



ORDINARY MINUTES

ORDINARY Meeting
of the Council held:

DATE: Tuesday, 24 March 2009

TIME: 2.45 pm

VENUE: Council Chambers, Lowood
Road, Mount Barker WA 6324

Rob Stewart
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2:45 PM 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 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

Members Present:

Cr K Forbes AM	Shire President - Rocky Gully/West Ward
Cr B Hollingworth	Deputy Shire President - Town Ward
Cr A Budrikis	Kendenu Ward
Cr K Clements	Town Ward
Cr J Mark	Town Ward
Cr J Moir	South Ward
Cr D Nye-Chart	East Ward
Cr M Skinner	East Ward

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Mr Ian Bartlett	Manager Works and Services
Ms Cobie MacLean	Administration Officer (Planning)

There were two (2) member(s) of the public in attendance.

There were nil (0) member(s) of the media in attendance.

Apologies

Cr S Grylls	Rocky Gully/West Ward
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Previously Approved Leave of Absence:

Cr D Nye-Chart	15 May 2009 to 25 May 2009 inclusive.
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Cr B Hollingworth	15 June 2009 to 12 July 2009 inclusive.
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Cr D Nye-Chart	3 July 2009 to 27 July 2009 inclusive.
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4 PUBLIC QUESTION TIME

Section 5.24 Local Government Act 1995

Nil

5 PETITIONS / DEPUTATIONS / PRESENTATIONS

New Road Connecting Omrah Road to Muirs Highway - Ms Lise Holst

Thanks for your letter received 20 March 2009 regarding new road connecting Omrah Road to Muirs Highway, presented at council meeting 10 March 2009.

I have written to Green Member for Denmark, *Paul Llewellyn*, who has agreed to ask the minister in Parliament why the procedure under the Land Administration Act 1997, section 42 regarding a Class A reserve, was not followed.

As a member of the public, without vested interests in the reserves, I have formed a new volunteer group named, "The Mondurup Conservation Group". We would like to apply for an Environmental Community Grant from Department of Environment and Conservation. Our project should be eligible under the "Nature Appreciation in Natural Areas" category. The grant application is due 1 May 2009. To apply we also need a letter of support from council so I have briefly outlined below what we would like to achieve with the grant and how it could benefit Council.

If Council decides to support the management plan briefly described below, I shall be willing to implement and organize the practical aspects of it, as a volunteer, until grant money is spent or someone else in the group is elected by its members to do so.

I have also briefly discussed the plans with Lyn Heppell, asking for a more in depth meeting with her regarding volunteer insurance, as she has got a lot of knowledge and experience in the practical aspects of volunteer groups and the area discussed.

With Council approval and being successful in a grant application, the money would be spent as follows:

1. Access to reserve.
 - a. Gates meeting council specifications, installed at entrances where regular vehicular access is needed. Keys to be supplied to relevant authorities.
 - b. Entrances, where regular vehicular access is not required, can be blocked by boulders or logs.
2. Signs to be posted at every entrance alerting visitors to the "Rules of Use".

Without gates and signs any improvements made by volunteers and money spent is likely to be wasted as vandalism will continue.
3. Skip Bins for "Busy Bees" collecting rubbish dumped over the years.
4. Providing bench seating in strategic places, for visitors to reserve, along existing tracks.
5. Any money left over to be spent on "Beautifying" existing tracks, not needed for vehicular access by placing boulders, logs along edges to create a meandering feel.
6. Providing the Banksia farm with smaller, less obtrusive, signs for botanical identification of plant specimens along trails. Many of the plants are rare and endemic to this part of the world and unknown to most people. In the past they have paid for those signs and provided this service to locals and tourists.
7. Weed control.

Objectives:

Our tourism logo is "Wine, Walks, and Wildflowers". To attract visitors to the region by providing a few hours of pleasant and safe meandering, where they are able to enjoy the wildflowers this region has to offer. It will help retain passing tourists, rather than sending them on to Porongurup and Stirling Range National Parks which is currently happening. After a pleasant walk they are more likely to go into town afterwards to do a bit of shopping and have something to eat. -Maybe even stay the night locally.

To make lasting improvements to reserve that will not require ongoing high labour and maintenance costs. Preserve and look after what is already there rather than spend money on improvements that will put future pressure on Council coffers and potentially dissatisfy rate payers.

There is a "walk trail master plan" that has been drawn up by a trail expert and funded by a local business. When you pay a large sum of money to an expert, you are unlikely to get unbiased advice to the practicality and viability of such a plan. They are running a business that depends on such plans, viable or not. Parts of those trails proposed are in fairly steep places and will erode. The ongoing cost and maintenance will be high. I have been on all of them and am highly critical of the proposal. Their upkeep will rely on ongoing funding from Council or grants. They also rely on volunteers. There are already a large number of trails running along contours through this quite small reserve. Most of them have stood the test of time and would only need small amount of improvements made, as funds and willing volunteers may become available.

Summary:

There are many other environmental reasons not to build the new tracks that I shall be willing to discuss in more depth if needed, here briefly mentioned:

- Dieback
- Weed introduction
- Erosion
- Disturbance of local fauna. As many bush blocks in Mount Barker have been cleared, the habitats of the wildlife has shrunk and wildlife corridors removed.
- Trails run straight through the middle of endemic plant communities. Unless you build bridges with rails, you are unable to contain hikers from wandering over large areas. It will cause destruction of the asset you are attempting to protect and show off.
- The recent bush fires have burned parts of the proposed trails. Those areas will be sensitive for the next many months.

Some practical reasons are:

- Substantial initial construction cost of trails. \$2000 has already been spent on consultancy fees and there are no trails in place yet.
- Public liability as people may trip, stumble across snakes, ticks.
- High ongoing labour cost to maintain new trails.
- New trails will need a long term management plan and regular checking to ensure they are safe for the public.
- It is not easy getting volunteers for ongoing work.

Mount Barker Tourist Bureau – Mrs Linda Harris

The 2009 Board of the Mount Barker Tourist Bureau, thanks to the efforts of Scott Drummond, past president, is in a more stable position financially which enables us to concentrate on marketing the Plantagenet area in a manner which will promote visitor numbers and in turn produce income for our members and other local businesses. We currently have 64 fully paid members.

Our current initiatives are:

- To encourage 3 general meetings during the year.
- A stand in the Perth Visitor Centre for one day 3 times a year with direct one on one contact with their visitors. This is something peculiar to Plantagenet as the Perth manager has said that no other visitor centre has done this. They were very happy with the outcome, as were we.
- Representing our members at 2 trade shows each year (Skywest Expo and WA Travel and Tourism expo). The Skywest Expo targets Inbound Tourism Operators (ITO's) from the eastern states and overseas. The WA Travel and Tourism expo targets the Perth local market.
- Sponsor space at the front of the visitor centre is always booked ahead of time and is another source of income.
- Business programmes for our members and non members 3 times a year. These will be organised by Victor Seah.
- We already have representation on the Great Southern Region Marketing Association and the Great Southern Network Marketing Group.

- Radio advertising, albeit free of charge to the local Tourism industry, is currently running and the talk about town is positive.
- Out monthly newsletter, where members can advertise to the local market free of charge is now already sought after by members. When it is running late member are sending gentle reminders.
- The new upgraded website is currently under construction and we are already looking at a reprint of the very popular visitors guide.
- Exhibitions by local artists are always running at the visitor centre and this produces additional income for us and great exposure for the artists.
- The booking system used by the visitor centre, Bookeasy, is running well and we are looking at more ways of making this work better for the Tourist Bureau and its members.

Our future aims are:

- To continue to increase visitor numbers to the area.
- Work closely with the local wine industry to achieve a cohesive approach to event planning within the Plantagenet Shire.
- Have increased involvement with the GSRMA and ACCI to enable our Tourist Bureau to have a wider view and more proactive approach to the marketing of Plantagenet.
- To continue with the travel and tourism expos in Perth along with our presence at the Perth Visitor Centre.
- To continue our attendance at the Great Southern Network Marketing meetings with will enable us to stay abreast of what is happening in the Great Southern.

Visitor Numbers

We have achieved positive results to a difficult task in difficult times. Even though the economy has been slowing steadily we managed to maintain visitor numbers comparable to the more stable economy of the previous 12 months.

Overall our aim for 2009/2010 is to stimulate membership by stimulating the interest of local businesses in the tourism industry in general.

A thank you to the Shire for the financial support the Mount Barker Tourist Bureau has received in the past. This is said to butter you up in the hope that your support will not only continue but where possible increase.

The current board is working hard to raise revenue from other sources to lighten the financial load.

Brief Marketing Plan

Perth Visitor Centre

After a successful visit to the Perth Visitor Centre in 2008 we envisage 3 further visits a year.

Albany Show Promotions

We plan to showcase our area to the immediate region.

Permanent Travelling Trailer Display

To enable a permanent display which can be used by anyone on request and managed by the Visitor Centre.

- trailer
- promotional material
- TV screen and hard drive for visual displays

Skywest Expo

Held each year at the Perth Convention Centre and promotes to all ITO's from the eastern states of Australia, New Zealand, Asia, Europe and Britain. We are given a database of these operators which we then pass onto our members.

WA Tourism Perth Travel Expo

Held annually by Tourism WA at the Burswood Dome and targets the WA travel consumer and ITO's.

The Board of the Mount Barker Tourist Bureau has serious commitment and belief in our responsibility to our members and the future of tourism in Plantagenet.

6 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

APPLICANT: CR J MARK

Cr J Mark requested Leave of Absence from 25 May 2009 to 12 June 2009 inclusive.

Moved Cr B Hollingworth, seconded Cr K Clements:

That Cr J Mark be granted Leave of Absence from 25 May 2009 to 12 June 2009 inclusive.

CARRIED (8/0)

NO. 69/09

8 CONFIRMATION OF MINUTES

Moved Cr B Hollingworth, seconded Cr M Skinner:

THAT the Minutes of the Special Meeting of the Shire of Plantagenet, held on 6 March 2009 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 70/09

Moved Cr J Mark, seconded Cr B Hollingworth:

THAT the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 10 March 2009 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 71/09

9 COMMITTEE MINUTES

Moved Cr A Budrikis, seconded Cr J Mark:

That the Minutes of:

Great Southern Regional Cattle Saleyards Advisory Committee – 24 February 2009

RoadWise Steering Committee – 26 February 2009

be received.

CARRIED (8/0)

NO. 72/09

10 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 12 March 2009 – attended a Timber Industry Roads Evaluation Study (TIRES) meeting with Cr Hollingworth and Mr Bartlett to discuss the proposed 5 year roadworks plan, presented by Denis Sawer. The plan was endorsed in principle and the 2009/2010 allocations were made dependant on State funding level. Plantagenet has submitted Spencer and Yellanup Roads for 2009/2010 with a maximum grant possibility of \$550,000.00.
- 13 March 2009 – attended the opening of Green Valley Nursery along with Councillors and Senior Staff with owners Bill and Liz Hollingworth.

- 20 March 2009 – attended the Great Southern Zone of Western Australian Local Government Association (WALGA) meeting in Tambellup with Mr Stewart. There is a great variation on amalgamation view points by various councils – from very positive to totally negative.
- 20 March 2009 –attended the opening of the new Mount Barker Co-operative-Elders building in Lowood Road with Cr Hollingworth and Mr Stewart. The opening was performed by Hon. Terry Redman.
- 24 March 2009 – met with Renata Paliskis-Bessel of the Western Australian Meat Industry Association and Mr Fathers to check over her final submission to Minister Redman for the purchase of the Great Southern Regional Saleyards.
- 25 March 2009 –Southern Link Voluntary Regional Organisation of Councils meeting to be held in Kojonup.
- 25 March 2009 – Rainbow Coast Region Council meeting to be held in Plantagenet.
- 1 April 2009 – WALGA State Council meeting to be held in Perth.
- 7 April 2009 – Road Inspection bus trip starting at 8.00am.
- 8 April 2009 – Blessing of the Road starting at 11.00am.
- 11 April 2009 – Opening of Art in the Park starting at 10.30am.

11 ANNOUNCEMENTS BY COUNCILLORS WITHOUT DISCUSSION

Cr B Hollingworth

- Attended a Timber Industry Roads Evaluation Study (TIRES) meeting with Cr Forbes AM and Mr Bartlett to discuss the proposed 5 year roadworks plan, presented by Denis Sawer.
- Timber 2020.
- Attended Recreation Advisory Committee workshop at both Frost Pavilion and Kendenup.

Cr K Clements

- Mock accident was very successful. There are a lot of new members with both the fire brigade and the ambulance. Two doctors stopped to offer assistance.

Cr A Budrikis

- Participated in the first round of the Recreation Advisory Committee workshops in Kendenup.

Cr J Mark

- Attended the Tourist Bureau Meeting. Mrs Harris is a very good President. The financials are a little difficult to understand but things are going well.

Cr D Nye-Chart

- Attended the Recreation Advisory Committee workshop at Frost Pavilion. There was a very good turnout and everyone was very co-operative.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 DEVELOPMENT SERVICES REPORTS

Nil

12.2 WORKS AND SERVICES REPORTS

Nil

12.3 COMMUNITY SERVICES REPORTS

12.3.1 REGIONAL HEADWORKS PROGRAM GRANT - PLANTAGENET MEDICAL CENTRE

File No: GS/125/11
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Nicole Selesnew
Manager Community Services
Proposed Meeting Date: 24 March 2009

PURPOSE

The purpose of this report is to seek authority to affix the Common Seal of the Council to a Financial Assistance Agreement with the Department of Local Government and Regional Development (the Department) for a Regional Headworks Program (RHP) grant.

BACKGROUND

In June 2007 the Shire applied for a RHP grant to assist with the connection to services for the Plantagenet Medical Centre. The Minister for Local Government and Regional Development advised that the Council had been successful in securing financial assistance of \$22,000.00 (including GST) subject to conditions. The conditions were met and the grant formally approved.

In February 2009 a second letter was sent to the Minister seeking an increase in the RHP allocation to cover escalating increases in service connection costs. The increase was supported and the Shire advised on 11 March 2009 that an allocation of \$40,000.00 (GST exclusive) has been granted.

A Financial Assistance Agreement has been forwarded for signing which requires the Common Seal.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

CONSULTATION

Consultation has taken place with Rob Stewart – Chief Executive Officer and staff from the Department.

FINANCIAL IMPLICATIONS

The RHP grant of \$22,000.00 (GST inclusive) is acknowledged in the 2008/2009 budget. This amount will need to be reviewed to reflect the new allocation of \$40,000.00 (GST exclusive).

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS**Community Services**

Deliver, or facilitate the delivery of, a range of services which respond to, and reflect, the physical, social and cultural well being of the community.

- Review the utilisation, and economic and social value to the community, of the Council's current community services and facilities
 - *Evaluate different options for providing community services and facilities*

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Mark, seconded Cr A Budrikis:

That authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the Financial Assistance Agreement with the Department of Local Government and Regional Development, in relation to the Regional Headworks Program grant for \$40,000.00 (GST exclusive) for the Plantagenet Medical Centre.

CARRIED (8/0)

NO. 73/09

12.4 CORPORATE SERVICES REPORTS

12.4.1 FINANCIAL STATEMENTS - FEBRUARY 2009

Attachments:	Financial Statement – February 2009 (separate attachment)
File No:	FM/65/1
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Cherie Delmage Accountant
Proposed Meeting Date:	24 March 2009

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 28 February 2009.

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 amount 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 (i.e.: 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.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr A Budrikis, seconded Cr J Moir:

That the financial statements for the period ending 28 February 2009 be received.

CARRIED (8/0)

NO. 74/09

12.4.2 LIST OF ACCOUNTS - FEBRUARY 2009

Attachments:	List of Accounts – February 2009
File No:	FM/65/3
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Donna Jo Fawcett Debtors/Creditors Officer
Proposed Meeting Date:	24 March 2009

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of February 2009.

STATUTORY ENVIRONMENT

Regulation 13 of the Local Government (Financial Management) Regulations 1996 defines the reporting requirements to the Council of the List of Accounts.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Mark:

That the payment of accounts for the month of February covering the following:

- (a) Electronic payments and direct debits totalling \$1,139,759.91; and**
- (b) Municipal Cheques 39778 – 39853 \$116,038.99.**

be approved.

CARRIED (8/0)

NO. 75/09

12.5 EXECUTIVE SERVICES REPORTS

12.5.1 POLICY REVIEW - CE/CS/1 - ELECTED MEMBER EXPENSES TO BE REIMBURSED

File No: ES/151/12
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 24 March 2009

PURPOSE

The purpose of this report is to reconsider the outcome of a recent review of the Council's Policy CE/CS/1 'Elected Member Expenses to be Reimbursed'

BACKGROUND

At its meeting held on 10 February 2009, the Council adopted the following:

'That amended Council Policy CE/CS/1 Elected Member Expenses to be reimbursed as detailed below:

OBJECTIVE:

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

POLICY:

That elected members receive reimbursement of expenses as detailed below whilst attending the following:

- a) *Council and Committee meetings held in accordance with the provisions of the Local Government Act;*
- b) *Any function or meeting as an appointed representative of the Council where specifically authorised by the Council;*
- c) *Conferences and training sessions specifically authorised by the Council;*
- d) *Any official social function organised by, or on behalf of, the Shire of Plantagenet.*

Elected members shall not receive reimbursement for attendance at the following:

- i) *ANZAC Day services;*
- ii) *Remembrance Day Services.*

1. Travel

- a) *Councillors should utilise Council vehicles to attend meetings where they are authorised delegates of the Council subject to a vehicle being available;*
- b) *Reimbursement for the use of a private vehicle to be set in accordance with clause 29 of the Local Government Officers' (Western Australia) Award 1999 for the 'South West Land Division' at the appropriate rate set for an engine displacement;*
- c) *Where a Councillor is a member of an external committee and reimbursement of expenses is a condition of the membership, reimbursement of mileage expenses will not be provided by the Council; and*
- d) *If a Council vehicle is made available and not utilised, then no mileage will be reimbursed for the use of a private vehicle.*

2. Accommodation

Reimbursement of accommodation, meals, and parking expenses incurred to a maximum of \$350.00 per day will be accommodated provided that all receipts are presented. Any unforeseen or additional expenses incurred will be paid only with respect to each individual claim at the discretion of the Chief Executive Officer in consultation with the Shire President.

Refreshments consumed with meals will be reimbursed however, all other refreshments (e.g. hotel mini bar) will not be reimbursed by the Council.

3. Conference/Meeting Attendance Costs

All conference attendance costs will be paid / reimbursed to all members. Reimbursement for partners of members will be limited to:

- a) *Accommodation, where such accounts does not incur any additional expenditure for the Council;*
 - b) *Any official social functions included on the official program of the conference/meeting; and*
 - c) *All events listed on the partner's itinerary.*
4. *Priority will be given to any conference or seminar that is specifically relevant to Councillors. Attendance at such conference or seminar is subject to approval by the Council. Councillors' attendance at seminars/conferences is subject to budget provision.*
 5. *Conferences, seminars or courses held by organisations of which the Council is a member, or has an interest in, would usually be attended by the Council's appointed representatives to those organisations.*
 6. *When determining costs of a conference or seminar, all costs associated with attendance at the conference or seminar, including travel, accommodation, meals, telephone and other expenses, within reason and supported by receipts, to be included and paid for by the Council.*

7. *Conferences or seminars in other states would be dealt with in the same way as any other conference within the State, except that whenever attendance at the conference entails travelling outside the State, the proposal is to be referred for the approval of the Council.*
8. *Reports of conference or seminar attendance are preferred to be in writing to the Council by inclusion in the Information Bulletin.*
9. *The type of conference or seminar that Councillors attend would generally be related to a particular function or activity in which the Councillor is involved, rather than individual or personal development type conference/seminars.*
10. *All newly elected Councillors who have not previously attended are strongly encouraged to attend the module 'Getting Started – Introduction to Local Government for Elected Members', which is the first module of the Elected Member Development Program, as soon as possible.*
11. *All Councillors are encouraged to complete all 14 modules of the Elected Member Development Program, potentially leading to the award Diploma of Local Government (Elected Member).*

Notes:

Accommodation requirements, whenever possible, are to be arranged in advance by the Chief Executive Officer and confirmed by an official purchase order. With regard to all other expenses, receipts are to be submitted to the Chief Executive Officer for reimbursement.'

be endorsed.

The position on conference/meeting attendance costs in the previous policy, adopted on 26 September 2006, was that *'all conference attendance costs will be paid / reimbursed'*.

It had been recommended that the relevant clause read as follows:

'3. Conference/Meeting Attendance Costs

All conference attendance costs will be paid / reimbursed to all members. Reimbursement of partners of members will be at the discretion of the Chief Executive Officer in consultation with the Shire President.'

STATUTORY ENVIRONMENT

Local Government (Administration) Regulation 31, linked to Section 5.98(2)(a) of the Local Government Act 1995, prescribes the expenses that are to be reimbursed to elected members. These include telephone and facsimile line rental, child care costs and travel expenses.

With regard to travel expenses, Regulation 31 (4) states:

'(4) The extent to which travel costs referred to in Subregulation (1)(b) can be reimbursed.

- (a) If a person lives or works in the local government district or an adjoining local government district, is the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or*

- (b) *if the person does not live or work in the local government district or an adjoining local government district, is the actual cost, in relation to a journey from the person's place of residence or work and back.*
- (i) *for the person to travel from the person's place of residence or work to the meeting and back; or*
- (ii) *if the distance travelled referred to in subparagraph (i) is more than 100km, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.*
5. *For the purposes of Subregulation (2) to (4), actual amounts and actual costs are to be verified by sufficient information.'*

When considering the components that make up the cost of travel, such as depreciation, fuels, oils and general vehicle wear and tear, the most appropriate method of calculating the 'actual cost' would be to use an appropriate cents per kilometre rate. The rates as defined in the Local Government Officers' Western Australia Award 1999 are appropriate to use for the reimbursement of elected members travel expenses.

With regard to the reimbursement of expenses incurred whilst attending meetings, conferences and the like, Local Government (Administration) Regulations 32 relates:

This regulation states:

- '1. *For the purposes of Section 5.98 (2)(b), the kinds of expenses that may be approved by an local government for reimbursement by the local government are-*
- a) *an expenses incurred by a council member in performing a function under the express authority of the local government;*
- b) *an expenses incurred by a council member to whom paragraph 9a) applies by reason of the council member being accompanied by not more than one other person while performing the function, if having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and*
- c) *an expense incurred by a council member in performing a function in his or her capacity as a council member.*
2. *The extent to which an expense referred to in Subregulation (1) can be reimbursed is the actual amount, verified by sufficient information.'*

Local Government (Administration) Regulation 10 states as follows:

'10. Revoking or changing decisions made at council or committee meetings

- (1) *If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —*
- (a) *in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or*
- (b) *in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*

- (1a) *Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*
- (2) *If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —*
- (a) *in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*
- (b) *in any other case, by an absolute majority.*
- (3) *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.'*

This recommended change to the Council's decision is not significantly different and therefore the additional requirements should not apply.

CONSULTATION

Consultation has taken place with the Shire President, Kevin Forbes AM.

FINANCIAL IMPLICATIONS

The 2008/2009 adopted budget contains the following allocations in relation to elected member fees, expenses and allowances:

Conferences and Training	\$25,000.00
Councillors' Incidental Expenses	\$ 8,000.00
President's Allowance	\$ 4,400.00
Deputy President's Allowance	\$ 1,120.00
Travelling Allowance	\$20,000.00
Elected Members' Sitting Fees	\$70,000.00

POLICY IMPLICATIONS

This item recommends that the amended Council Policy CE/CS/1 be endorsed.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

A concern has been raised that the amended policy prohibits the reimbursement of costs of partners' meals. It is believed that this was an unintended consequence of the amendment to the officer's recommendation. It is therefore considered that clause 3 of the policy be amended to include such costs.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Hollingworth, seconded Cr K Clements:

That clause 3 of the Council's resolution No. 27/09, at its meeting held on 10 February 2009, be changed to read as follows:

'3. Conference/Meeting Attendance Costs

All conference attendance costs will be paid/reimbursed to all members. Reimbursement for partners of members will be limited to:

- a) All meal costs;
- b) Accommodation, where such accounts does not incur any additional expenditure for the Council;
- c) Any official social functions included on the official program of the conference/meeting; and
- d) All events listed on the partner's itinerary.'

CARRIED (8/0)

NO. 76/09

(Absolute Majority)

12.5.2 RAINBOW COAST REGIONAL COUNCIL - RESIGNATION

File No: ED/92/3
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 24 March 2009

PURPOSE

The purpose of this report is to place a recommendation before the Council for the Shire of Plantagenet to officially remove itself as a member of the Rainbow Coast Regional Council.

BACKGROUND

The Rainbow Coast Regional Council is a loose alignment of the Councils of the City of Albany and the Shires of Cranbrook, Denmark and Plantagenet. It has been in existence since 1996 but was not ever formally created as a regional Council. Therefore it could be defined as a Voluntary Regional Organisation of Councils (VROC). The Shire of Cranbrook was invited to join in 2004.

STATUTORY ENVIRONMENT

Although the Local Government Act, at section 3.61, provides for the establishment of Regional Local Governments, the Act does not refer to a Voluntary Regional Organisation of Councils. Accordingly, a VROC has no legal constitution.

CONSULTATION

The continuation or otherwise of the Rainbow Coast Regional Council has been discussed with the Chief Executive Officers of the Shires of Cranbrook and Denmark. There would appear to be a wish for those Councils to remain in the Rainbow Coast Regional Council.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Councils' Strategic Plan under Key Result Area 5 – Strategic Planning, aims for the development of strategic partnerships and the fostering of regional cooperation.

OFFICER COMMENT

The Council has recently formed the Southern Link Voluntary Regional Organisation of Councils with the Shires of Broomhill-Tambalup, Cranbrook and Kojonup. The Council took this action as it believed these four Shires had a greater affinity with each other than the coastal local government areas of Denmark and Albany. Given

this strategic outlook, it would seem appropriate to withdraw from the Rainbow Coast Regional Council. Nevertheless, the intent of the Shire of Cranbrook to maintain membership should be noted. The likely intent of the Shire of Denmark to maintain the liaison does appear to be reasonable.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr K Clements, seconded Cr M Skinner:

That:

- 1. The Shire of Plantagenet withdraws from membership of the Rainbow Coast Regional Council Voluntary Regional Organisation of Councils effective immediately.**
- 2. The City of Albany and the Shires of Cranbrook and Denmark be advised of part 1 above.**

AMENDMENT

Moved Cr J Moir, seconded Cr B Hollingworth:

That a further Point 3 be added as follows:

'Notwithstanding the above the Shire of Plantagenet appreciates the strong relationships that the four member councils have had in the past and is confident that this positive working relationship will continue.'

CARRIED (8/0)

NO. 77/09

COUNCIL DECISION

That:

- 1. The Shire of Plantagenet withdraws from membership of the Rainbow Coast Regional Council Voluntary Regional Organisation of Councils effective immediately.**
- 2. The City of Albany and the Shires of Cranbrook and Denmark be advised of part 1 above.**
- 3. Notwithstanding the above the Shire of Plantagenet appreciates the strong relationships that the four member councils have had in the past and is confident that this positive working relationship will continue.**

CARRIED (8/0)

NO. 78/09

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

15 CONFIDENTIAL

Nil

16 CLOSURE OF MEETING

3:40 PM The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ **DATE:** ____ / ____ / ____