

# ***SHIRE OF WILLIAMS***

***MINUTES SPECIAL MEETING HELD ON WEDNESDAY  
17TH JUNE 2015***

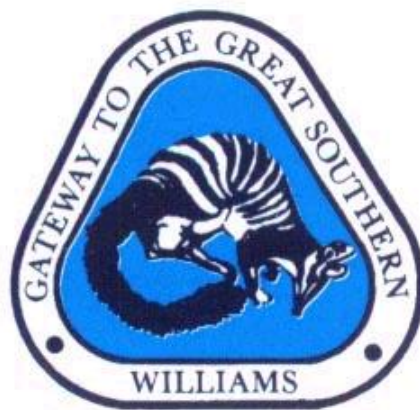


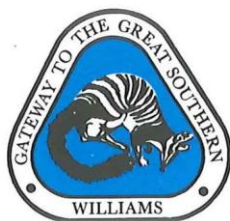


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**SEPARATE DOCUMENTS**

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](mailto: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 17<sup>th</sup> of June 2015.

Yours faithfully

**Ryan Duff**  
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 11.02am.

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

Cr John Cowcher      President

Cr David Earnshaw      Deputy President

Cr Greg Cavanagh

Cr Richard Johnstone

Cr Gilbert Medlen

Cr Natalie Major

Cr Peter Paterson

Cr Moya Carne

Ryan Duff      Chief Executive Officer

Cara Ryan      Manager of Finance

### Apologies

Cr Jarrad Logie

## 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 / Presidential Allowance
Type of Interest	Financial Interest



<b>DECLARATION OF INTEREST</b>	
Name / Position	Ryan Duff/Chief Executive Officer
Item No. / Subject	7.7 /Chief Executive Officer Performance Review
Type of Interest	Financial Interest

<b>DECLARATION OF INTEREST</b>	
Name / Position	John Cowcher/President
Item No. / Subject	7.8 / Salaries & Wages
Type of Interest	Financial Interest

<b>DECLARATION OF INTEREST</b>	
Name / Position	Ryan Duff/Chief Executive Officer
Item No. / Subject	7.8 / Salaries & Wages
Type of Interest	Financial Interest

<b>DECLARATION OF INTEREST</b>	
Name / Position	Cara Ryan/Manager of Finance
Item No. / Subject	7.8 / Salaries & Wages
Type of Interest	Financial Interest



- 6.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION
- 7.0 REPORTS



## 7.1 ECONOMIC SUMMARY

<b>File Reference:</b>	<b>4.23.10</b>
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	Ryan Duff 15th June 2015
<b>Attachments:</b>	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:

### WALGA LGCI Forecasts

The slowdown in WA's economy means the State has become a low inflation environment and there is little pressure on wages and other costs. However, as the economy improves, inflation is expected to gradually increase.

The LGCI is expected to show a similar pattern as other inflationary indicators. Based on forecasts of its component indexes, the LGCI is expected to increase by 2.2% in 2015-16 and 2.7% in 2016-17:

**Table 9 LGCI forecasts for 2015-16 and 2016-17**

	2014-15 Estimated Actual (%)	2015-16 Forecast (%)	2016-17 Forecast (%)
Wages and Salaries <sup>1</sup>	2.2	2.8	3.0
Road and Bridge Construction <sup>2</sup>	0.2	0.3	1.9
Non-residential Building <sup>2</sup>	0.0	3.0	3.2
Consumer Prices <sup>1</sup>	2.0	2.2	2.5
Machinery and Equipment <sup>3</sup>	0.2	1.6	0.9
Electricity and Street Lighting <sup>4</sup>	-0.8	5.7	10.6
<b>Local Government Costs</b>	<b>1.0</b>	<b>2.2</b>	<b>2.7</b>





## 7.2 CORPORATE BUSINESS PLAN

<b>File Reference:</b>	<b>4.23.10</b>
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	Ryan Duff                      15th June 2015
<b>Attachments:</b>	Appendix 2 – Corporate Business Plan Appendix 3 – Forward Capital Works Plan

### ***Key Essentials of a Corporate Business Plan***

Under the new guidelines, it is essential that the Strategic Community Plan is:

1. Is for a minimum of 4 years.
2. Identifies and prioritises the principal strategies and activities the council will undertake in response to the aspirations and objectives stated in the Strategic Community Plan.
3. States the services, operations and projects that a local government will deliver over the period of the plan, the method for delivering these and the associated cost.
4. References resourcing considerations such as asset management plans, finances and workforce plans.
5. Is adopted by council by absolute majority.

Regulations also require that:

1. Notice has been given to the public when the Corporate Business Plan is adopted (or modified).
2. The Corporate Business Plan is reviewed annually. This is because it is the main 'driver' for the local government's annual budget

### ***Corporate Business Plan Review***

Council will review the Corporate Business Plan each year when preparing the annual Budget with the Chief Executive Officer ensuring that progress reports are provided to Council with respect to activities detailed in the Corporate Business Plan, at six monthly interval

The current Corporate Business Plan is attached at **APPENDIX 2**.  
The current Forward Capital Works Plan is attached at **APPENDIX 3**

### **Voting Requirements:**

Absolute Majority Required

### **Officers Recommendation**

That Council review the Shire of Williams Corporate Business Plan 2013-2017 and record any significant amendments



**Council Resolution**

***Cavanagh/Major***

That Council have reviewed the Shire of Williams Corporate Business Plan 2013-2017 and resolved that no major changes be made, with the exception of some project schedule adjustments.

**Carried 8/0  
Resolution 244/15**



### 7.3 ADOPTION OF FEES AND CHARGES

<b>File Reference:</b>	<b>4.23.10</b>
<b>Statutory Reference:</b>	Local Government Act 1995 – s6.16
<b>Author &amp; Date:</b>	Ryan Duff 15th June 2015
<b>Attachments:</b>	Appendix 4 – 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 4** for Council consideration.

**Financial Implications:**

Fees and charges represent a significant amount of Council revenue.

**Voting Requirements:**

Absolute Majority Required

**Officers Recommendation:**

That Council include the amended fees and charges list in the 2015/2016 annual budget

**Council Resolution**

***Earnshaw/Medlen***

That Council include the amended fees and charges list as per the proposed changes listed on the attached at **APPENDIX 4** for the 2015/2016 annual budget.

**Carried 8/0  
Resolution 245/15**



## 7.4 COUNCILLOR MEETING FEES

**File Reference:** 4.23.10  
**Statutory Reference:** Local Government Act 1995 – s5.98  
**Author & Date:** Ryan Duff 15th June 2015

### Background:

In 2014/15 meeting fees were increased by 3% and the President's allowance was increased by \$3,700 to \$4,000.

Section 5.98 of the Local Government Act 1995 provides that the following meeting fees can be paid:

	Councillor		President	
	Min	Max	Min	Max
Ordinary Meeting	88	225	88	463
Committee Meeting	44	113	44	113
Annual (in lieu of meeting fee)	1,750	10,000	1,750	15,000

Presidents Allowance - Minimum \$500 Maximum \$19,000

Councillors can claim any expenses (including loss of earnings) in connection with carrying out Council duties; however Council cannot provide an allowance for such events as road inspections, plant and works issues etc.

### Comment:

Current fees are:

		Current
Council Meeting	Councillor	\$127.00
	President	\$246.00
Committee Meeting	Councillor	\$66.00
	President	\$103.00
Presidential Allowance		\$4,000 pa

### Financial Implications:

Total Budget allowance for meeting fees in 2014/15 - \$15,000, Presidents Allowance \$4,000 and Members Travel - \$3,500

### Voting Requirements:

Absolute Majority



**Officers Recommendation:**

That Council fees be increased by XX % as follows:

Council Meeting	Councillor	\$
	President	\$
Committee Meeting	Councillor	\$
	President	\$

That the Presidential allowance is increased to \$ per annum in 2015/2016.

**Council Resolution**

**Major/Paterson**

That Council fees be increased to the following:

Council Meeting	Councillor	\$130.00
	President	\$255.00
Committee Meeting	Councillor	\$ 68.00
	President	\$106.00

**Carried 8/0  
Resolution 246/15**

*Cr Cowcher declared an interest in this item and left the meeting at 11.39pm.*

*Deputy President Cr Earnshaw assumed the chair.*

**Council Resolution**

**Major/Paterson**

That the Presidential allowance is increased by 3% to \$4,120 per annum in 2014/2015.

**Carried 7/0  
Resolution 247/15**

*Cr Cowcher returned to the meeting and resumed the chair at 11.42pm.*



## 7.5 2015 – 2016 WORKS PROGRAM

<b>File Reference:</b>	4.23.10
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	Ryan Duff 15th June 2015
<b>Attachments:</b>	Appendix 5 – Proposed Road Construction Program

### **Background:**

Funding for construction projects is received from state and federal governments with matching provisions applying to Road Project Grants.

Following is a summary of the construction proposals for 2015/16:

### **1. Local Road Funding**

This untied grant is received as part of Councils Commonwealth Financial Assistance Grant (FAGS) and is calculated on the Asset Preservation needs based on the Williams Shire road inventory.

In 2014/15 Council received an amount \$297,323 with the expectation that this amount will not increase in 2015/16 due to a Federal Government freeze on increases to the FAGS.

### **2. Direct Grant**

Council's direct grant for 2014/2015 was \$59,500; with the grant for 2015/2016 being \$64,700.

No program is required for acquittal of the grant, although Council have generally allocated specific jobs to this funding within our own road budget.

### **3. Regional Road Group – Road Project Grants**

On an annual basis, the share of State Road Funds to be allocated on Local Government roads is 27% of estimated vehicle license fees for that year. The Regional Road Groups make recommendations to the State Road Funds to Local Government Advisory Committee in relation to the Annual Local Government Roads Program for the Region.

Projects are funded 2/3 by the Regional Road Group and 1/3 from Council. Council's contribution is made up of plant and wages costs.

In 2014/15 we were allocated for \$233,965 to widen 7km on the York Williams Rd plus \$46,126 which was carried over from the previous financial year.

In 2015/16 we have applied for \$226,118 which is split as below;

\$101,477 to widen York Williams Rd

\$67,266 to correct pavement failures on the Marradong Rd

\$57,375 to commence the sealing of the Pingelly Rd (York-Williams continuation)



#### **4. Roads to Recovery**

Roads to Recovery funding must be spent on Council owned roads with the current program running from 2015-2019

The Shire of Williams allocation is \$715,296 or \$143,052 per year.

In 2015/16 there is an extra allocation totalling \$286,104 with the amount available only in this financial year.

Budget estimates are currently being sought for the stabilisation and reconstruction of the pavement in Brooking St

#### **5. Commodity Route Funding**

The Shire of Williams submitted a successful Commodity Route Funding application for Glenfield Rd. Funding of \$250,000 will be received with a project budget being \$357,000.

This scope of works includes sealing of 5km from 0.5 to 5.5 SLK.

#### **6. State Blackspot Program**

One of two Blackspot Applications submitted for 2015-16 was successful. Funding of \$30,252 has been received for the re-alignment of the Cornwall Tce/Brooking St intersection.

#### **Comment:**

The proposed annual road construction program for the 2015-2016 financial year has not been fully developed and Council input is sought of the road priorities to be included. Further discussion will be held at the Budget meeting. The previous program has been based on the 10 Year Road Construction Program reviewed by Council in June 2014.

A proposed Road Program is attached at **APPENDIX 5**.

#### **Financial Implications:**

As above

#### **Voting Requirements:**

Simple Majority

#### **Officers Recommendation**

That the road program listed attached be included in the 2015-2016 Annual Budget for consideration.





**Council Resolution**

***Johnstone/Paterson***

That the road program as listed attached at **APPENDIX 5** be included in the 2015-2016 Annual Budget, with the following amendments:

1. Reallocate the Roads to Recovery funding for the reconstruction of Brooking Street to rural roads.
2. The Commodity Route Funding listed as Zilko Rd, should be Glenfield Rd.

**Carried 8/0**  
**Resolution 248/15**



## 7.6 CAPITAL PURCHASES

**File Reference:** 4.23.10  
**Statutory Reference:** N/A  
**Author & Date:** Ryan Duff 15th June 2015  
**Attachments:** Appendix 6 – 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 6**.

**Financial Implications:**

As above

**Voting Requirements:**

Simple Majority

**Officers Recommendation**

For Councils consideration

**Council Resolution**

***Major/Earnshaw***

That Council include the attached Draft Capital Budget as attached at **APPENDIX 6**, with the amendment of the replacement of Sedan WL16 to be at \$30,000 and add the purchase of an additional ute for \$15,000.

**Carried 8/0  
Resolution 249/15**



## LUNCH

Council adjourned for lunch at 12.33pm and resumed the meeting at 1.07pm.

*The Chief Executive Officer has declared an interest in this item.*

## 7.7 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

**File Reference:** 4.20.10  
**Statutory Reference:** N/A  
**Author & Date:** Ryan Duff 15th June 2015

### Background:

#### PERFORMANCE REVIEWS

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

The Council shall give the CEO a minimum of ten working days' notice in writing that a performance review is to be conducted to enable the CEO sufficient time to prepare. Where an external facilitator is to be used, both parties shall agree to the nominated facilitator.

The CEO shall prepare and submit to the council and/or facilitator an assessment of his/her own performance prior to the assessment by the council.

The final report on the performance of the CEO is to be forwarded to the Council for it to consider and decide whether to accept or reject the report.

### Comment:

Council resolved to conduct the CEO performance review in house this year with the review held prior to the Special Budget Meeting. Council should formally make comment on the outcome of the review.

### Financial Implications:

Salaries and Wages are included in the annual operating budget.

### Voting Requirements:

Simple Majority

### Officers Recommendation

That Council accept the Chief Executive Officer Performance Review Report



**Council Resolution**

***Johnstone/Carne***

That Council accept the Chief Executive Officer Performance Review Report.

**Carried 8/0  
Resolution 250/15**

**7.8 SALARIES AND WAGES**

<b>File Reference:</b>	4.23.10
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	Ryan Duff 15th June 2015
<b>Attachments:</b>	Appendix 7 – Draft Salaries and Wages Budget

**Background:**

Council staff are employed under the Municipal Employees Award, Local Government Officers Award or under contract.

1. Staff on employment awards have their wages reviewed by Fair Work Australia on an annual basis and their hourly rate is adjusted if and when a wage increase is handed down. A wage increase will flow on through the awards to the employees with the increase for 2015/16 being 2.5%.
2. A number of employees are employed under an award but have their Salaries negotiated outside the award rates and are not subject to the FWA decision. These employees are the Refuse Site Attendant, Community Resource Centre Staff, Economic Development Officer and Greenkeeper.
3. Designated senior employees are employed on Contract and under the terms of the contract Council is to review the Salary packages annually.

**Comment:**

1. Currently employees on employment awards are paid 20% above the award rate in order to keep the pay rate competitive and ultimately retain employees. This 20% is due to 5% increases in July 2004, 2006, 2007 and 2011.
2. Staff on awards with negotiated Salaries should have their wages reviewed by the CEO with the above taken into account.
3. Senior Staff salaries are reviewed by Council.

The Staff Salary and Wages budget is included at **APPENDIX 7**. This schedule is only a guide for discussion with the final wages and salaries subject to minor changes a result of staff performance reviews.



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

**Financial Implications:**

Salaries and Wages are included in the annual operating budget.

**Voting Requirements:**

Simple Majority

*Cr Cowcher declared an interest in this item.*

**Council Resolution**

***Major/Earnshaw***

That Cr Cowcher remains in the meeting to discuss Salaries and Wages, but abstain from voting.

**Carried 7/0  
Resolution 251/15**

*Ryan Duff and Cara Ryan have declared an interest in the following item, but remained in the meeting.*

**Officers Recommendation**

1. That the Salaries and Wages budget is considered for inclusion in the 2015/16 Draft Budget
2. That the Chief Executive Officers salary is reviewed by Council
3. That the Works Supervisors salary is reviewed by Council
4. The Manager of Finance salary is reviewed by Council

**Council Resolution**

***Paterson/Earnshaw***

1. That the Salaries and Wages budget as attached at **APPENDIX 7** be included in the 2015/16 Draft Budget.

**Carried 7/0  
Resolution 252/15**



**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 1.36pm.