



ORDINARY COUNCIL MEETING

MINUTES

Ordinary Meeting of the Council held at
Frost Pavilion, McDonald Avenue, Mount Barker
2:45pm Tuesday 28 June 2005

Rob Stewart
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2:55pm The Presiding Member declared the meeting open.

The Chief Executive Officer, Mr Rob Stewart, read aloud the following disclaimer:

'No responsibility whatsoever is implied or accepted by the Shire of Plantagenet for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff.

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council / Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the Shire of Plantagenet during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet warns that anyone who has an application with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.'

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present

Cr K Forbes	Shire President - Rocky Gully / West Ward
Cr D Williss	Deputy Shire President - East Ward
Cr J Cameron	Rocky Gully / West Ward
Cr M Skinner	East Ward
Cr K Hart	Kendunup Ward
Cr J Moir	South Ward
Cr B Hollingworth	Town Ward
Cr K Clements	Town Ward
Cr J Mark	Town Ward
Mr R Stewart	Chief Executive Officer
Mr J Byrne	Executive Director Corporate and Community Services
Mr S Bell	Executive Director Technical and Development Services
Ms D Baesjou	Manager Development Services
Mrs K Skinner	Executive Secretary

There were no members of the public present.

There were no members of the media present.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Cameron requested leave of absence for the period 25 July to 7 September 2005 inclusive.

Moved Cr K Hart, seconded Cr J Mark:

That Councillor Cameron be granted leave of absence for the period 25 July to 7 September 2005 inclusive.

CARRIED (9/0)

No. 198/05

7 CONFIRMATION OF MINUTES

Moved Cr J Cameron, seconded Cr J Moir:

That the Minutes of the Ordinary Meeting of the Council held on 24 May 2005 be confirmed.

CARRIED (9/0)

No. 199/05

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 20 June 2005 – The Shire President attended a Plantation Industry Management Advisory Committee (PIMAC) meeting in Perth where it was noted that there was no Timber Industry Roads Evaluation Strategy (TIRES) funding in the State Budget. It will be necessary to lobby Ministers and Cabinet.
- 22 June 2005 – The Shire President, Chief Executive Officer and Cr Clements met with Keith Symes, Regional Manager Great Southern Region Health Department, to discuss the issue of Home and Community Care (HACC) and Multi Purpose Service (MPS).
- 24 June 2005 – The Shire President and Deputy Shire President attended the Mount Barker Wine Producers Winter Dinner held at the Royal Fresh Water Bay Yacht Club with over 200 people attending. It was a very successful night with good promotion of our district.
- 30 June 2005 – A TIRES meeting will be held at Great Southern Development Committee (GSDC) and attended by the Shire President, Deputy Shire President and the Executive Director Technical and Development Services.
- 2 July to 6 July 2005 – The Shire President, Deputy Shire President and Executive Director Technical and Development Services will attend the National Roads Congress in Tasmania.
- 6 July 2005 – The Shire President will meet with the Minister of Education to discuss the funding of One Community One College.
- 28 June 2005 – The Annual Meeting for the Bush Fire Brigades will be held at Frost Pavilion from 8:00pm.
- At the conclusion of this meeting, discussion will take place on the draft budget.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE SERVICES REPORTS

9.1.1 FINANCIAL STATEMENTS - MAY 2005

Location / Address:	N / A
Attachments: (1)	Financial Statements – May 2005
Name of Applicant:	N / A
File Reference:	FM/65/1
Author:	David Blurton – Accountant
Authorised By:	John Byrne - Executive Director Corporate and Community Services
Date of Report:	21 June 2005

Purpose

The purpose of this report is to present to the Council the financial position of the Shire of Plantagenet for the period ending 31 May 2005.

Statutory Environment

Local Government (Financial Management) Regulation 35 defines the minimum reporting requirements for monthly financial statements.

Policy Implications

There are no policy implications for this report.

Financial Implications

There are no financial implications for this report.

Strategic Implications

There are no strategic implications for this report.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr M Skinner, seconded Cr B Hollingworth:

That the monthly Financial Statements for the period ending 31 May 2005 be received.

CARRIED (9/0)

No. 200/05

9.1.2 LIST OF PAYMENTS - MAY 2005

Location / Address: N / A
Attachments: (1) List Of Payments – May 2005
Name of Applicant: N / A
File Reference: FM/64/1
Author: Rayona Evans - Accounts Officer
Authorised By: John Byrne - Executive Director Corporate and Community Services
Date Of Report: 20 June 2005

Purpose

The purpose of this report is to present to the Council the list of payments that were made during the month of May 2005.

Statutory Environment

Regulation 13 of the Local Government (Financial Management) Regulations defines the reporting to the Council for the list of accounts.

Policy Implications

There are no policy implications for this report.

Financial Implications

There are no financial implications for this report.

Strategic Implications

There are no strategic implications for this report.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr J Cameron:

That the payment of accounts, covering electronic payments, cheques 34066 to 34195 totalling \$1,117,315.30 and the payment of trust cheques 85 to 91 totalling \$3,200.00, be noted.

CARRIED (9/0)

No. 201/05

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Moved Cr K Clements, seconded Cr J Moir:

That new business of an urgent nature, namely:

- Conference – Councils Working Together
be introduced to the meeting.

CARRIED (9/0)

No. 202/05

11.1 CONFERENCE - COUNCILS WORKING TOGETHER

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	CM/38/1
Author:	Rob Stewart - Chief Executive Officer
Authorised By:	Rob Stewart - Chief Executive Officer
Date Of Report:	28 June 2005

Purpose

The purpose of this report is to seek authority from the Council for a Councillor to attend the 2005 Councils Working Together Conference which is to be held at the Murray Shire Council in NSW on Thursday 14 and Friday 15 July 2005.

Background

This conference has been brought to the attention of the Chief Executive Officer by Councillor Jeff Moir.

The purpose of the conference is to examine the effects of amalgamation or de-amalgamation on local government and to examine instances of regional cooperation between Councils.

Policy Implications

Policy CE/CS/1 applies to this matter. The objective of that policy is:

'to enable Councillors to attend meetings, conferences and training opportunities whilst ensuring that individuals are not financially disadvantaged in doing so.'

The policy also notes that it shall apply only in the circumstances where conferences and training sessions are specifically authorised by the Council.

Financial Implications

Registration for the conference is \$275.00 and accommodation, meals and the like for three (3) nights would be in the vicinity of \$600.00 - \$750.00. Travel to and from the venue (flight and hire car) will be approximately \$1,350.00. Costs for this conference would be charged to Account No. 410.1.207.

Strategic Implications

There are no strategic implications for this report.

Officer Comment

New South Wales and Victoria have both experienced dramatic change over the past several years with forced amalgamations of Councils occurring more often than in Western Australia. Many observers in Western Australia are of the opinion that it is only a matter of time before a state government does similar in Western Australia.

The WA Local Government Association held a conference recently at which former Premier of Victoria Jeff Kennett spoke regarding the inevitability of amalgamation and the Shire President and Chief Executive Officer attended this conference. At that conference Professor Brian Dollery from the University of New England spoke and he is also scheduled to speak at the Councils Working Together Conference.

It may also be advantageous for a senior member of the staff or two Councillors to attend this conference.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr J Moir, seconded Cr B Hollingworth:

That a Councillor be authorised to attend the 2005 Councils Working Together Conference hosted by the Murray Shire Council of New South Wales and that the cost pursuant to Policy No. CE/CS/1 be charged to Account No. 410.1.207.

CARRIED (6/3)

No. 203/05

FURTHER MOTION / COUNCIL DECISION

Moved Cr K Clements, seconded Cr M Skinner:

That Councillor Jeff Moir and the Executive Director Corporate and Community Services be authorised to attend the 2005 Councils Working Together Conference hosted by the Murray Shire Council of New South Wales and that the cost pursuant to Policy No. CE/CS/1 be charged to Account No. 410.1.207.

CARRIED (9/0)

No. 204/05

12 CONFIDENTIAL

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr J Cameron seconded Cr B Hollingworth:

3:15pm That the meeting move into a Confidential Session to discuss items under the terms of the Local Government Act 1995 as follows:

Section 5.23 (2) (a): A matter affecting an employee or employees:

CARRIED (9/0)

No. 205/05

MOTION TO PROCEED IN PUBLIC

Moved Cr J Cameron seconded Cr M Skinner:

3:25pm That the meeting proceed in public.

CARRIED (9/0)

No. 206/05

12.1 CHIEF EXECUTIVE OFFICER'S REVIEW (PERSONAL)

COUNCIL DECISION

Moved Cr J Mark, seconded Cr D Williss:

That the Chief Executive Officer's performance review undertaken by the Council on 28 June 2005 be endorsed and that the:

- (1) Chief Executive Officer ensure that:
 - (a) Directives of the Council are implemented and reported on, in a timely manner, as per Performance Review Items 9 and 11;
 - (b) Policies of the Council are investigated and reviewed and that policy development be a priority;
 - (c) Management of operations and staff be further developed to a higher professional level;
 - (d) Customer satisfaction be promoted with all staff and return of correspondence be a priority;
 - (e) The Strategic Plan be reviewed with relevant objectives and business unit structures being established;
 - (f) The Council's objectives of concluding current projects be pursued in line with the Strategic Plan.
- (2) That the Chief Executive Officer's Salary package be amended by an increase in the cash component of the Chief Executive Officer's salary package for the year 2005 / 2006 in line with Perth's CPI for 2004 / 2005 the increase totalling 3.4%, be endorsed, effective from 2 July 2005.

Chief Executive Officer's Review (Personal) Cont.

- (3) That a new four (4) year contract be developed between Mr Rob Stewart (Chief Executive Officer) and the Shire of Plantagenet commencing on 2 July 2006 and concluding on 2 July 2010 based on a cash component of \$110,000, 12% superannuation and other conditions as specified in the current contract agreement.

CARRIED (9/0)

No. 207/05

13 CLOSURE OF MEETING

3:30pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: .../.../...