

SHIRE OF KOJONUP



Council Minutes

21st November 2006

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 21st NOVEMBER 2006****TABLE OF CONTENTS**

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

The President opened the meeting at 3.02pm, welcomed the visitors in the Public Gallery and 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	
Cr Ernie Graham	
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	Environmental Development Manager
Mrs Cindy North	Manager of Community Services
Mr Craig McVee	Works Manager
Mrs Heather Marland	Senior Finance Officer
Miss Stephanie Lewis	Personal Assistant

APOLOGIES

Cr R Hewson

Mrs Wendy Thorn, Mrs Cathy Wright and Mr Neil Young were present in the Public Gallery.

3 PUBLIC QUESTION TIME**4 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Hewson applied for Leave of Absence for 21st November 2006

COUNCIL DECISION

155/06	MOVED Cr Carrington-Jones that Leave of Absence be granted to Cr Hewson for for 21st November 2006.	CARRIED	9/0
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6 CONFIRMATION OF MINUTESORDINARY MEETING 17th October 2006

Corrections:

In the Council Decision 152/06 Cr Carrington-Jones requested that the word 'noted' be changed to 'amended'.

The Council Decision 152/06 now reads:

COUNCIL DECISION

152/06	MOVED Cr Carrington Jones		
	1. That Council amended the above "average performance" to "outstanding" performance review assessment by the Chief Executive Officer, placed on the Works Manager Personnel file		
	2. That Council approve the remuneration proposal as per confidential report P/F2		
		CARRIED	8/1

COUNCIL DECISION

156/06	MOVED Cr Pritchard that the corrected Minutes of the Ordinary Meeting of Council held on 17th October 2006 be confirmed as a true record.	CARRIED	9/0
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7 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

8 PETITIONS, DEPUTATIONS & PRESENTATIONS

Nil

9 DECLARATIONS OF INTEREST

Nil

10 FINANCE REPORTS**10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

AUTHOR:	Kim Dolzadelli – Manager Corporate Services
DATE:	Thursday, 16 November 2006
FILE NO	06.15.01:
ATTACHMENT	Financial Reports 1 - 10

DECLARATION OF INTEREST

Nil

SUMMARY

Preparation and presentation to Council of monthly reports are a statutory requirement, with these to be presented to the next ordinary meeting following the close of a month, or it may be presented to the ordinary meeting in the following month after that.

There are a number of separate attachments to this report, which also give 'overview' information as to the position of various items of Council's finances.

BACKGROUND

The new reporting requirements came into force from 1st July 2005.

COMMENTS

I have reviewed individual Operating & Capital accounts and am happy to report that Council's Budget continues to be tracking well.

There are a number of attachments to this report, and they are as follows:

1. Bank Reconciliations
2. Rates Report
5. Statement of Financial Activity – Summary
6. Plant Purchases and Disposals, and other Asset disposals
7. Restricted Monies – Unexpended Grants Paid in Advance.
8. Reserves Cash Backed
9. Status Report – Finance and Accounting Work
10. Net Current Assets

Attachment 1 - Contains details of Council's Bank Reconciliations, and Investments. The report shows total funds of \$2,465,124.11.

Attachment 2 - Contains details of Council's Rates details. Collection is now up to 84.49%.

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**

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

COUNCIL DECISION

157/06 MOVED Cr Marsh that the Monthly Financial reports, as attached, be accepted.

CARRIED 9/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Senior Finance Officer – Heather Marland
 DATE: Thursday, 16 November 2006
 FILE NO: 06.15.01
 ATTACHMENT: Monthly Payment Listing

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 06/10/2006 to 14/11/2006 comprising of Municipal Cheques 8583 to 8621, EFTs 1832 to 1881 and Internal Payment Vouchers 713 to 737 totalling \$740,011.37 and as attached to this agenda, be received.

The Manager of Corporate Services brought to the attention of the Councillors, errors that had been presented in the above recommendation. The correct Officer Recommendation now reads:

That the Payment Listing from 06/10/2006 to 14/11/2006 comprising of Municipal Cheques 8622 to 8687, EFTs 1882 to 1974 and Internal Payment Vouchers 713 to 737 totalling \$740,011.37 and as attached to this agenda, be received.

COUNCIL DECISION

158/06 MOVED Cr Trethowan that the Payment Listing from 06/10/2006 to 14/11/2006 comprising of Municipal Cheques 8622 to 8687, EFTs 1882 to 1974 and Internal Payment Vouchers 713 to 737 totalling \$740,011.37 and as attached to this agenda, be received.

CARRIED**9/0****11 ENGINEERING & WORKS REPORTS**

3.40pm Mrs Heather Marland and Mr Craig McVee left the meeting

12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS**12.1 WASTEWATER AGREEMENT WITH WATER CORPORATION**

DATE: 14th November 2006
 AUTHOR: Melissa Wilson – Manager of Health and Building
 FILE NO: 08.02.04
 ATTACHMENT: Memorandum of Understanding
 Transfer of Assets
 Map of Dam

DECLARATION OF INTEREST

Nil

SUMMARY

To endorse the 'Memorandum of Understanding' for the supply and use of wastewater and the 'Transfer of Assets' between the Shire of Kojonup and the Water Corporation.

BACKGROUND

There has been a historical arrangement between the Shire of Kojonup and the Water Corporation in relation to the Wastewater Reuse Scheme. The arrangement has been one of an unofficial nature.

The wastewater reuse scheme comprises of the Water Corporation collection and treatment ponds on Soldier Road, which supplies the Shire of Kojonup with wastewater. This wastewater is then chlorinated and used as reticulation of the ovals at the Sporting Complex.

The reuse system is governed by the requirements of the Department of Health and among other conditions now requires an official agreement between the parties involved.

Memorandum of Understanding

It is for this reason that the Memorandum of Understanding has been created. The Memorandum of Understanding has the following main points:

- It is intended that the Water Corporation will be responsible to supply the entitlement of wastewater (50,000kL per annum) up until the 'Delivery Point'. The 'Delivery Point' will be the "Outlet of wastewater treatment plant at fence boundary as indicated on Annexure A – Plan" (included in Memorandum of Understanding).
- The Shire of Kojonup will be responsible for the wastewater and any infrastructure cost's past the 'Delivery Point'.
- The Shire of Kojonup is responsible for ensuring that backflow of water will not occur to the Water Corporations reticulated distribution system.
- The Shire of Kojonup will be required to indemnify the Water Corporation against loss or damage unless it is partially or wholly the Water Corporations fault.
- It is the Shire of Kojonup's responsibility to advise the Water Corporation when the water is needed and when it is required to be diverted. The Water Corporation will be responsible for disposing of the excess wastewater (under the provisions of their licence conditions).
- The Water Corporation will be required to deliver the water at the standards noted in Schedule 2 of the 'Understanding'.
- The term of the 'Understanding' will be for 10 years with reviews at 2 yearly intervals.
- To terminate the 'Understanding' both parties are required to give the other party 12 months written notice.
- The 'Understanding' doesn't limit the Water Corporation from entering into a separate agreement with another party to supply wastewater however this will not limit the Shire of Kojonup's entitlement.

The agreement will be required to be signed by the Shire President and the Chief Executive Officer.

Transfer of Assets

The Transfer of Assets has been compiled in order to sign the ownership of the dam, located at the Showgrounds Reserve 16076 (see attached map), to Shire of Kojonup. The Water Corporation constructed this dam for the overflow of wastewater in high flow periods however it was never commissioned due to initial concerns about its condition.

After consultation with the Water Corporation it was agreed that this dam would be transferred to Shire of Kojonup ownership. It is intended that the Shire of Kojonup will get an engineer to assess it for structural integrity and if safe utilised.

COMMENT

A Memorandum of Understanding has been drawn up to define the responsibilities of both the Shire of Kojonup and of the Water Corporation in terms of supply, use and infrastructure involved.

The Memorandum of Understanding doesn't alter much from the current arrangement except for:

1. The definition of delivery point,
2. Clear understanding of the infrastructure requirements of either party and
3. The fact that the showgrounds dam (which is currently being used as overflow) will not be used. The wastewater will be pump directly to the dam located at lot 27 Blackwood Road Kojonup.

The documents (attached) require endorsement of the Council.

The Transfer of Assets will mean that the Shire of Kojonup is totally responsible for the maintenance of the dam and the Water Corporation will not be held liable for the condition, construction or design of the dam in any way.

CONSULTATION

There has been extensive consultation with the Water Corporation on the matter.

STATUTORY REQUIREMENTS

The use of the wastewater is governed by the requirements set by the Department of Health.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

The Dam will become the Shire's responsibility and therefore any maintenance costs will be born by the Shire.

Stamp duty for the Transfer of Assets will be the Shire of Kojonup responsibility.

STRATEGIC IMPLICATIONS

A Memorandum of Understanding will ensure that all parties involved will know the relationship, rights and responsibilities.

VOTING REQUIREMENTS – SIMPLE MAJORITY**OFFICER RECOMMENDATION**

That the Council endorse the Shire President and the Chief Executive Officer to execute the Memorandum of Understanding for the supply and use of wastewater and the Transfer of Assets between the Shire of Kojonup and the Water Corporation.

Cr Thorn moved the Officers recommendation.

Cr Thorn withdrew the motion with the permission of the Council.

COUNCIL DECISION

159/06 MOVED Cr Thorn that Council Decision 159/06 lay on the table pending further discussions of the Chief Executive Officer with the Water Corporation.

CARRIED 9/0

Reason for change: Further information sought from the Water Corporation.

3.50pm Cr Thorn left the meeting

3.55pm Cr Thorn returned to the meeting

13 CORPORATE & COMMUNITY SERVICES REPORTS**13.1 CLOSURE OF SHIRE OFFICE AND LIBRARY OVER 2006/07 CHRISTMAS/NEW YEAR PERIOD**

DATE: 10th November 2006
AUTHOR: Stephen Gash - CEO
FILE NO: 04.05.01
ATTACHMENT Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To approve an application to close the Office and Library over the 2006/07 Christmas and New Year period.

BACKGROUND

Closing the Office and Library temporarily for a few days over the Christmas and New Year holiday period has become normal practice in recent years. A similar approach is once again suggested for the 2006/07 period.

COMMENT

It is proposed that the Office will be closed for the Christmas / New Year break from 4.30pm Friday 22nd December 2006 and reopen on Wednesday 3rd January 2007 at 8.30am.

CONSULTATION

The proposed closures will be advertised in the local press once approved by the Council.

STATUTORY REQUIREMENTS

There are no known statutory requirements.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

The financial costs will be minimal – advertising.

STRATEGIC IMPLICATIONS

As the annual Christmas/New Year period is usually quiet and is an opportunity for staff to take annual leave, as required. This has been accepted practice in the past.

VOTING REQUIREMENTS – SIMPLE MAJORITY**OFFICER RECOMMENDATION**

That approval be granted to close the Office and Library for the period Saturday 23rd December 2006 to Tuesday 2nd January 2007 inclusive and that local notice be given as required.

COUNCIL DECISION

160/06 MOVED Cr Thorn that approval be granted to close the Office and Library for the period Saturday 23rd December 2006 to Tuesday 2nd January 2007 inclusive and that local notice be given as required.

CARRIED 9/0

13.2 THE KODJA PLACE GOVERNANCE STRUCTURE

DATE: 16th November 2006
 AUTHOR: Stephen Gash - CEO
 FILE NO: 03.03.05
 ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To provide guidance to all stakeholders on Council's preferred governance model for The Kodja Place and its implementation.

BACKGROUND

There have been several internal and external governance reviews of The Kodja Place over the last four years. Following concern regarding a proposed Independent Board/Management Committee model in 2004 there has been little progress. A review in April 2006 looked at other options apart from the independent model and attempted to reinstate and rejuvenate the Advisory Committee as a Committee under Council.

Since then governance, insurance and legal issues have been raised regarding the Shires major contribution by employment of an officer to act on behalf of two separate incorporated bodies who are managing the commercial aspect of The Kodja Place as a joint venture. Therefore the Committee under Council is no longer a viable option. Management has also formed this view based on observations of the functioning of the committee.

We believe that the representative nature, where members are "fighting" in the best interest of individual groups and components of TKP, without working towards a shared vision of the best outcome for The

Kodja Place, will continue to have limited success. Previous involvement of facilitators and strategic planning exercises have failed to assist this shared vision and individual groups hold firm to their own vision and direction forward.

The pursuit of these individual goals, without the “buy in” of all parties has been damaging and created a resistance to change that we believe is irreparable in the foreseeable future. The work of all groups needs to be acknowledged and supported, however, Management believe their needs to be a single overarching body to coordinate The Kodja Place and its interaction with individual stakeholder groups.

COMMENT

There are three options which can be considered:

1. The Shire runs the facility

This model has been successful in other Shires/Cities, but we do not believe we have the necessary skills to manage all components of the facility. Many of the governance issues have related to individual groups approaching Council directly, rather than through the endorsed committee or structure. This undermining of the structure will always continue while Council are involved and limit the ability of The Kodja Place to move forward and be sustainable if it is subject to short term policy and funding changes at every election or approach to Council.

2. The Shire funds an existing Incorporated Group

The Shire would fund an amount equivalent to the gross costs already provided, on a 3 to 5 year funding agreement linked to key performance indicators, based on the body providing agreed services. The body would then cover the costs such as employment etc but be in a position to use the funds flexibly as they need. It may be difficult for an existing body to be inclusive enough of stakeholders, given the history between groups.

3. The Shire fund a new Independent Body

The Shire could apply the funding model in option 2 to a new legal entity which should have a greater chance of developing and managing a clear vision for future sustainability. The Shire would need to provide a clear funding model and key performance indicators. If this model is preferred it is recommended that a professional, independent project manager be engaged to facilitate the forming of the board and to assist in the transition of management models. By employing an independent professional to facilitate the process, it will allow for a smoother transitional process which will be transparent and without bias of any particular stakeholder. The cost of the project manager should have minimal impact as it will be offset within leave cover and existing staff FTE.

The recommended option will be number 3, however a window of two months will be given to allow any existing stakeholder group to come forward with a proposal to manage the entire facility. If after the 31st January 2007, no proposal has been submitted to the Shire, then steps will be taken to engage an independent project manager to facilitate the formation on an Independent Board.

It is also recommended that The Kodja Place Advisory Committee be redefined as a Steering Committee and that they be given three key Terms of Reference which will be designed to collect essential information and financial data which will be required when forming the new management structure (whether that be an existing legal entity or and Independent Board).

CONSULTATION

There have been many internal and external reviews over the past four years, taking into account the views and recommendations of the relevant stakeholders, various governance reviewers, tourism professionals and the community. This Council report and recommendations are based on Management observations and association with the current The Kodja Place Advisory Committee, and the view that the Committee is not working towards a single shared vision for The Kodja Place.

STATUTORY REQUIREMENTS

There are no known Statutory Implications

POLICY IMPLICATIONS

There are no known Policy Implications

FINANCIAL IMPLICATIONS

The adoption of a new governance structure for The Kodja Place will involve the development of a 3 to 5 year funding model, which will need to be formulated by the Council, based on financial data which will be collated and presented by the existing Advisory (Steering) Committee.

This funding model needs to incorporate an asset management plan.

STRATEGIC IMPLICATIONS

Council are ultimately responsible for ensuring that The Kodja Place assets and infrastructure is maintained and provides effective services the community.

VOTING REQUIREMENTS – SIMPLE MAJORITY**OFFICER RECOMMENDATION**

1. The Council advises all current stakeholders that it will not continue funding The Kodja Place in its existing form after June 2007.
2. Council advise all stakeholders that it wishes to enter into a funding arrangement for the provision of services at The Kodja Place with one legal entity who would assume management control of the entire facility.
3. That if no one, existing legal body has agreed to take on the management of The Kodja Place by the 31st January 2007, then Council recommends that an Independent Board be formed and that this be in place by June 2007.
4. That the current The Kodja Place Advisory Committee be redefined as a Steering Committee and that their Terms of Reference to be solely:
 - To undertake an operation review of The Kodja Place
 - To undertake a review of financial performance over the last two previous years, and assist in preparing a future draft budget for The Kodja Place.
 - To undertake a review of current asset ownership and utilization.
5. That a professional and independent project manager be engaged to facilitate the forming of the Independent Board from February 2007.

The CEO was asked what group may be referred to in point 2 of the officers recommendation. When one of the possible options were mention as the Kojonup Tourist Association Cr Benn declared an impartiality interest stating to the meeting that he is the Chairperson of the Kojonup Tourist Association and there may be a perception that his impartiality on the matter may be affected. Cr Benn declared that he would consider the matter on its merits and vote accordingly.

COUNCIL DECISION

161/06

MOVED Cr Pritchard

1. **The Council advises all current stakeholders that it will not continue funding The Kodja Place in its existing form after June 2007.**
2. **Council advise all stakeholders that it wishes to enter into a funding arrangement for the provision of services at The Kodja Place with one legal entity who would assume management control of the entire facility.**
3. **That if no one, existing legal body has agreed to take on the management of The Kodja Place by the 31st January 2007, then Council recommends that an Independent Board be formed and that this be in place by June 2007.**
4. **That the current The Kodja Place Advisory Committee be redefined as a Steering Committee and that their Terms of Reference to be solely:**
 - **To undertake an operation review of The Kodja Place**
 - **To undertake a review of financial performance over the last two previous years, and assist in preparing a future draft budget for The Kodja Place.**
 - **To undertake a review of current asset ownership and utilization.**
5. **That a professional and independent project manager be engaged to facilitate the forming of the Independent Board from February 2007.**

LOST

3/6

COUNCIL DECISION**162/06 MOVED Cr Thorn**

1. **The Council advises all current stakeholders that it will not continue funding The Kodja Place in its existing form after June 2007.**
2. **That a professional and independent project manager be engaged from February 2007 to facilitate the forming of a skills based Independent Board.**

CARRIED 9/0**COUNCIL DECISION****163/06 MOVED Cr Trethowan that The Kodja Place Advisory Committee be disbanded, and the members thanked for their contribution.****CARRIED 9/0**

5.10pm *The three members of the Public left the Chamber.*

13.3 CHANGES TO COUNCIL ELECTIONS

DATE: 15th November 2006
AUTHOR: Stephen Gash - CEO
FILE NO: 04.03.02
ATTACHMENT Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To consider the proposed changes to Council elections.

BACKGROUND

On 27 September 2006 the State Government passed an amendment to the Local Government Act (1995) proposing the current 'first past the post' voting system used in Local Government be changed to a 'proportional preferential voting system'. This is contrary to both the expressed wishes of the Western Australian Local Government Association (WALGA), 90% of member Councils and the recommendations of the Local Government Advisory Board (LGAB).

WALGA President, Bill Mitchell, is extremely damning of the State Government "act of an arrogant government riding roughshod over local communities". The action from the State Government also contravenes the State/Local Government Partnership Agreement.

The issue was discussed at the WALGA State Council meeting on 4 October 2006 and resolved that:

1. *The Western Australian Local Government Association (WALGA) deplores the high handedness of the State Government in introducing the proposed changes to the current method of voting in Local Government elections without any consultation or communities with Local Government.*
2. *WALGA remains totally opposed to the proposed changes.*
3. *The proposed changes will politicise Local Government elections and are contrary to the good governance of local communities.*

4. All Councils are encouraged to immediately write to the Minister for Local Government, local Members of the Legislative Assembly and Members of the Legislative Council opposing the changes and the actions of the State Government.

5. WALGA conduct a media campaign (including newspaper advertising) to raise community awareness about the implications of the proposed changes.

6. The State Government immediately justify the reasons for proposing the change and why the amendment has been introduced with such urgency, when it is contrary to the expressed wishes of WALGA, the majority of its member Councils and the recommendations of the Local Government Advisory Board.

7. All necessary Association resources be diverted towards campaigning to bring about a successful outcome to this issue.

COMMENT

WALGA has provided all Councils with a draft motion of 'No Confidence' in the Minister for Local Government, Mr Jon Ford JP MLC, which forms the Officer Recommendation.

The Hon. Jon Ford JP MLC wrote directly to Councillors on the issue, advising the support of the wider community, and personal submissions from elected members and Chief Executive Officers for the change to the voting system. This view is contradicted by statements from WALGA regarding the level of support and consultation. There was no correspondence or consultation with the Shire of Kojonup on the matter prior to the inclusion in the amendment in parliament.

CONSULTATION

There has been extensive consultation between Councils and WALGA on this issue. The Minister has also conveyed the reasons for the proposed changes directly to Councillors and via regional forums with Shire Presidents and Chief Executive Officers.

There was no consultation on the change before it was proposed.

STATUTORY REQUIREMENTS

Any changes to the voting system, if passed, will form part of the statutory requirements of the Local Government Act.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

As detailed in this report.

VOTING REQUIREMENTS – SIMPLE MAJORITY

5.15pm Cr Thorn left the Chamber

OFFICER RECOMMENDATION

That Council adopt the following position:

We, the elected Councillors of the Shire of Kojonup, hereby express our concerns and alarm at the unilateral decision of the State Government to include provisions in the Local Government Amendment Bill 2006 to impose and apply a proportional preferential voting system to Local Government elections.

We believe that the proposed changes to the voting system will lead to factionalism and party politics in Local Government, will result in decreased voter turnout, increased informal votes and will impose substantially higher election costs on our communities.

COUNCIL DECISION

165/06	MOVED Cr Carrington-Jones that the minutes from the Occupational Safety and Health Committee Meeting held 27th September 2006 be endorsed and that the recommendations OSH 30/06 to OSH 31/06 inclusive be noted.	CARRIED	8/0
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5.17pm Cr Thorn returned to the Chamber

15 THE KODJA PLACE ADVISORY COMMITTEE MINUTES**15.1 The Kodja Place Advisory Committee Meeting 12th October 2006**

TKP 1/06 Moved Mrs Chris Lewis that The Kodja Place Advisory Committee Meeting be deferred for a week to allow members adequate time to review the meeting agenda and attached material.

CARRIED 4/0

15.2 The Kodja Place Advisory Committee Meeting 25th October 2006

TKP 2/06 MOVED Mrs W Thorn that the minutes of the previous meeting held on the 12th October 2006 be adopted as a true and accurate record.

CARRIED 5/0

TKP 3/06 MOVED Mr W Harvey that the Manager of Community Development, Mrs Cindy North be elected as deputy Presiding Member of The Kodja Place Advisory Committee.

CARRIED 5/0

TKP 4/06 MOVED Mrs D Keillor that the Kodja Place Advisory Committee advise Council that it is not possible to provide Council with the Roles and Responsibilities for the Centre Manager as requested until such time as the position on the governance and structural model is determined.

CARRIED 6/0

TKP 5/06 MOVED Mrs W Thorn that the Kodja Place Advisory Committee recommend that it explores the option of seeking professional advice for the appropriate future governance structure of the Kodja Place and the options for funding such professional advice are investigated.

CARRIED 6/0

15.3 The Kodja Place Advisory Committee Meeting 8th November 2006

TKP 6/06 Moved Ms D Keillor that the corrected minutes of the previous meeting held on the 25th October 2006 be adopted as a true and accurate record.

CARRIED 6/0

5.18pm Cr Thorn left the Chamber

OFFICER RECOMMENDATION

That the minutes from The Kodja Place Advisory Committee Meetings held on the 12th and 25th of October and the 8th of November 2006, be endorsed and that recommendations TKP 1/06 to TKP 6/06 inclusive be noted.

COUNCIL DECISION

166/06 **MOVED Cr Trethowan that the minutes from The Kodja Place Advisory Committee Meetings held on the 12th and 25th of October and the 8th of November 2006, be endorsed and that recommendations TKP 1/06 to TKP 6/06 inclusive be noted.**

CARRIED**8/0**

5.19pm Cr Thorn returned to the meeting

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17 NEW BUSINESS of an urgent nature, introduced by a decision of the meeting**COUNCIL DECISION**

167/06 **MOVED Cr Mathwin that a letter be written by the Chief Executive Officer to the Premier Alan Carpenter regarding matters of Local Government.**

CARRIED**9/0****COUNCIL DECISION**

168/06 **MOVED Cr Trethowan that correspondence relating to Brigadier Arnold Potts be acknowledged and distributed to the Councillors.**

CARRIED**9/0****18 CONFIDENTIAL REPORTS**

The Council requested a verbal update of staffing changes and issues.

COUNCIL DECISION

169/06 **MOVED Cr Carrington-Jones that the meeting be closed to the public pursuant to Section 5.23 (2) (d) of the Local Government Act as the following item relates to legal advice and contains confidential information and Section 5.23 (2) (a) of the Local Government Act as the discussion contains information relating to staff.**

CARRIED**9/0**

5.30pm Mr Kim Dolzadelli, Ms Melissa Wilson, Mrs Cindy North and Miss Stephanie Lewis left the Chamber

COUNCIL DECISION

170/06 **MOVED Cr Marsh that the meeting be reopened to the public.**

CARRIED**9/0**

The meeting was reopened to the public. No members of the public returned.

19 **NEXT MEETING**

Tuesday 19th December 2006 commencing at 3:00pm.

20 **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 6:05pm.

21 **APPENDICES AND TABLED DOCUMENTS**

22 **ATTACHMENTS**

- Item 10.1 Monthly Finance Reports
- Item 10.2 Monthly Payment Listing
- Item 12.1 Memorandum of Understanding
- Item 12.1 Transfer of Assets
- Item 12.1 Map of dam at showgrounds
- Item 14.1 Minutes of the Occupational Safety and Health Committee 27th September 2006
- Item 15.3 Minutes of The Kodja Place Advisory Committee Meetings held on the 12th and 25th of October and the 8th of November 2006

Presiding Member

Date