



ORDINARY COUNCIL MEETING

MINUTES

Ordinary Meeting of the Council
held in the Council Chambers
2.45pm Tuesday 24 April 2007

Rob Stewart
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.46pm The Presiding Member declared the meeting open.

Working to Occupational Safety and Health Best Practices, Mr Rob Stewart - Chief Executive Officer, read aloud the emergency evacuation procedures for Councillors, staff and members of the public present in the Council Chambers.

Mr Stewart then 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 M Skinner	East Ward
Cr J Cameron	Rocky Gully / West Ward
Cr K Hart	Kendenu Ward
Cr J Moir	South Ward
Cr J Mark	Town Ward
Cr K Clements	Town Ward
Cr B Hollingworth	Town Ward
Mr R Stewart	Chief Executive Officer
Mr J Fathers	Deputy Chief Executive Officer
Mr I Bartlett	Manager Works and Services
Ms N Selesnew	Manager Community Services
Ms J Albany	Planning Officer

Mrs J McLean Administration Officer
Ms C Delmage Administration Officer

There were three (3) members of the public present.
There were no members of the media present.

**ANNOUNCEMENT BY CR KEN CLEMENTS – TEN (10) YEAR
ANNIVERSARY FOR CR KEVIN FORBES AS SHIRE PRESIDENT**

Cr Clements asked to make an important announcement prior to progressing further with the meeting.

Cr Clements announced to the meeting that Shire President Cr Kevin Forbes had just completed his tenth year as Shire President and that he was now the second longest serving President in the Shire's history.

Cr Clements noted that despite not always being in agreement, Cr Forbes had worked hard and tirelessly in his role. Cr Clements, on behalf of all Councillors, thanked Cr Forbes for his hard work.

Cr Forbes thanked Councillors for their support and noted that this last period of service had been his most enjoyable and productive.

**3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON
 NOTICE**

Nil

4 PUBLIC QUESTION TIME

4.1 SPENCER ROAD, NARRIKUP (RO/99/8)

Mathew Swainston – Condition Of Spencer Road, Narrikup

Mr Swainston noted that he had called in to the Shire Office to ensure that the Council was well informed regarding the condition of Spencer Road, Narrikup. Mr Swainston noted that today he was driving his two axle dog trailer which has an approved spare tyre carrier underneath on Spencer Road, Narrikup. Mr Swainston noted that the spare tyre was fastened on with a chain which he had fastened securely that morning before leaving Albany. Mr Swainston noted that as he was driving he felt a 'restriction' and when he looked in his mirror he noticed smoke coming out of the back of the trailer. Mr Swainston further noted that the road was so rough he could feel the trailer bouncing. Due to the 'bouncing' his tyre carrier had come loose and was acting as an efficient handbrake until it then wore through the tyre. Mr Swainston noted that this had occurred west on Spencer Road just past Crystal Brook Road.

Response By: Cr K Forbes – Shire President

Cr Forbes advised that the Council is in the process of replacing the Hay River Road and Sleeman Road crossings for which we have received funding. Cr Forbes also noted that we have applied for and are waiting on more funding. The Council is well aware of the problems relating to Spencer Road and are working as quickly as possible to bring the Road to a suitable standard. Cr Forbes thanked Mr Swainston for taking the time to speak to the Council.

5 PETITIONS / DEPUTATIONS / PRESENTATIONS

Jodie Roberts – Representative - Kendenup Skate Park Steering Committee (CR/103/9)

Ms J Roberts read aloud the following presentation:

'This presentation by the Kendenup Skate Part Steering Committee is about Stage 1 of the development of outdoor recreational facilities for families at Kendenup.

The overall vision we present is for the establishment in Kendenup of a multi-purpose, visually appealing and family friendly outdoor recreational facilities, particularly suited to youth and young families. The first stage is to establish a Skate Park as part of a larger facility which could eventually include the skate park, a basketball court, a children's playground area and an outdoor picnic area. We have copies (attached) of the Statement of Purpose for the Steering Committee for you.

Why is this needed? It is estimated that there are approximately 270 young people in Kendenup under the age of 18. There were 30 new babies born in the Kendenup area during 2006. There is virtually no outdoor recreational facility within Kendenup that caters for the interests of young people. There is a real and urgent need for a suitable and safe place, central to the town which is accessible by all children for recreational purposes.

Following discussion in the community about a Skate Park, it was realised that a group needed to be established to foster the proposal. At a public meeting on 10 December 2006, a Steering Committee of parents, grandparents and youth was established. It has met 5 times since to determine what needs to be done to make this project a reality. Copies of minutes of meetings have been lodged with the Shire. We have obtained help and advice from Kojonup where a community group, supported by the Shire, developed a skate park in the last 5 years costing about \$120,000. Denmark and Albany Youth officers and the CEO of the Denmark Shire, Pasco Durtanovich have been interviewed and are keen to support our effort here. Incidentally, the Denmark skate park took 18 months from the initial vision to completion. Skate parks in other towns in the Great Southern have also been visited and photographed.

Over the Christmas/New Year period a community petition supporting a skate park in Kendenup obtained 172 signatures of which 66% were over the age of 20. This was at a time when a lot of families had left for the school holidays. We found that there are 3 young people in Kendenup who have WA titles as pro-skaters. At the same time we conducted a survey among the under 20's. 92 response forms were received. They indicated that skate boards, roller-blades, bike skating and BMX riding were about equally popular. While some use facilities in Mount Barker, Albany and Denmark many young people only skate at home and a few at the shops and on the road. About 80% indicated that they have at least some experience of one or more types of skating. Two copies of the survey results and a comprehensive analysis has been given to Nicole Selesnew for the Shire records. In conjunction with these we drafted a Community Organisations and Sporting Clubs letter of Support as well as a Community Businesses Letter Of Support and took it to all the clubs, sporting

organisations and most of the businesses around town. They have all wholeheartedly signed these letters. There has been no opposition and everyone is eager and keen to see this park happen. The Mt Barker police and the Kendenup Primary School principal and staff are also totally behind us in wanting to actualise this vision.

A location for the park has been considered. 73% of those completing the survey favoured the railway reserve along Hassell Avenue (this is similar to the location used at West Arthur). The options are very limited. We would point out that public open space is extremely limited in the Kendenup urban area – basically it consists of the hall and associated park. The Agricultural Grounds are an option but considered too far away from the urban area. Their accessibility is not easy or safe for children. The Albany Youth Officer, Tammy Flett, said they are bulldozing their last skate park due to a totally inappropriate location, out of sight of the public, attracting undesirable elements. The location in a swampy area was unsafe and unhealthy. Their new state of the art skate park is due to be started next week.

We have had an initial meeting with Nicole Selesnew and taken on board her suggestions and input. She is currently looking into the tenure of the railway reserve and that possibility. She mentioned the idea of combining with other towns and sharing Rampage components which are movable attachments to change the structure and create other challenges. After discussing with Albany and Denmark Youth officers and hearing of their rejection of the components and the hazard they pose to safety. We have rejected this idea.

We are committed to getting this skate park up and functioning as soon as possible in order to maintain the great community interest and support. As a community, we want to be responsible for the management and operation of the proposed Skate Park in order to give the young people of this town a pride and responsibility in maintaining their own facility. Their input is constantly being considered and solicited. They are excited by the prospect and keep asking when it is going to happen. The Kendenup Skate Park Club has already been photographed and interviewed by the Albany Advertiser.

We acknowledge the need for collaborative support and involvement with the Shire in the project – in planning, grant applications, location etc. We have canvassed potential sources of assistance and funding through Lotteries West, Department of Sport and Recreation and are aware of other Local Government development grants, grants for youth and children and local organisations and businesses. We have submitted to the Shire earlier this month a proposal for some initial funding in the current round of grants to community groups.

We believe the need is well established. We believe we are now at the point where we need to obtain the endorsement of the Shire Council so that the planning of the project may proceed. We hope you will support this community initiative.

Prepared by Kendenup Skate Park Steering Committee and endorsed at its meeting on 22 April 2007.'

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Keith Hart requested leave of absence for the period 29 April to 11 May 2007 inclusive and Cr John Mark requested leave of absence for the period 9 May to 24 June 2007 inclusive.

Moved Cr J Cameron, seconded Cr B Hollingworth:

THAT:

- (1) Cr K Hart be granted leave of absence for the period 29 April to 11 May 2007 inclusive.
- (2) Cr J Mark be granted leave of absence for the period 9 May to 24 June 2007 inclusive.

CARRIED (9/0)

No. 140/07

7 CONFIRMATION OF MINUTES

Moved Cr K Hart, seconded Cr J Moir:

That the Minutes of the Ordinary Meeting of the Council held 10 April 2007 be confirmed subject to:

Item 9.4.2 – Part (5) (ii) - the words 'or Councillor' being added after the word 'employee' to Council Policy No. I/FM/3 – Vehicle Usage.

CARRIED (9/0)

No. 141/07

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- Cr K Forbes – Shire President noted that his recent short visit to Broome was enjoyable and productive. Cr Forbes had a meeting with the State and Kimberley / Pilbara Zones. Cr Forbes found it very enlightening regarding proportional preferential voting and noted that it looks like it will be in place for the upcoming October elections.
- Cr Forbes, along with Cr Jan Savage – Shire President - Shire of Gnowangerup, Cr Ken Pech – Shire of Gnowangerup, Cr Nick Burges – Shire President - Shire of Cranbrook and Cr Jill Mathwin – Shire President – Shire of Kojonup met with Acting Superintendent Mr D Picton-King regarding the issue of policing numbers in the Great Southern area. Mr Picton-King noted that when taking in the whole region, they are now only two (2) appointments short of having a full contingent within the Great Southern with the two short being one (1) in Kondinin and one (1) in Wagin. Cr Forbes noted that the Mount Barker Police Sergeant is now back after being on sick leave but could possibly be retiring soon. Cr Forbes noted that we should be thankful that there were several good officers who are keen to replace the Sergeant if and when he leaves.
- 20.04.07 – Cr Forbes and Mr Stewart attended the WALGA Sustainability Conference in Perth. Cr Forbes noted that the subject was very interesting. It was reiterated again that there would be no forced amalgamations but Cr Forbes noted that Queensland was now reviewing Council boundaries. Cr Forbes said that local government is being encouraged to see what can be done better.

An important matter was the replacement of infrastructure and the amount of money local governments should be putting away for future infrastructure replacement. Cr Forbes noted that we had recently been involved in some major borrowings for assets.

Cr Forbes noted that the replacement of infrastructure also relates to rationalisation and keeping costs down. Cr Forbes further noted that there is talk of regulations being introduced that will require local governments to put away a certain amount of money every year for infrastructure replacement.

Cr Forbes noted that there will have to be a lot of changes in how local government operates and also in how the state and federal governments fund local governments.

Cr Forbes noted that a lot of interesting things will happen over next six (6) months which will hopefully give local governments clearer direction.

- 25.04.07 – Cr Forbes will be attending the local Anzac Day march and hopes that many other Councillors will be in attendance.
- 26.04.07 – Cr Forbes will be going to Perth for the Fire and Emergency Services (FESA) Capital Grants allocation.

- Cr Forbes has made an appointment to meet with Mr John Marmion – Main Roads WA (MRWA) to discuss heavy haulage access roads and permits. Cr Forbes is also hoping to discuss the Carbarup road crossing as he noted he had receiving mixed advice on the matter. Cr Forbes also noted that he is seeking further support to extend Spencer Road, Narrikup through to Albany Highway.
- 27.04.07 – Cr Forbes will be attending the official launch of Albany Pioneer ship which has been purpose built for the woodchip industry. As the Hon A McTiernan will also be there, Cr Forbes will try to use the opportunity to discuss the Narrikup bypass and further funding with her.
- 01.05.07 – The Annual Road Inspection for Councillors will occur. All Councillors are required to be at the Shire offices by 8.00am.
- 03.05 – Cr Savage from Gnowangerup Council has invited Cr Forbes to go to Perth with her and her technical advisor to participate in discussion on Main Roads Term contracts and what the role of local government may be. Cr Forbes noted that the meeting would be interesting but advised that local governments need to be cautious about taking on too much.
- 04.05.07 – Cr Forbes has received an invitation from the Albany Mayor to meet the Governor General on his first visit to Albany.
- Cr Forbes noted that we should shortly receive the Assessment of Resource to Risk model from FESA.
- 11.05.07 – Cr Forbes and Cr Willis will attend a meeting with the One Community One College Traffic Management Group.
- 11.05.07 – Cr Forbes and Mr John Fathers - Acting Chief Executive Officer will attend the State Budget Breakfast in Albany.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 EXECUTIVE SERVICES REPORTS

9.1.1 COMMITTEE MINUTES

Location / Address: N / A
Attachments: (1) Committee Minutes
Name of Applicant: N / A
File Reference: WM/103/1
Author: Cherie Delmage - Administration Officer
Authorised By: John Fathers - Deputy Chief Executive Officer
Date of Report: 16 April 2007

Purpose

The purpose of this report is to receive the Minutes of the Waste Management Committee meeting held 10 April 2007

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.

Officer Comment

Any issues or recommendations arising from these Minutes will be the subject of a separate report to the Council.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr J Moir, seconded Cr K Hart:

That the Minutes for the Waste Management Committee meeting held 10 April 2007 be received.

CARRIED (9/0)

No. 142/07

9.1.2 COUNCILLOR KEITH HART - SEMINAR ATTENDANCE

A Financial Interest was disclosed by Cr K Hart for Item 9.1.2

Nature Of Interest: Applicant

3.16pm Cr K Hart withdrew from the meeting.

Location / Address: N / A
Name of Applicant: Cr Keith Hart
File Reference: GO/44/3
Author: Rob Stewart - Chief Executive Officer
Authorised By: Rob Stewart - Chief Executive Officer
Date of Report: 13 April 2007

Purpose

The purpose of this report is to recommend the attendance by Councillor Keith Hart at a forthcoming Fire and Emergency Services Authority (FESA) Course in Perth.

Background

At its meeting held 12 September 2006, the Council resolved:

'THAT:

- (1) With respect to the submission by Councillor Hart for reimbursement of expenses incurred by him through the taking of courses related to his position on the Local Emergency Management Committee, such expenses not be reimbursed being not specifically authorised by the Council.*
- (2) As specific authority from the Council is necessary for the reimbursement of expenses pursuant to Section 5.98 of the Local Government Act 1995, Councillor Hart be requested to advise the Chief Executive Officer of future courses and expenditure such that a report can be presented to the Council prior to such expenditure being incurred.'*

Councillor Hart has advised the Chief Executive Officer that he would like to take the opportunity to attend a FESA run course in Perth from 8 – 11 May 2007. The course is named 'Exercise Management' and develops participants' knowledge of the requirements in managing a multi agency emergency.

Councillors would also be aware that Councillor Hart is the Chair of the Council's Bush Fire Advisory Committee and is the Recovery Planning Officer member of the Council's Local Emergency Management Committee (LEMC). Councillor Hart is also a member of the Stirling Range and Porongurup Fire Advisory Committees and a member of the Council's Fire Break Notice Committee.

Policy Implications

Council Policy No. CE/CS/1 applies. This Policy notes that Elected Members shall receive reimbursement of expenses while attending 'conferences and training sessions specifically authorised by the Council'.

Councillor Keith Hart – Seminar Attendance (Cont.)**Financial Implications**

The tuition fees of the seminar are met by FESA, however, accommodation, transport and meal costs are not funded by FESA. Accommodation is available at Trinity Conference and Accommodation Centre at the University of WA at a cost of \$83.00 per night for four (4) nights. Cafeteria type meals are also available. A Council vehicle could be made available for Councillor Hart.

Strategic Implications

There are no strategic implications for this report.

Officer Comment

Councillor Hart has undertaken several courses in the past, each of which assists his role as a Council member on a Council Committee. These courses include Introduction to Emergency Management for Local Government, Emergency Risk Management Process, Introduction to Recovery Management, Emergency Planning (Evacuation), Recovery Management, Recovery Services, Multi Agency Emergency Responses and Media requirements of a major incident.

All of the above have been undertaken at Cr Hart's own expense or through Mount Macedon (Emergency Management Australia).

This course will be of undoubted benefit to Cr Hart in his role with the Local Emergency Management Committee and the local Bush Fire Advisory Committee and attendance is recommended.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr M Skinner, seconded Cr B Hollingworth:

That authority be granted to Councillor Keith Hart to attend Fire and Emergency Services Authority of Western Australia course 'Exercise Management' from 8-11 May 2007 inclusive in Perth and that accommodation, transport and meal costs be met out of Account GL. 410.1.207 pursuant to Council Policy No. CE/CS/1.

CARRIED (8/0)

No. 143/07

3.19pm Cr K Hart returned to the meeting.

9.2 CORPORATE SERVICES REPORTS

9.2.1 CORPORATE SERVICES - PROPOSED ADDITIONAL CUSTOMER SERVICE OFFICER

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	CM/60/1
Author:	John Fathers - Deputy Chief Executive Officer
Authorised By:	Rob Stewart - Chief Executive Officer
Date of Report:	16 April 2007

Purpose

The purpose of this report is to seek an additional staff member within Corporate Services, being an additional 1.0 FTE Customer Service Officer.

Background

At its meeting held 27 May 2003, a new staff establishment was adopted by the Council, which created the following roles in Corporate Services:

- Executive Director Corporate and Community Services - Administration Fulltime
- Accountant - Administration Fulltime
- Administration Assistant – Administration Fulltime
- Administration Officer (Minutes & Agendas) - Administration Fulltime
- Administration Officer (Senior) – Administration Fulltime
- Customer Services Officer (Cashier) - Administration Fulltime
- Debtors / Creditor Control Officer – Administration Fulltime
- Rates / Payroll Officer – Administration Fulltime
- Records Officer / Telephonist – Administration Fulltime

The Council further resolved that subsequent permanent additions or deletions shall be determined by resolution of the Council.

At its meeting held on 28 March 2006, the Council amended the organisational structure such that the following positions currently exist:

- Deputy Chief Executive Officer
- Accountant / Office Manager
- Telephonist
- Administration Officer (Minutes & Agendas)
- Senior Administration / Human Resources Officer
- Customer Services Officer (Cashier)
- Accounts Officer
- Rates / Finance Officer
- Records Officer

At that time, it was indicated on the draft organisation chart that a new Customer Service Officer position would be required by 2007 / 2008.

Corporate Services – Proposed Additional Customer Service Officer (Cont.)

At the recent presentations relating to the strategic plan, it was indicated that the Accounts Officer (Debtors / Creditors) spends a significant amount of work time serving at the front counter, which has resulted in constant interruptions to the detriment of her primary role.

Statutory Environment

Pursuant to Section 5.36 of the Local Government Act 1995 a Local Government is to employ (other than a Chief Executive Officer):

- '...such other persons as the Council believes are necessary to enable the functions of the Local Government and the functions of the Council to be performed.'

Further, Section 5.41 of the Act provides that the Chief Executive Officer's functions are to (among other things):

- '...be responsible for the employment, management, supervision, direction and dismissal of other employees'.

Therefore, once the Council has amended the Staff Establishment, the Chief Executive Officer becomes responsible for all other matters relating to those employees.

Consultation

Consultation has taken place with Mr Rob Stewart - Chief Executive Officer and Mr Ross MacDonald - Accountant.

Policy Implications

There are no policy implications for this report.

Financial Implications

The new position would be classified at Level 3.1, which would attract a salary of \$38,455.00 per annum, plus superannuation of 9%, totalling \$41,916.00.

Strategic Implications

There are no strategic implications for this report.

Officer Comment

The main role of the Accounts Officer is to pay creditors and raise debtor invoices (along with chasing up outstanding debtors). The Shire pays approximately one hundred creditors each month, and produces approximately one hundred invoices each month. The work is exacting in nature, especially the creditor payments. It is also a role which has been a focus of the Shire's Auditors, who have previously requested the Council to reduce the level of outstanding debtors.

The Shire's front counter is serviced by the Customer Service Officer and the Accounts Officer. Visits to the front counter currently average seventy-three per day and 60% of these relate to licensing. It is acknowledged that prompt customer service is important and has a big impact on a customer's perception of the Shire. The Shire's draft Customer Service Charter states that we will promptly attend to customers in a professional, polite and attentive manner.

It must be said however, that the aims of prompt and attentive customer service is having a negative impact on the ability to perform the debtors and creditors role

Corporate Services – Proposed Additional Customer Service Officer (Cont.)

properly. A number of negative comments have been received in the recent past about the timeliness of creditor payments. This is understood and is a direct result of the dual role being placed on this position.

A number of options have been reviewed in order to resolve this matter. The Accountant / Office Manager recently advised Councillors that an option would be to share licensing with the Post Office to reduce at least some of the burden. This has been rejected as it does not make economic sense to allow the Post Office to deal with the 'quick' transactions, leaving the Shire with the time consuming ones.

Other job-share ideas have been considered, however there is simply not the spare capacity within any of the other roles to assist, without negatively impacting on those other areas. It is considered that the Shire needs another resource to fulfil these roles properly, as envisaged in the structure for Corporate Services in March 2006. The most appropriate option is to create an additional 1.0 FTE position of Customer Service Officer, to be a job share position. This will enable two (2) people to be trained in the front counter role, as it is important that this role is covered properly during absences.

Whilst there will be a financial impact, it will enable the Accounts Officer to despatch invoices more quickly and chase up debtors more effectively, which will mitigate this impact.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr B Hollingworth, seconded Cr D Williss:

THAT:

- (1) The Staff Establishment of the Shire of Plantagenet be increased by the addition of a 1.0 Full Time Equivalent being Customer Service Officer – Corporate Services.**
- (2) Full time equivalent (FTE) staffing levels be set at 62.75.**

CARRIED (8/1)

No. 144/07

9.2.2 FINANCIAL STATEMENTS – MARCH 2007

Location / Address:	N / A
Attachments: (1)	Financial Statements – March 2007
Name of Applicant:	N / A
File Reference:	FM/65/1
Author:	Ross MacDonald - Accountant
Authorised By:	John Fathers – Deputy Chief Executive Officer
Date of Report:	16 April 2007

Purpose

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 March 2007.

Statutory Environment

Regulation 34 of the Financial Management Regulations (1996) requires a Statement of Financial Activity to be prepared each month which is to contain the following details:

- (a) annual budget estimates;
- (b) budget estimates to the end of the month;
- (c) actual amounts of expenditure and revenue;
- (d) material variances between comparable amounts in (b) and (c) above; and
- (e) the net current assets at the end of the month to which the statement relates (ie: surplus / (deficit) position).

The statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;
- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

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 B Hollingworth:

That the financial statements for the month ending 31 March 2007 be received.

CARRIED (9/0)

No. 145/07

9.2.3 LIST OF PAYMENTS – MARCH 2007

Location / Address: N / A
Attachments: (1) List of Payments – March 2007
Name of Applicant: N / A
File Reference: FM/65/3
Author: Rayona Evans - Accounts Officer
Authorised By: John Fathers – Deputy Chief Executive Officer
Date of Report: 16 April 2007

Purpose

The purpose of this report is to present the list of payments that were made during the month of March 2007.

Statutory Environment

Regulation 13 of the Local Government (Financial Management) Regulations 1996 defines the reporting requirements to the Council of 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 J Mark, seconded Cr J Cameron:

That the payment of accounts for the month of March 2007 covering electronic payments, cheques 36675 to 36806, totalling \$448,241.79 and trust cheques 158 to 162 totalling \$6,000.00, be noted.

CARRIED (9/0)

No. 146/07

9.2.4 POLICY REVIEW - OP/HRE/2 - EQUAL EMPLOYMENT OPPORTUNITY

Location / Address: N / A
Name of Applicant: N / A
File Reference: PE/120/2
Author: Donna Stevens - Senior Administration / Human Resources Officer
Authorised By: John Fathers - Deputy Chief Executive Officer
Date of Report: 5 April 2007

Purpose

The purpose of this report is to review Council Policy No. OP/HRE/2 – Equal Employment Opportunity.

Background

The Council adopted the following Equal Employment Opportunity Policy on 24 February 2004:

OBJECTIVE: *The Shire of Plantagenet recognises its legal obligations under the Equal Opportunity Act 1984, and actively promotes equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.*

POLICY: *All employment training with the Shire of Plantagenet is directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.*

All promotional policies and opportunities with the Shire of Plantagenet are directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

All offers of employment within the Shire of Plantagenet are directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagements.

The Shire of Plantagenet does not tolerate harassment within its workforce. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, sex, colour, language, ethnicity, political or religious convictions, gender, marital status or disability.

The equal employment opportunity goals of the Shire of Plantagenet are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

Policy Review – OP/HRE/2 – Equal Employment Opportunity (Cont.)

The Shire of Plantagenet in no way deems the adoption of this policy as meaning that the Council's current attitude, or those of its current employees, requires changing or modification.'

Statutory Environment

The Equal Opportunity Act 1984 governs the necessity for employers to provide a workplace that supports the achievement of equity and diversity and is free from bias and unlawful discrimination against employees or potential employees.

Consultation

No consultation has occurred in relation to this report.

Policy Implications

The review of this Policy is presented to the Council as part of the ongoing Council policy review cycle.

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 Mark:

That existing Council Policy No. OP/HRE/2 – Equal Employment Opportunity as follows:

OBJECTIVE: The Shire of Plantagenet recognises its legal obligations under the Equal Opportunity Act 1984, and actively promotes equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.

POLICY: All employment training with the Shire of Plantagenet is directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.

All promotional policies and opportunities with the Shire of Plantagenet are directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

All offers of employment within the Shire of Plantagenet are directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagements.

Policy Review – OP/HRE/2 – Equal Employment Opportunity (Cont.)

The Shire of Plantagenet does not tolerate harassment within its workforce. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, sex, colour, language, ethnicity, political or religious convictions, gender, marital status or disability.

The equal employment opportunity goals of the Shire of Plantagenet are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

The Shire of Plantagenet in no way deems the adoption of this policy as meaning that the Council's current attitude, or those of its current employees, requires changing or modification.'

be endorsed.

CARRIED (9/0)

No. 147/07

9.2.5 POLICY REVIEW - OP/HRP/1 - RECOGNITION OF COUNCILLORS AND STAFF

Location / Address: N / A
Name of Applicant: N / A
File Reference: PE/120/3
Author: Donna Stevens - Senior Administration / Human Resources Officer
Authorised By: John Fathers - Deputy Chief Executive Officer
Date of Report: 19 February 2007

A Financial Interest was disclosed by Cr K Forbes for Item 9.2.5
Nature Of Interest: Councillor – Shire President – Rocky Gully / West Ward

A Financial Interest was disclosed by Cr D Williss for Item 9.2.5
Nature Of Interest: Councillor – Deputy Shire President – East Ward

A Financial Interest was disclosed by Cr M Skinner for Item 9.2.5
Nature Of Interest: Councillor – East Ward

A Financial Interest was disclosed by Cr J Cameron for Item 9.2.5
Nature Of Interest: Councillor – Rocky Gully / West Ward

A Financial Interest was disclosed by Cr K Hart for Item 9.2.5
Nature Of Interest: Councillor – Kendenup Ward

A Financial Interest was disclosed by Cr J Moir for Item 9.2.5
Nature Of Interest: Councillor – South Ward

A Financial Interest was disclosed by Cr J Mark for Item 9.2.5
Nature Of Interest: Councillor – Town Ward

A Financial Interest was disclosed by Cr K Clements for Item 9.2.5
Nature Of Interest: Councillor – Town Ward

A Financial Interest was disclosed by Cr B Hollingworth for Item 9.2.5
Nature Of Interest: Councillor – Town Ward

LOSS OF QUORUM

The Chief Executive Officer advised that as a quorum was no longer present pursuant to Paragraph 6.2 (1) (a) (ii) of Standing Orders, the matter would stand adjourned until such time that the Minister allowed disclosing members to participate in discussions and decision making procedures relating to the matter under Section 5.69 of the Act.

The meeting would therefore proceed to the next business.

9.2.6 POLICY REVIEW - OP/HRS/4 - WORKPLACE BULLYING REVIEW

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	PE/120/2
Author:	Donna Stevens - Senior Administration / Human Resources Officer
Authorised By:	John Fathers - Deputy Chief Executive Officer
Date of Report:	5 April 2007

Purpose

The purpose of this report is to review Council Policy No. OP/HRS/4 – Workplace Bullying.

Background

The Council adopted the following Workplace Bullying policy on 14 October 2003:

Objective: That the Council will, with regard to bullying in the workplace, abide by the following policy statement and will actively promote the statement within the workplace.

Policy: The Shire of Plantagenet considers workplace bullying unacceptable and will not tolerate it under any circumstances.

Workplace bullying is behaviour that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients or customers.

Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale and create legal risks.

The Shire of Plantagenet has grievance and investigation procedures to deal with workplace bullying. Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially.

The Shire of Plantagenet encourages all employees to report workplace bullying. Managers and supervisors must ensure employees who make complaints or witnesses, are not victimised.

Disciplinary action will be taken against anyone who bullies a co-employee. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.'

Statutory Environment

The Occupational Safety and Health Act 1984 and the Equal Opportunity Act 1984 govern the necessity for employers to provide and maintain a workplace free from harassment.

Consultation

No consultation has occurred in relation to this report.

Policy Implications

The review of this Policy is presented to the Council as part of the ongoing Council policy review cycle.

Financial Implications

There are no financial implications for this report.

Strategic Implications

There are no strategic implications for this report.

Officer Comment

Only minor amendments have been made to the Policy, such as the inclusion of examples of bullying.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr K Hart, seconded Cr D Williss:

That amended Council Policy No. OP/HRS/4 – Workplace Bullying as follows:

OBJECTIVE: To identify, minimise and where possible preventing harassment and bullying in the workplace by eliminating intimidating, humiliating, offending and threatening behaviour and encouraging a professional and productive work place.

POLICY: Workplace bullying is behaviour that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients or customers.

Workplace bullying is considered to be an illegal and unacceptable form of behaviour which will not be tolerated under any circumstances.

Workplace bullying behaviour may involve:

- (i) Abusive, insulting or offensive language;
- (ii) Violence or threats;
- (iii) Constant practical joking and teasing;
- (iv) Behaviour or language that frightens, degrades or humiliates;
- (v) Ignoring or isolating a person; and / or
- (vi) Unfair treatment in relation to accessing workplace entitlements.

It may be carried out via letters, emails, telephone calls and / or text messages.

Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale and create legal risks.

Policy Review – OP/HRS/4 – Workplace Bullying Review (Cont.)

The Shire of Plantagenet encourages all employees to report workplace bullying. Managers and supervisors will endeavour to ensure that no one making a complaint or witnesses are victimised.

The Shire of Plantagenet has grievance and investigation procedures to deal with workplace bullying. Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially.

Disciplinary action will be taken against anyone who bullies a co-employee. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.'

be endorsed.

CARRIED (9/0)

No. 148/07

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

12 CONFIDENTIAL**12.1 SOUTH MOUNT BARKER FOOTBALL CLUB**

Location / Address: N / A
Name of Applicant: N / A
File Reference: FM/48/2
Author: Rob Stewart - Chief Executive Officer
Authorised By: Rob Stewart - Chief Executive Officer
Date of Report: 17 April 2007

Purpose

The purpose of this report is to advise of the latest directions hearing for the State Administrative Tribunal held on 13 April 2007.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr J Cameron, seconded Cr J Moir

3.55pm That the meeting proceed behind closed doors.

CARRIED (9/0)

No. 149/07

MOTION TO PROCEED IN PUBLIC

Moved Cr J Moir, seconded Cr M Skinner:

4.25pm That the meeting proceed in public.

CARRIED (9/0)

No. 150/07

OFFICER'S RECOMMENDATION

Moved Cr J Cameron, seconded Cr M Skinner:

THAT:

- (1) The Chief Executive Officer's report regarding progress with the South Mount Barker Football Club be received.**
- (2) The rent as set out in the Council's resolution dated 23 January 2007 for the Clubroom at Souness Park remain at \$1,200.00.**

AMENDMENT

Moved Cr J Mark, seconded Cr B Hollingworth:

THAT:

(1) Part (2) of the motion be deleted in entirety and replaced with:

‘The lease for the Clubrooms at Sounness Park be set at \$900.00 from the commencement of the lease to the termination date being 1 October 2007.’

(2) A further three (3) Parts be added to the motion as follows and renumbered accordingly:

‘The \$900.00 cost of drawing up the lease being shared on an equal fifty percent (50%) basis between the Council and the Club at a cost of \$450.00 each.’

‘The Club shall provide evidence that it has taken out adequate insurance on all internals of the building as well as the fixtures and fittings in the building.’

‘The Club will only be responsible for external window breakages which are a result of its own actions.’

CARRIED (9/0)

No. 151/07

COUNCIL DECISION

THAT:

(1) The Chief Executive Officer’s report regarding progress with the South Mount Barker Football Club be received.

(2) The lease for the Clubrooms at Sounness Park be set at \$900.00 from the commencement of the lease to the termination date being 1 October 2007.

(3) The \$900.00 cost of drawing up the lease being shared on an equal fifty percent (50%) basis between the Council and the Club at a cost of \$450.00 each.

(4) The Club shall provide evidence that it has taken out adequate insurance on all internals of the building as well as the fixtures and fittings in the building.

(5) The Club will only be responsible for external window breakages which are a result of its own actions.

CARRIED (9/0)

No. 152/07

13 CLOSURE OF MEETING

4.26pm The Presiding Member declared the meeting closed.

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