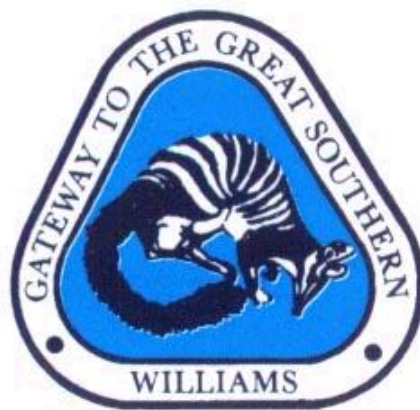


SHIRE OF WILLIAMS

***MINUTES OF SPECIAL MEETING HELD ON
WEDNESDAY 15 JUNE 2016***





MINUTES – SPECIAL MEETING OF COUNCIL HELD 15 JUNE 2016

TABLE OF CONTENTS

Item	Subject	Page
	NOTICE OF MEETING.....	2
	DISCLAIMER.....	3
1.0	Declaration of Opening / Announcement of Visitors	4
2.0	Record of Attendance / Apologies / Leave of Absence (previously approved)	4
3.0	Public Question Time	4
4.0	Petitions / Deputations / Presentations	4
5.0	Declarations of Interest	4
6.0	Announcements by Presiding Member without discussion	4
7.0	Reports.....	6
7.1	Economic Summary	7
7.2	Adoption of Fees and Charges	8
7.3	Salaries and Allowances Tribunal Determination for Elected Members	9
7.4	2016 – 2017 Road Construction and Maintenance Programme	13
7.5	Capital Purchases	17
7.6	Chief Executive Officer Performance Review	18
7.7	Salaries and Wages	19
8.0	New Business of an Urgent Nature introduced by Decision of Meeting	21
10.1	Elected Members.....	21
10.2	Officers.....	21
9.0	Closure of Meeting.....	21

SEPARATE DOCUMENTS

1. Appendices



SHIRE OF WILLIAMS

BROOKING STREET, WILLIAMS, WESTERN AUSTRALIA.

OFFICE HOURS: MONDAY TO FRIDAY: 8.30 a.m. to 5.00 p.m.

TELEPHONE (08) 9885 1005 FACSIMILE (08) 9885 1020 EMAIL shire@williams.wa.gov.au

All communications to be addressed to the Chief Executive Officer, P.O. Box 96, Williams, W.A. 6391.

Your Ref:

Our Ref:

NOTICE OF MEETING

You are respectfully advised that the special meeting of Council will be held in the Council Chambers at **10.30am** on Wednesday 15th of June 2016.

Yours faithfully

Geoff McKeown
Chief Executive Officer



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Williams for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Williams 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 or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting 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 intimation of approval made by a member or officer of the Shire of Williams during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Williams. The Shire of Williams warns that anyone who has any application lodged with the Shire of Williams 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 Williams in respect of the application.



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 11.00am.

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

Cr John Cowcher President

Cr Greg Cavanagh Deputy President

Cr David Earnshaw

Cr Richard Johnstone

Cr Gilbert Medlen

Cr Natalie Major

Cr Peter Paterson

Cr Moya Carne

Cr Jarrad Logie

Geoff McKeown Chief Executive Officer

Cara Ryan Manager of Finance

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	John Cowcher/President
Item No. / Subject	7.4 / Road Construction and Maintenance Programme 2016/2017
Type of Interest	Proximity Interest



DECLARATION OF INTEREST	
Name / Position	Peter Paterson/Councillor
Item No. / Subject	7.4 / Road Construction and Maintenance Programme 2016/2017
Type of Interest	Proximity Interest

DECLARATION OF INTEREST	
Name / Position	John Cowcher/President
Item No. / Subject	7.7 / Salaries & Wages
Type of Interest	Impartiality Interest

DECLARATION OF INTEREST	
Name / Position	Jarrad Logie/Councillor
Item No. / Subject	7.7 / Salaries & Wages
Type of Interest	Impartiality Interest

DECLARATION OF INTEREST	
Name / Position	Peter Paterson/Councillor
Item No. / Subject	7.7 / Salaries & Wages
Type of Interest	Impartiality Interest



DECLARATION OF INTEREST	
Name / Position	Geoff McKeown/Chief Executive Officer
Item No. / Subject	7.7 / Salaries & Wages
Type of Interest	Financial Interest

DECLARATION OF INTEREST	
Name / Position	Cara Ryan/Manager of Finance
Item No. / Subject	7.7 / Salaries & Wages
Type of Interest	Financial Interest

6.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

7.0 REPORTS



7.1 ECONOMIC SUMMARY

File Reference:	4.23.10
Statutory Reference:	N/A
Author & Date:	Geoff McKeown 10 th June 2016
Attachments:	Appendix 1 – WALGA Economic Briefing

The WALGA Local Government Economic Briefing is attached at **APPENDIX 1**.

A summary of the Local Government Cost Index (LGCI) is shown below;

Table 2 LGCI forecasts

Index	2015-16	2016-17	2017-18
Wages (WA Wage Price Index)	1.75	1.75	2.25
Road and Bridge Construction	-1.4	-0.2	1.6
Non-residential Building	-0.3	2.4	2.4
Other costs (Perth CPI)	1.25	1.75	2.25
Machinery and Equipment	1.5	0.9	0.9
Electricity and street lighting	5.7	2.2	2.2
Local Government Cost Index	0.8	1.3	1.9



7.2 ADOPTION OF FEES AND CHARGES

File Reference:	4.23.10
Statutory Reference:	<i>Local Government Act 1995 – s6.16</i>
Author & Date:	Geoff McKeown 10 th June 2016
Attachments:	Appendix 2 – Schedule of Fees and Charges

Background:

LOCAL GOVERNMENT ACT 1995 – s6.16

6.16 . Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (b) supplying a service or carrying out work at the request of a person;
- (c) subject to [section 5.94](#), providing information from local government records;
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a license, permit, authorisation or certificate;
- (e) supplying goods;
- (f) such other service as may be prescribed.

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed* during a financial year; and
- (b) amended* from time to time during a financial year.

** Absolute majority required.*

Local Government Act 1995 section also applicable

6.17;
6.18;
6.19.



Comment:

A full list of Council fees and charges are attached at **APPENDIX 2** for Council consideration.

Financial Implications:

Fees and charges represent a significant amount of Council revenue.

Voting Requirements:

Absolute Majority Required

Officers Recommendation:

That Council adopt the amended fees and charges list to be included in the 2016/2017 Annual Budget and to apply from the 1st July 2016.

Council Resolution:

Logie/Medlen

That Council adopt the amended fees and charges list as presented, to be included in the 2016/17 Annual Budget and to apply from the 30th June 2016, with the exception of the Williams Community Resource Centre's weekly rental charge. Further, all residential housing rental increases are to apply after tenants have been given 60 days' notice, as required by the *Residential Tenancies Act 1987 (WA)*.

**Carried by Absolute Majority 9/0
Resolution 255/16**

The resolution differed to the recommendation as Council wished for the fees and charges to apply from the 30th June 2016, and for the resolution to encompass the Residential Tenancies Act 1987 (WA) period notice of 60 days for rental increases on residential housing.

Council also wished for the Williams Community Resource Centre's weekly rent to be excluded from the fees and charges list to apply from the 30th June 2016, it wished to reconsider the fee as part of a review of the Williams Community Resource Centre's Memorandum of Understanding.



7.3 SALARIES AND ALLOWANCES TRIBUNAL DETERMINATION FOR ELECTED MEMBERS

File Reference 4.1.60
Statutory Reference *Local Government Act 1995*
Author & Date Geoff McKeown 10th June 2016

Background

The Salaries and Allowances Tribunal (SAT) has completed a review of fees, allowances and expenses for local government elected members in Western Australia. In so doing it has determined there will be a 1.5% increase to the band ranges.

Council can now adopt a position to establish the scale of payment for fees and allowances, and provision for reimbursement of expenses that will apply from the 1st July 2016.

Comment

The *Local Government Act 1995* confers entitlement for elected members to claim fees, expenses and allowances.

In recognition that local governments differ in size and levels of responsibility, all councils have been placed in a Band Range of 1 through to 4. The Shire of Williams is included in Band 4. These bands are also in place for the determination made by SAT each year on the salary package range for Chief Executive Officers.

Council needs to make a decision on the amount elected members will be paid for council meeting attendance and committee meeting attendance. Table 1 below shows the minimum and maximum range for council meeting attendance as determined by SAT to be used from the 1st July 2016.

Table 1: Council meeting fees from 1st July 2016 per meeting – local governments

Band	For the council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$609	\$785	\$609	\$1,177
2	\$369	\$576	\$369	\$772
3	\$191	\$406	\$191	\$628
4	\$90	\$236	\$90	\$485

Table 2 shows the fee range for committee meeting attendance. This includes, but is not limited to, the Audit Committee, and meetings where elected members are representing the Shire of Williams such as WALGA Central Country Zone, Regional Road Group, 4WDL VROC, HWEDA, etc. and meetings with a Minister of the Crown.



Table 2: Committee meeting and prescribed meeting fees from 1st July 2016 per meeting – local governments

For a council member (including the mayor or president)		
Band	Minimum	Maximum
1	\$305	\$392
2	\$184	\$288
3	\$96	\$203
4	\$45	\$118

Council also has the option of paying elected members an annual fee in lieu of a council or committee meeting fees. Table 3 below shows the minimum and maximum annual fees that can be applied.

Table 3: Annual attendance fees in lieu of council meeting and committee meeting attendance fee from 1st July 2016 - local governments

Band	For the council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$24,360	\$31,364	\$24,360	\$47,406
2	\$14,718	\$23,000	\$14,718	\$30,841
3	\$7,612	\$16,205	\$7,612	\$25,091
4	\$3,553	\$9,410	\$3,553	\$19,341

The final consideration for Council is the allowance to be paid to the President. Although the Shire of Williams has not previously paid an allowance to the Deputy President, this is also included in the SAT determination.

The allowance recognises the additional tasks undertaken by the President and Deputy President, including the following:

- (a) the leadership role of the President;
- (b) the statutory functions for which the President is accountable;
- (c) the ceremonial and civic duties required of the President, including local government business related entertainment;
- (d) the responsibilities of the Deputy President when deputising;

The maximum annual allowance for the President shall not exceed the maximum shown in the table below, or 0.2 per cent of the local government’s operating revenue, whichever is the lesser.

Further, the allowance for the Deputy President, if endorsed by Council to be paid, will be 25% of the amount paid to the President.



Table 8: Annual allowance for a mayor or president of a local government – from 1st July 2016

For a mayor or president		
Band	Minimum	Maximum
1	\$50,750	\$88,864
2	\$15,225	\$62,727
3	\$1,015	\$36,591
4	\$508	\$19,864

At the Council Meeting held on the 17th June 2015 the following resolutions were passed:

“That Council fees be increased to the following:

Council Meeting Councillor \$130.00

President \$255.00

Committee Meeting Councillor \$ 68.00

President \$106.00”

“That the Presidential allowance is increased by 3% to \$4,120 per annum in 2014/2015.” [Sic 2015/16]

Now that the determination has been handed down by SAT the Council can review the level of fees to be paid from the 1st July 2016. While the decision of SAT increases the amounts from the previous year by 1.5%, this Council remains within minimum and maximum limits. A decision on this matter will require a resolution by absolute majority.

Financial implications

For inclusion in the 2016/17 budget deliberation.

Voting Requirements

Absolute Majority

Officer’s Recommendation

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1st July 2016:

1. A meeting fee of \$133.00 for elected members and \$261.00 for the President, for attendance at a council meeting;
2. A meeting fee of \$70.00 for elected members and \$109.00 for the President, for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996*; and
3. A President’s Allowance of \$4,220.00.

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.



Council Resolution:

Earnshaw/Major

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1st July 2016:

1. A meeting fee of \$133.00 for elected members and \$261.00 for the President, for attendance at a council meeting;
2. A meeting fee of \$70.00 for elected members and \$109.00 for the President, for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996*.
3. A President's Allowance of \$4,220.00.

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.

**Carried by Absolute Majority 9/0
Resolution 256/16**



MINUTES – SPECIAL MEETING OF COUNCIL HELD 15 JUNE 2016

Cr Cowcher declared a proximity interest for the following item 7.4 2016-2017 Road Construction and Maintenance Programme due to being the owner of land that is adjacent to Kennedy Road and left the chambers at 12.00pm.

Deputy President Cr Cavanagh assumed the chair.

Cr Paterson declared a proximity interest for the following item 7.4 2016-2017 Road Construction and Maintenance Programme due to being the owner of land that is adjacent to Williams Darkan Road and left the chambers at 12.02pm.

7.4 2016 – 2017 ROAD CONSTRUCTION AND MAINTENANCE PROGRAMME

File Reference	4.23.10
Statutory Reference	N/A
Author & Date	Geoff McKeown 10 th June 2016

Background

Council is asked to endorse a draft road construction and maintenance programme for 2016/17. The programme will then appear in the draft 2016/17 Budget for adoption.

Comment

Some projects are “locked in” due to external funding arrangements, i.e. Regional Road Group, Roads to Recovery etc. Other projects are open for Council consideration and inclusion in the overall works programme.

Income

Firstly, there is external funding available for the coming year. The following is a summary of grant funds anticipated for construction and maintenance:

Regional Road Group Projects (State Funds)	250,653
Direct Grant (State Funds)	69,634
Roads to Recovery (Federal Funds)	324,967
FAGs Local Road Component (Federal Funds)	<u>295,000</u>
Total	940,254

The Local Road Component of the Federal Government’s Financial Assistance Grant (FAG) shown above is a notional grant at this stage. It is not expected that it will change significantly.

Expenditure

The following are estimates of expenditure required to meet the Shire’s maintenance needs and for construction projects identified at the road inspection by Council:



MINUTES – SPECIAL MEETING OF COUNCIL HELD 15 JUNE 2016

Programme	Road	Description	Cost	Total
<u>Maintenance</u>				
	Bridge Inspection and maintenance		12,000	
	Rural Road Maintenance		310,000	
	Town Road Maintenance		18,000	
	Drainage		5,000	345,000

<u>Construction</u>				
Road Project Grant	Williams Darkan Road	Reseal 3.0kms	105,708	
	Pingelly Road	Seal 7m wide (SLK 0.50 to 3.50)	270,272	375,980
Roads to Recovery	Quindanning Darkan Road	Tree Trimming (SLK 0.00 to 15.00) carryover from 15/16	55,352	
	Dardadine Road	Seal (SLK 0.00 to 2.00)	90,000	
	York Williams Road	Reseal 3kms	60,000	
	Clayton Road	Widen Shoulders (SLK 0.00 to 2.00)	50,000	
	Marradong Road	Clear vegetation, drainage and failures	124,967	380,319
Council Funding	Fourteen Mile Brook Road	Reconstruct culvert floodway	35,000	
	Wilkie Road	Reconstruct culvert floodway	25,000	
	Kennedy Road	Gravel Sheet (SLK 0.00 to 2.74)	45,000	
	Curteis Road	Clear sections and gravel sheet 1km	28,000	133,000
			Total	1,234,299

Summary

To summarise these budget estimates the following table shows the budget figures for the last three years along with the 2016/17 draft budget estimates. They highlight the movement in Council funds required to meet next financial year's commitment.



MINUTES – SPECIAL MEETING OF COUNCIL HELD 15 JUNE 2016

	2013/2014 Budget	2014/2015 Budget	2015/2016 Budget	2016/2017 Budget
INCOME				
State Grants	285,376	339,591	551,070	320,287
Federal Grants	443,292	494,262	732,941	619,967
Council Funds	321,406	260,726	210,210	294,045
Total	1,050,074	1,094,579	1,494,221	1,234,299
EXPENDITURE				
Maintenance	546,187	445,758	272,699	345,000
Construction	503,887	648,821	1,221,522	889,299
Total	1,050,074	1,094,579	1,494,221	1,234,299

If the amount shown in the table above as Council Funds is not available, due to other budget priorities, it may be necessary to reduce the overall construction and maintenance allocations. It should be noted that Council's contribution is higher than the previous year.

The reserve projects that have been identified but not included in the table above are:

- | | |
|----------------------------|---|
| 1. Brooking Street | Pavement stabilising |
| 2. Quindanning Darkan Road | Gravel sheeting |
| 3. Glenfield Road | Tree trimming/clearing |
| 4. Zilko Road | Extend seal over crossing and bends, improve drainage |

Financial implications

For consideration in the 2016/17 budget deliberation.

Voting Requirements

Simple Majority

Officer's Recommendation

The Road Construction and Maintenance Programme for the 2016/2017 financial year, as proposed, be adopted and the detail included in the Annual Budget documents.

Council Resolution:

Carne/Medlen

The Road Construction and Maintenance Programme for the 2016/2017 financial year, as proposed, are included in the Annual Budget documents.

**Carried by Absolute Majority 7/0
Resolution 257/16**



MINUTES – SPECIAL MEETING OF COUNCIL HELD 15 JUNE 2016

Council requested that a traffic count be conducted on Dardadine Road and for that information to be provided for consideration at the Meeting where the adoption of the 2016/17 Budget is considered.

Cr Cowcher and Cr Paterson returned to the meeting and Cr Cowcher resumed the chair at 12.17pm

LUNCH

Council adjourned for lunch at 12.16pm and resumed the meeting at 12.44pm.

7.5 CAPITAL PURCHASES

File Reference: 4.23.10
Statutory Reference: N/A
Author & Date: Geoff McKeown 10th June 2016
Attachments: Appendix 3 – Proposed Capital Budget

Background:

Capital purchases are items that are considered once off or are not included in Council's annual operating budget.

Comment:

Items included in the Draft Capital Budget are attached at **APPENDIX 3**.

Financial Implications:

As above

Voting Requirements:

Simple Majority

Officers Recommendation

For Councils consideration.

Council Resolution

Major/Johnstone

That Council include the Draft Capital Budget as presented at **APPENDIX 3**, for consideration in the 2016/2017 Budget deliberations.

Carried 9/0
Resolution 258/16



7.6 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

File Reference: 4.20.10
Statutory Reference: Local Government Act 1995
Author & Date: Geoff McKeown 13th June 2016

Background:

Council shall ensure that a review of the CEO's performance is conducted annually or more frequently if the Council or the CEO believes there is a need to do so.

The Council shall give the CEO a minimum of ten working days' notice in that a performance review is to be conducted to enable the CEO sufficient time to prepare.

The President has advised the CEO that a performance review will be held at this meeting. Elected Members were forwarded a review document and asked to provide their comments for the review.

Detail of the review will be summarised and Council is requested endorse the report.

Comment:

Council has previously resolved to conduct the CEO performance review in-house and this year's review will be held prior to the Special Meeting in June 2016.

Financial Implications:

Salaries and Wages are included in the annual operating budget.

Voting Requirements:

Simple Majority

Officer's Recommendation

That Council accept the Chief Executive Officer's Performance Review Report.

Council Resolution

Major/Logie

That Council accept the Chief Executive Officer Performance Review Report.

Carried 9/0
Resolution 259/15



Cr Cowcher, Cr Logie and Cr Paterson declared an impartiality interest for the following item 7.7 Salaries and Wages and remained in the chambers. The nature of their interest is in relation to a member of their immediate family being employed by the Shire of Williams.

Geoff McKeown and Cara Ryan declared a financial interest in the following item 7.7 Salaries and Wages and left the chamber at 2.05 pm when discussions and deliberations concerning the Chief Executive Officer, Manager of Finance, and Works Supervisor salaries commenced. The nature of their interest is in relation to their employment arrangements.

7.7 SALARIES AND WAGES

File Reference: 4.23.10
Statutory Reference: N/A
Author & Date: Geoff McKeown 10th June 2016
Attachments: Appendix 4 – Draft Salaries and Wages Budget

Background:

Council employees are employed under the Municipal Employees (Western Australia) Interim Award 2011, Local Government Officers' (Western Australia) Interim Award 2011 and Children's Services Award 2010.

Employees on employment awards have their minimum wage reviewed by the Fair Work Commission and the Western Australian Industrial Relations Commission on an annual basis. The minimum hourly rate is then adjusted when a wage increase is applied. A wage increase will flow through following recent Commission decisions. Minimum award rates will increase 2.4% on Federal Awards and 1.9% on State Awards from the first full pay period in the new financial year.

Some employees that are not paid using award rates and have their salaries negotiated. These employees are the Refuse Site Attendant/Building Maintenance Officer, Community Resource Centre Staff, Economic Development Officer and Greenkeeper.

Designated Senior Employees are employed on Contract and under the terms of the contract Council has reviewed their salary packages annually.

Comment:

Currently employees paid using award rates as a base figure are paid an over award payment to keep their pay rates competitive and ultimately retain employees.

The Staff Salary and Wages budget is included at **APPENDIX 4**. This schedule is only a guide for budget purposes and the final wages and salaries will be subject to changes resulting from staff performance reviews.

Major changes such as additional staff, additional over award payments and changes to general benefits will be discussed at the Annual Budget meeting.



Financial Implications:

Salaries and Wages are included in the annual operating budget.

Voting Requirements:

Simple Majority

Officer's Recommendation

That Council:

1. Approves the Salaries and Wages budget, as presented, to be included in the draft 2016/17 Annual Budget;
2. Notes the Chief Executive Officers' salary has been reviewed; and
3. Accepts the Chief Executive Officer's recommendation regarding the salary reviews for the Manager of Finance and Works Supervisor.

Council Resolution

Cavanagh/Earnshaw

That Council:

1. Approves the Salaries and Wages budget, as presented, to be included in the draft 2016/17 Annual Budget;

**Carried 9/0
Resolution 260/16**

Geoff McKeown and Cara Ryan left the chambers at 2.05pm at the commencement of deliberations of the Chief Executive Officer, Manager of Finance and Works Supervisor's salary reviews.

Council Resolution

Major/Johnstone

That Council:

1. Notes the Chief Executive Officers' salary has been reviewed; and
2. Accepts the Chief Executive Officer's recommendation regarding the salary reviews for the Manager of Finance.

**Carried 9/0
Resolution 261/16**

Geoff McKeown and Cara Ryan returned to the chambers at 2.08pm.



**8.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF MEETING.**

10.1 ELECTED MEMBERS.

10.2 OFFICERS.

9.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the meeting closed at 2.09pm.