

SHIRE OF KOJONUP

Kojonup



# MINUTES

Ordinary Council Meeting

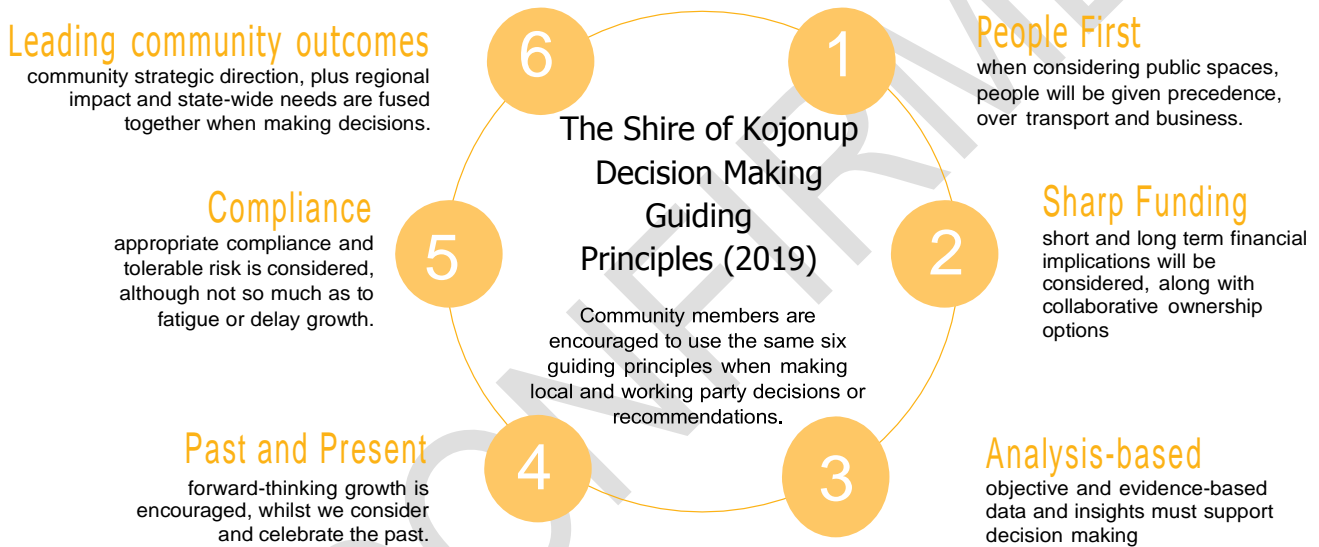
17 August 2021

**MINUTES FOR THE COUNCIL MEETING HELD ON 17 AUGUST 2021**

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The Shire of Kojonup has a set of six guiding principles it uses when making decisions. These principles are checked and enhanced every two years; in line with the Strategic Community Plan review schedule.



MINUTES

**1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

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

*Disclaimer*

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

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

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

**Acknowledgement of Country**

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

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

**Prayer – Cr Pedler**

*Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elizabeth. Grant to her good health and strength in the executing of her duties.*

*We pray for all Ministers and Cabinet members of the Australian Federal and State Government. Grant to them wisdom in the welfare of Australia, so that truth and justice is established for all Australians.*

*Lastly Gracious Father, we pray for ourselves. We ask that you might grant to us the ability to speak with integrity and to work with uncompromising diligence. Grant to us the wisdom to make good decisions, remembering that we are one community. Grant to us the good humour to keep things in perspective in a community that is a diverse population.*

*We ask that we might always be mindful of the safety and welfare of the people of Kojonup. Grant to all who serve on Public Committees the ability to listen and work together with mutual respect for one another. Bless us with the personal joy of knowing that we have done our best.*

## **2 ATTENDANCE AND APOLOGIES**

### **COUNCILLORS**

Cr Benn  
Cr Radford  
Cr Fleay  
Cr Gale  
Cr Pedler  
Cr Webb  
Cr Wieringa  
Cr Singh

Shire President  
Deputy Shire President

### **STAFF**

Grant Thompson  
Anthony Middleton  
Emily Sleight  
Robert Jehu

Chief Executive Officer  
Manager Corporate and Community Services  
Sport and Recreation Officer (Minute Taker)  
Manager Regulatory Services

### **LEAVE OF ABSENCE**

Nil

### **APOLOGIES**

Lorraine Wyatt

Executive/Human Resource Coordinator

### **GALLERY**

Jill Mathwin  
Judith Warland

## **3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

## **4 PUBLIC QUESTION TIME**

### **4.1 Susanne Bilney – Kojonup Historical Society**

Response provided

Via email: [kojonuphistoricalsociety@gmail.com](mailto:kojonuphistoricalsociety@gmail.com)

Dear Susanne

#### **Public Question Time – Council Meetings held 18 May and 27 July 2021**

I refer to your attendance as a community member at the May and July Ordinary Meetings of Council regarding the Machinery Shed.

The agenda item tabled at the Ordinary Council Meeting held 14 November 2017 provides information under the heading 'Background' which informs the following chronology:

2003 - The Historical Society approached Jim and Robyn Potter regarding selling a portion of part Lot 2 Soldier Road to the Historical Society, for the purpose of building a shed to store their collection of large historical items.

2004 - The Historical Society paid Jim and Robyn Potter \$3,000.00 for the purchase of the land. The shed was built on the newly purchased land.

2010 - A letter was received from Landgate advising that the application for creation and issue of new titles for the new lots had not been lodged at Landgate before 8 April 2011.

2011 - The Shire was asked by Landgate to provide a Requisition Notice and withdraw the application. The application was withdrawn on the 25 May 2011.

The above demonstrates that the time frame to process the initial application had expired and Landgate would require the process to start again hence the withdrawal notification in May 2011. Upon my arrival as Kojonup CEO in 2013, I prepared agendas and was minute taker for the Society and researched why the subdivision application had not proceeded and that the entire process had to commence from start again.

At the same 2017 meeting, Council discussed the merits or otherwise of an integrated approach to our Tourism, Heritage and Cultural Planning having received the Kojonup Railway Station and Line Interpretation Strategy prepared by Helen Munt.

Part 2 – 2.3.1 Kojonup Railway Station and Line Interpretation Strategy – January 2017 states: *“Community consultation and community investment is an important part of the development of interpretation, both in the overall intent as well as in the various stages. So, while the development and documentation phase of interpretation should be guided by professional expertise (to ensure the integrity of the whole vision and also that milestones are met within sound timeframes and budgets,) community exchange and input should be encouraged throughout the process.*

*Input should come from a diverse cross section of the local community, not just those currently involved with KTR. In this way the process of developing and enacting interpretation will result in more community ownership, participation and value invested upon the place as a whole, its individual elements and the activities and opportunities it offers. It also ensures that whatever interpretation is implemented is able to be taken on and managed by those responsible now and in the future.*

*Diverse consultation also acknowledges that the ownership of stories and the impacts they have had rests both with individuals as well as the community as a whole. Having a multiplicity of voices and values embedded in the interpretation will cater for a range of interests and capacities (physically, intellectually). Having a well-defined vision and theme to guide the interpretation ensures that this multiplicity is clear and accessible and not saturating, noisy, confusing or conflicting.”*

It is therefore essential that the Conservation and Interpretation Planning is undertaken in a structured manageable format to improve future planning and development considerations.

Unfortunately, no funding was forthcoming to progress the recommendations of the strategy, however a similar approach is now being undertaken with the Men's Shed, Kojonup Tourist Railway, RENEW and other key stakeholders regarding the potential for the construction of a new multi-purpose building within the Benn Parade Area. These discussions also included the Kojonup Historical Society to ascertain if they saw any future benefit in utilising the new facility for displays or as a meeting venue. The response received from the Historical Society President from a prepared statement was in the negative.

In relation to questions regarding the professional integrity of elected members and Staff, I again draw your attention to the roles of Elected Members under the *Local Government Act* and the Elected Members Charter Review which was tabled and adopted at the 27 July 2021 Council Meeting.

#### *The Council*

*The Shire of Kojonup Council comprises 8 elected members who each serve a term of four years with half of the elected member terms becoming vacant every two years.*

*The Council is the governing body of the local government. Local governments also appoint Committees to share the decision-making workload as well as to utilise expertise effectively. These Committees can include Council members, employees from the local government and members of the public.*

*A Council's role (s. 2.7 of the Act) is to:*

- *direct and control the local government's affairs;*
- *be responsible for the performance of the local government's function;*
- *oversee the allocation of the local government's finances and resources; and*
- *determine the local government's policies.*

*It is imperative that the Council formally review their own performance annually, in the same way as they review the CEO's performance. A regular process of self-assessment leads to better decision making and a continually improving organisation.*

#### *Role of the Elected Member*

*An Elected Member's role (as per s. 2.10 of the Act) is to:*

- *represent the interests of electors, ratepayers and residents of the district;*
- *provide leadership and guidance to the community in the district;*
- *facilitate communication between the community and the council;*
- *participate in decision-making processes at council and committee meetings; and*
- *perform such other functions as are given to a councillor by the Act or any other written law.*

*Elected members have a duty to attend all meetings to ensure that electors are adequately represented. An elected member has an obligation to vote on all matters before the Council, (except where there is a conflict of interest\* as provided for by circumstances specified in the Act when in most cases it is an offence to vote). To be able to vote responsibly, elected members are also obliged to make themselves informed and conversant with those matters which come before the Council.*

*\* Refer to "Conflicts of Interest" section in Part 1 above for more information of declaration of Interests.*

*The role is a political one (although not party political) which can bring with it lobbying and is also a public one. A councillor's role extends across the entire Shire rather than any particular ward or interest group and, therefore, a councillor needs to be unbiased. With varying and sometimes competing community views, it can be impossible to please all of the people all of the time. Bearing this in mind, it is hoped that your experience in your role as a councillor representing people in your community, will be a rewarding one.*

*Role of the Shire President*

*The Shire President and Deputy Shire President have the following additional responsibilities to that of Councillor:*

*The role of the Shire President (s. 2.8 of the Act) is to:*

- *to preside at meetings in accordance with the Act;*
- *provide leadership and guidance to the community in the district;*
- *carry out civic and ceremonial duties on behalf of the local government;*
- *speak on behalf of the local government;*
- *perform such other functions as given to the President by this Act or any other written law; and*
- *liaise with the CEO on the local government's affairs and the performance of its functions.*

*The role of the Deputy Shire President (s. 2.9 of the Act) is to:*

- *perform the functions of the president when authorised to do so under s. 5.34 of the Act.*

Perusal of any Council Minutes indicates that decisions of Council are made by the elected members. No where will you find a decision moved or seconded by the CEO.

Elected Members by legislation represent the views of the entire shire and can discuss and/or debate matters before democratically voting on same via a majority vote at a Council Meeting. Upon a decision being carried this decision is then acted upon by the CEO on behalf of the Shire of Kojonup.

Similar meeting procedure operates for incorporated groups and organisations such as the Historical Society whereby decisions are passed by majority resolution after discussion and once made reflect the decision of that group or organisation. For example, no doubt a resolution exists in the Society's minutes authorising you to approach Council on behalf of the Society listing the points raised at the May and July 2021 Council Meetings.

I have researched Council records and the Sport & Recreation Officer made contact with you at 1.10pm on Monday, 12 July 2021 regarding the Heritage Trail and left a voice message. I have asked that future contact from Council officers be emailed to the Historical Society official email.

Thank you for continuing to take an interest in the activities of the Shire of Kojonup.

Kind Regards

Rick Mitchell-Collins  
**Chief Executive Officer**



**5 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 CONFIRMATION OF MINUTES**

**7.1 COUNCIL MEETING 27 JULY 2021**

Minutes of the Council Meeting which was held on 27 July 2021 were previously circulated under separate cover and are at Attachment 7.1.1.

**PROCEDURAL MOTION / COUNCIL DECISION**

**93/21 Moved Cr Pedler, seconded Cr Singh**

**That the Minutes of the Council Meeting held on 27 July 2021 be confirmed as a true record.**

**CARRIED 8/0**

**8 ANNOUNCEMENTS by the Presiding Member without discussion**

Nil

**9 DECLARATIONS OF INTEREST**

Nil

**10 KEY PILLAR 1 – ‘PLACE’ REPORTS**

**10.1 THE KODJA PLACE FEES & CHARGES**

<b>AUTHOR</b>	Anthony Middleton – Manager Corporate and Community Services
<b>DATE</b>	Wednesday, 11 August 2021
<b>FILE NO</b>	FM.FEE.1, CP.USA.3
<b>ATTACHMENT(S)</b>	Nil

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 1- Place	1.1 – Have maximised our ‘One Community’ program through specific events, celebration of built form and enhancement of our environment.	1.1.3 – Grow the Kodja Place to become an iconic WA attraction

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

The purpose of this report is to consider a request from the Kodja Place Community Fund Inc. (KPCF) to amend the charging structure for entry into The Kodja Place.

**BACKGROUND**

The KCPF have requested that a trial be conducted replacing the entry fees into the Storyplace/Gallery with a donation on entry.

At its meeting held on 27 July 2021, the Council resolved as follows:

***That the 2021/2022 List of Fees and Charges, as attached, be adopted.***

The above Council decision included the following fees and charges related to the entry into The Kodja Place:

**Kodja Place Entry Fees (Local Residents Free of Charge)**

Adult	\$10.00
Senior or concession card	\$5.00
Child and /or student (under 3 free)	\$5.00
Family 2 adults + 2 or more children	\$25.00
Visitor(s) accompanied by Kojonup Resident	50% of fee
Groups over 10 (per person)	\$8.00
School Groups over 10 (per person)	\$4.00
School Groups over 10 (per person) with activity kits (additional charge)	\$3.00

**Coach Tours/Packages (minimum 15 people)**

Adult (normal entry)	\$7.50
Senior (normal entry)	\$4.00
Child (normal entry)	\$ 3.50
Guided tour (outside normal tour times but in business hours) Adult	\$8.50
Guided tour (outside normal tour times but in business hours) Child	\$4.00
Billy Tea and Damper (per person) additional to entry.	\$4.00

**COMMENT**

It is unclear what effect replacing an entry fee with a donation will have on both visitor numbers and income received. For example, simply doubling a fee may not double the revenue, as the number of 'sales' may be affected by increased prices, or in this case what effect removing a fee will have on visitor numbers.

Similarly, little evidence is available on the number of visitors who enter The Kodja Place but do not enter the Storyplace/Gallery because they are put off by the entry fee. As such, a trial for such an initiative is supported and the 2021/2022 financial year is suggested.

It is also unclear who will be receiving the money donated by visitors, as it is noted that the KPCF have an existing donation box in the facility. In addition, existing bookings have already paid their entry fees for future use and this will need to be managed.

**CONSULTATION**

Chief Executive Officer

**STATUTORY REQUIREMENTS**

Section 6.15 to 6.19 of the *Local Government Act 1995* legislates the imposition of fees and charges for a local government. Section 6.19 of this Act requires a local government to advertise the imposition of fees and charges that are not included in the annual budget.

**POLICY IMPLICATIONS**

There is no Council policy applicable to this item.

**FINANCIAL IMPLICATIONS**

In 2020/2021 the \$9,802 of revenue was generated by entry fees into the Storyplace/Gallery, made up as follows:

- Visitor Fees \$7,013
- Tour Groups \$951
- Donations \$1,838

The list of fees and charges, when adopted, sets the level of many revenue items contained within the budget. Significant consideration needs to be given when setting each fee and charge and the effect that it will have on the usage of that facility and therefore the total revenue level obtained.

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1.Asset Sustainability	Insufficient budget to maintain or replace assets	Routine Maintenance Schedule - Buildings	Nil
6.Engagement	Relationship breakdown with community groups. Budget/Funding issues	Support local community volunteer groups. Community engagement/networking	Review and assess community engagement strategy / plan
Risk rating - Moderate			
IMPLICATIONS			
<p>Inadequate income from Fees and Charges affects the budget position regarding building maintenance and renewal as costs are continually increasing. This will in turn affect the Shire’s ability to continue with any planned maintenance or upgrades to the facilities the income would have supported.</p> <p>A thorough and complete list of fees and charges assists with legislative compliance and ensures the generation of adequate revenue.</p>			

**ASSET MANAGEMENT IMPLICATIONS**

An appropriate charging structure can assist to fund the required asset management activities.

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

Nil

**VOTING REQUIREMENTS**

Absolute Majority.

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**94/21 Moved Cr Gale, seconded Cr Radford**

**That the following entry fees for The Kodja Place contained within the 2021/2022 List of Fees and Charges be deleted on a trial basis until 30 June 2022 and replaced with ‘entry by donation’:**

**Kodja Place Entry Fees (Local Residents Free of Charge)**

Adult	\$10.00
Senior or concession card	\$5.00
Child and /or student (under 3 free)	\$5.00
Family 2 adults + 2 or more children	\$25.00
Visitor(s) accompanied by Kojonup Resident	50% of fee
Groups over 10 (per person)	\$8.00
School Groups over 10 (per person)	\$4.00
School Groups over 10 (per person) with activity kits (additional charge)	\$3.00

**Coach Tours/Packages (minimum 15 people)**

Adult (normal entry)	\$7.50
Senior (normal entry)	\$4.00
Child (normal entry)	\$ 3.50
Guided tour (outside normal tour times but in business hours) Adult	\$8.50
Guided tour (outside normal tour times but in business hours) Child	\$4.00
Billy Tea and Damper (per person) additional to entry.	\$4.00

**CARRIED 8/0**

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

Nil

UNCONFIRMED

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

### 12.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (JULY 2021)

<b>AUTHOR</b>	Anthony Middleton – Manager Corporate & Community Services
<b>DATE</b>	Tuesday, 10 July 2021
<b>FILE NO</b>	FM.FNR.2
<b>ATTACHMENT(S)</b>	12.1.1 – July 2021 Monthly Financial Statements

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

#### **DECLARATION OF INTEREST**

Nil.

#### **SUMMARY**

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 July 2021.

#### **BACKGROUND**

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

#### **COMMENT**

The attached Statement of Financial Activity for the period 1 July 2021 to 31 July 2021 represents one (1) month, or 8% of the year.

The following items are worthy of noting:

- Closing surplus position of \$5.1m;
- Operating results:
  - 36% of budgeted operating revenue has been received; and
  - 4% of budgeted operating expenditure spent;
- Capital expenditure achieved 2% of budgeted projects (annual budget was adopted on 27 July 2021);
- Cash holdings of \$3.62m of which \$3.54m is held in cash backed reserve accounts and \$247,986 is a grant held for other parties;

- Rates debtors outstanding equate to 104% of total rates raised for 2021/2022; and
- Page 9 & 10 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

#### **CONSULTATION**

Nil.

#### **STATUTORY REQUIREMENTS**

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

#### **POLICY IMPLICATIONS**

Council Policy 2.1.6 defines the content of the financial reports.

#### **FINANCIAL IMPLICATIONS**

This item reports on the current financial position of the Shire. The recommendation does not in itself have a financial implication.

#### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications for this report.

#### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications for this report.

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

Nil.

#### **VOTING REQUIREMENTS**

Simple Majority.

#### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**95/21 Moved Cr Gale, seconded Cr Fleay**

**That the monthly financial statements for the period ending 31 July 2021, as attached, be noted.**

**CARRIED 8/0**



12.2 MONTHLY PAYMENTS LISTING JULY 2021

<b>AUTHOR</b>	Vivicka Kahn – Finance Officer
<b>DATE</b>	Friday 6 August 2021
<b>FILE NO</b>	FM.AUT.1
<b>ATTACHMENT</b>	12.2.1 – Monthly Payment Listing 1/07/2021 to 31/07/2021

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP3 – Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 – Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To receive the list of payments covering the month of July 2021.

**BACKGROUND**

Not applicable.

**COMMENT**

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

Any comments or queries regarding the list of payments is to be directed to the Manager of Corporate and Community Services prior to the meeting.

**CONSULTATION**

No consultation was required.

**STATUTORY REQUIREMENTS**

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 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

**FINANCIAL IMPLICATIONS**

All payments made in line with Council Policy.

**STRATEGIC/CORPORATE IMPLICATIONS**

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

**RISK MANAGEMENT IMPLICATIONS**

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

**ASSET MANAGEMENT PLAN IMPLICATIONS**

There are no asset management implications for this report.

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

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**96/21 Moved Cr Radford, seconded Cr Wieringa**  
**That in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:**

FROM – 1 July 2021		TO – 31 July 2021
Municipal Cheques	14302 – 14302	\$800.00
EFTs	28505 – 28595	\$310,936.44
Direct Debits		\$474,719.78
<b>Total</b>		<b>\$786,456.22</b>

be received.

**CARRIED 8/0**

12.3 AUTHORISATION OF ELECTED MEMBERS ATTENDANCE AT THE 2021 WA LOCAL GOVERNMENT CONVENTION AND TRADE EXHIBITION

<b>AUTHOR</b>	Lorraine Wyatt – Executive/Human Resources Coordinator
<b>DATE</b>	Monday, 9 August 2021
<b>FILE NO</b>	CM.POL.2
<b>ATTACHMENT(S)</b>	12.3.1- Policy 3.3 Councillor Induction and Training 12.3.2 – 2021 WA Local Government Association (WALGA), Convention and Trade Exhibition Program

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP3 – 3 Performance	3.1 – Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group.	3.1.3 – Encourage interaction and input to the Shire of Kojonup, particularly through contemporary working party teams.

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To obtain authorisation from Council for the Elected Members to attend the 2021 WA Local Government Association (WALGA), Convention and Trade Exhibition to be held on Monday, 20 September and Tuesday, 21 September.

**BACKGROUND**

In accordance with policy 3.3 Councillor Induction and Training, authorisation from Council is required for Elected Members, other than the Shire President and Deputy Shire President, to attend the 2021 WALGA Convention and Trade Exhibition.

*All Councillors are encouraged to attend Local Government Week. The Shire President and Deputy Shire President are the Council’s nominated delegates to attend the conference and vote on motions on the Council’s behalf. **The Council shall be required to authorise attendance by any other Councillor wishing to attend.***

**COMMENT**

Policy 3.3 Councillor Induction and Training, encourages all Elected Members to attend, the Shire President and Deputy Shire President are the Council’s only nominated delegates. All other Elected Members must obtain formal approval to attend the conference.

The conference costs (full delegate attending all optional events), are outlined as follows.

A full delegate registration costs	\$1,200
Optional extras include:	
Optional Extras ALGWA AGM and Breakfast (Monday)	\$70
Gala Dinner at Optus Stadium Delegates	\$165
Convention Breakfast	\$95
<b>Total cost</b>	<b>\$1530</b>

In addition to the conference registrations, accommodation rates within the Crown Perth complex range from \$230 to \$260.00 per night. Elected members who wish to stay for two nights will incur costs of around \$460 to \$520. Marginally cheaper accommodation alternatives are available nearby however, incidental costs such as taxis will offset any reductions gained.

Therefore, the cost of a full delegate who wishes to utilise two nights' accommodation could be in the order of \$1530 + \$520 = **\$2050**.

In deciding who should attend, Council will also need to consider the budget implications. Budget code 1512 Members Conference Expenses: has an allocation of \$10,000 which also incorporates Elected Member Essentials training which includes:

1. Understanding Local Government (\$240 each, face to face at WALGA);
2. Conflicts of Interest (\$240 each, face to face at WALGA);
3. Serving on Council (\$990 each, face to face at WALGA);
4. Meeting Procedures (\$495 each, face to face at WALGA);
5. Understanding Financial Reports and Budgeting (\$495 face to face at WALGA);

As per policy 3.3, Councillor Induction and Training, new Elected Members will also need to complete the following:

6. CEO Performance Appraisal (\$525 each, face to face at WALGA)

Given Local Government Elections are being held on 16 October, there may be as many as four (4) new members who will be required to complete this.

Total costs per person for Elected Member Essentials training is **\$2985 (x4 = \$11,940)**

Council will need to decide what benefits can be gained by attending the WALGA, Convention and Trade Exhibition, in contrast to the Elected Member Essentials training which new elected members are required to complete.

**CONSULTATION**

Shire of Kojonup Policy Manual

**POLICY IMPLICATIONS**

Policy 3.3 – Councillor Induction and Training.

**FINANCIAL IMPLICATIONS**

Budget code 1512 Members Conference Expenses: has an allocation of \$10,000 which means that not all Elected Members can attend.

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 Compliance	<i>Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal &amp; public domain legal documentation.</i>	<i>Policies and Procedures</i>	<i>Nil</i>
12 Misconduct	<i>Poor enforcement of policies and procedures</i>	<i>Budget monitoring  Elected Member training</i>	<i>2021/2022 Annual budget allocation.</i>
Risk rating –Moderate			
IMPLICATIONS			
<i>Robust systems and controls, including guidance documents such as Council’s Policy Manual, reduce inconsistencies and risks associated with Shire operations. A lack of effective policies and processes can contribute to impulsive decision making (causes of compliance risk).</i>			

**ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**97/21 Moved Cr Webb, seconded Cr Gale**

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

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

**CARRIED 8/0**

UNCONFIRMED

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

Nil

UNCONFIRMED

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

Nil

UNCONFIRMED



**15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**16 NEW BUSINESS**

Nil

**17 CONFIDENTIAL REPORTS**

**PROCEDURAL MOTION**

**98/21 Moved Cr Fleay, seconded Cr Gale**

**That the meeting proceed behind closed doors in accordance with Section 5.23(2)(a)-(c) of the *Local Government Act 1995* at 3.10pm.**

**CARRIED 8/0**

**STATUTORY REQUIREMENTS**

*Section 5.23(2) of the Local Government Act 1995* permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
  - (i) a trade secret; or
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
  - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
  - (ii) endanger the security of the local government's property; or
  - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting and the reason for the decision to be recorded in the minutes.

17.1 15 LOTON CLOSE BUDGET VARIATION

<b>AUTHOR</b>	Robert Jehu – Manager Regulatory Services
<b>DATE</b>	Monday, 9 August 2021
<b>FILE NO</b>	CM.POL.2

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**99/21 Moved Cr Fleay, seconded Cr Gale**

**That Council**

1. authorise the expenditure of \$23,978 to repaint and recarpet 15 Loton Close as a matter of priority and;
2. Council Policy 2.2.7 Staff Housing be amended to include “Smoking is strictly prohibited within all Shire owned houses and buildings at all times”.

**CARRIED 8/0**

17.2 TAXATION DEDUCTIONS – WORKING HOLIDAY

<b>AUTHOR</b>	Grant Thompson – Chief Executive Officer
<b>DATE</b>	Monday, 9 August 2021
<b>FILE NO</b>	GO.CNM.10

**COUNCIL DECISION**

**100/21 Moved Cr Fleay, seconded Cr Benn**

**That Council**

1. Authorise the expenditure of \$16,500 to repay the tax debt as a retention bonus at market rate interest, for a period of 4 years to reduce the key person risk for Springhaven; and
2. Management investigate and review systems and procedures to ensure this does not occur again.

**CARRIED 8/0**

**PROCEDURAL MOTION**

**101/21 Moved Cr Fleay, seconded Cr Pedler**

**That the meeting be reopened to the public at 3.54pm.**

**CARRIED 8/0**

**18**    **NEXT MEETING**

Ordinary Council Meeting Tuesday, 21 September 2021 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 3.55pm.

UNCONFIRMED

**20    ATTACHMENTS (SEPARATE)**

Item 7.1	7.1.1	Unconfirmed Minutes of the Council Meeting held on 27 July 2021
Item 12.1	12.1.1	Monthly Financial Statement July 2021
Item 12.2	12.2.1	Monthly Payment Listing 1/07/2021 to 31/07/2021
Item 12.3	12.3.1	Policy 3.3 Councillor Induction and Training
	12.3.2 -	2021 WA Local Government Association (WALGA), Convention and Trade Exhibition Program

UNCONFIRMED