**

The Chief Executive Officer provided a verbal update on the legal action.

The meeting remained in camera under Section 5.23 (2) (a) of the Local Government Act as the following discussion contains information relating to staff.

**17.2 STAFF CHANGES**

The Chief Executive Officer provided a verbal update on staff movements and replacement recruitment strategies.

**COUNCIL DECISION**

**181/06            MOVED Cr Marsh that the meeting be reopened to the public.**

CARRIED

9/0

*3.55pm Mr Kim Dolzadelli, Ms Melissa Wilson and Mrs Rosemary Cussons returned to the Chamber*

*3.55pm Cr Carrington-Jones entered the Chamber*

No members of the Public re-entered.

No resolutions were considered under Items 17.1 and 17.2 that required reading aloud.

**18 NEXT MEETING**

20<sup>th</sup> February 2007 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 3.56pm.

**20 APPENDICES AND TABLED DOCUMENTS****21 ATTACHMENTS**

Item 10.1            Financial Management Reports  
 Item 10.2            Monthly Payments Listing  
 Item 12.1            Council Policy HB2  
 Item 12.2            Ester 2,4-D correspondence  
 Item 13.1            Shire of Kojonup Community Safety and Crime Prevention Plan 2006-2009

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 Presiding Member

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 Date