

SHIRE OF WEST ARTHUR



Ordinary Council Meeting 11 December 2018 Minutes

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ORDINARY COUNCIL MEETING MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr Ray Harrington, Chairperson, declared the meeting open at 6.40 pm.

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

3. PUBLIC QUESTION TIME

Nil.

4. RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

Cr R Harrington OAM	Shire President
Cr K King	Deputy Shire President
Cr M Meredith	
Cr M Lloyd	
Cr J McFall	
Cr A Blencowe	
Nicole Wasmann	Chief Executive Officer

Apologies

Cr N Manuel

Leave of Absence

Nil.

4.1 REQUEST FOR LEAVE - CR KING

Cr King advised he will be unable to attend the ordinary council meeting on 19 February 2019 as he will be on leave and requested leave of absence.

COUNCIL DECISION ITEM 4.1

Moved: Cr Julie McFall

Seconded: Cr Michael Meredith

That Cr King be granted leave of absence for the ordinary council meeting to be held on 19 February 2019

CARRIED 6/0

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held 20 November 2018

COUNCIL DECISION – ITEM 6.1

Moved: Cr Julie McFall

Seconded: Cr Marie Lloyd

The minutes of the Ordinary Meeting of the Shire of West Arthur held in the Council Chambers on 20 November 2018 be confirmed.

CARRIED 6/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

8. REPORTS

8.1. REPORTS OF OFFICERS

ITEM 8.1.1– FINANCIAL REPORT NOVEMBER 2018

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: N/A
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 6 December 2018

SUMMARY:

Consideration of the financial reports for the period ending 30 November 2018.

BACKGROUND:

The financial reports for the periods ending 30 November 2018 are included as attachments.

COMMENT:

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.1

Moved: Cr Alan Blencowe

Seconded: Cr Marie Lloyd

That the financial reports for the period ending 30 November 2018 as presented be accepted.

CARRIED 6/0

ATTACHMENTS:

- Financial Reports – 30 November 2018.

ITEM 8.1.2 – ACCOUNTS FOR PAYMENT

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: N/A
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 5 December 2018

SUMMARY:

Council to note payments of accounts as presented.

BACKGROUND:

The schedule of accounts is included as an attachment for Council information.

COMMENT:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

CONSULTATION:

There has been no consultation.

STATUTORY ENVIRONMENT:

Section 12 of the Local Government (Financial Management) Regulations 1996 states that

- 12 (1) A list of creditors is to be compiled for each month showing –
 - (a) The payee's name;
 - (b) The amount of the payment;
 - (c) Sufficient information to identify to transaction; and
 - (d) The date of the meeting of the council to which the list is to be resented.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There are no financial implications.

STRATEGIC IMPLICATIONS:

No strategic implications.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.2

Moved: Cr Marie Lloyd

Seconded: Cr Julie McFall

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers 141118.1 - 141118.2, 221118.1 - 221118.24, 261118.1 - 261118.11, 051218.1 - 051218.13, 20039, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$213,052.87 and Trust totalling \$0.00 listed (attached) be noted as approved for payment.

CARRIED 6/0

ATTACHMENTS:

- Cheque Listing

ITEM 8.1.3 – HUMAN RESOURCES POLICY REVIEW

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 2.32
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 5 December 2018

SUMMARY:

Council to review the existing Human Resources Policy. The most significant change is to allow casuals to be converted to permanent with their existing term of service being recognised in the calculation of wage rate.

BACKGROUND:

The Human Resources Policy was last reviewed by Council in September 2017.

Recently, the Local Government Industry Award has been changed to stipulate that the minimum engagement period for casuals is two hours. The minimum engagement period for part-time employees is one hour.

COMMENT

It is proposed that existing long term regular casual cleaning staff will be converted to part-time employment to avoid the requirement to roster them for a minimum period of two hours each time they work.

The existing policy provides a financial disadvantage to casuals converting to permanent part-time or full-time as they lose 25% casual loading (award) and 10% over award payment (policy- casuals) in return for 15% over award payment (policy - first year of permanent employment) and entitlement to annual leave, personal leave and public holidays. Permanent employees with more than twelve months continuous service in a permanent role receive 25% over award in accordance with the policy. It is proposed that the reference to permanent role be removed from the policy as shown below to enable long term employees converting from casual to permanent to be able to receive 25% over award immediately without waiting 12 months.

- a) Employees employed under the LGIA shall be paid an additional 15% of the base award rate of the LGIA for employees with less than twelve months continuous service ~~in a permanent role~~ and an additional 25% of the LGIA of the base award rate for over twelve months service. (Excludes senior staff and those included in 4.12 a). Casual staff shall be paid 10% over award.

There is a significant difference between 15% over award for first year permanent employees and 25% over award for second and subsequent years. For example a number of our employees are employed as level 4 and the difference between first and second and subsequent years is \$2.19 per hour or \$83.22 per week for full time employees.

Minimum rate	\$22.04/hour
First year (15%)	\$25.36/hour
Second year (25%)	\$27.55/hour
Casual (25% loading and 10%)	\$30.30/hour

In addition, employees may receive a housing allowance (\$60/week) and a works allowance for skilled plant operators (\$40/week). An end of year bonus is also paid to employees with more than two years service.

Council may wish to give consideration to changing the percentage paid over the award for first year permanent employees and may wish to consider reducing the 10% over award paid to casuals for future staff employed.

Other changes highlighted in the attachment for alteration are minor including:

- 4.7 – removing positions no longer staffed and adding the senior's meal coordinator;
- 4.12 – minor changes;
- 4.17 – including equipment with plant i.e. small items of equipment that may be used and would not be considered plant; and
- 4.20 – minor changes.

CONSULTATION:

The advice regarding changes to casual employment was provided by WALGA employee relations.

STATUTORY ENVIRONMENT:

The Shire employees staff in accordance with the Federal Local Government Industry Award.

A recent change has been made to the Award with regards to minimum engagement period for casual employees.

POLICY IMPLICATIONS:

Any changes will be incorporated into the Human Resources Policy. There are no implications on any other Council policies.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with the proposed changes. If long term casual staff are not converted to part-time there will be an increase in wages associated with cleaning due to the requirement for cleaners to work additional hours.

If Council decides to increase the minimum over award for first year employees, there would be a minor financial impact on existing and future first year employees.

STRATEGIC IMPLICATIONS:

Proposed changes will assist to attract and retain staff.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – (ITEM 8.1.3)

That the proposed changes to the Human Resource Policy be adopted in accordance with the attached document including:

- 4.7 – removing positions no longer staffed and adding the senior's meal coordinator;
- 4.12 – minor changes to wording and removal of reference to permanent role in 4.12 (d) to enable casual staff to be converted to part time at the second and subsequent years of employment over award rate;
- 4.17 – including equipment with plant; and
- 4.20 – minor insignificant changes.

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.3

Moved: Cr Alan Blencowe

Seconded: Cr Marie Lloyd

That the proposed changes to the Human Resource Policy be adopted in accordance with the attached document including:

- 4.7 – removing positions no longer staffed and adding the senior's meal coordinator;
- 4.17 – including equipment with plant; and
- 4.20 – minor insignificant changes.
- 4.12 - replace 4.12 (d) with "Full time and part time employees with less than twelve months continuous service and who are not senior staff and do not received an over award rate in accordance with 4.12 a) shall be paid an additional 15% over award rate, which may be increased to 20% after six months satisfactory service, and an additional 25% over award rate for over twelve months service. Casual staff shall be paid 10% above the LGIA minimum rate."

CARRIED 6/0

The reason Council altered the officer recommendation was to incorporate the option to increase the over award for permanent staff to 20% after six months employment to reward good performance.

ATTACHMENT

- Policy

ITEM 8.1.4 – HONOURS AND AWARDS POLICY REVIEW

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	2.9.1
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	6 December 2018

SUMMARY:

Council to review and consider changes to the Shire's Honours and Awards Policy including:

The term resident be amended as follows:

The term resident is taken to include a person who principally resides or works in the Shire.

- The person may be living away for the purpose of education or sporting pursuits.
- The person may have lived in the Shire for a number of years, recently moved away and still has ties to the district.
- The person may reside on or near the boundary of an adjacent Shire, however the achievements, activities, club or community group representation for which they are being recognised are for the benefit of the West Arthur community.

BACKGROUND:

The Honours and Awards Policy was last reviewed by Council in August 2010.

Recently, the Australia Day Council WA has changed eligibility criteria for the annual Community Citizen Awards.

The definition of "Resident" in the Shire's Honours and Awards Policy, for Australia Day Awards, differs from the new criteria provided by the Australia Day Council.

Whilst the Shire is no longer a financial member of the Australia Day Council WA, our awards policy has been in accordance with their prescribed selection criteria.

COMMENT

It is proposed to amend the "resident" terminology in the Shire's Awards and Honours Policy to standardise the criteria across all of the Shire of West Arthur's awards and to incorporate the changes to the WA Australia Day Council's eligibility criteria for this year's Citizenship Awards.

The existing Scope in the Shire's Honours and Awards policy states:

"This policy shall apply to awards and public recognition for achievements of West Arthur residents or groups, and groups or people that have benefited West Arthur residents."

The existing definition of 'resident' in the Shire's Honours and Awards policy states:

"The term resident is taken to include a person who resides in the Shire although they may be staying away for the purpose of education or sporting pursuits. It may include a person who has lived in the Shire for a number of years and has only recently moved away and still has ties to the district."

For the purpose of the Australia Day Citizenship Awards this definition excludes those residing in an adjacent Shire, despite participating in all aspects of community life within West Arthur and the reasons for their nomination being for pursuits and achievements within the West Arthur Shire.

For the Outstanding Sporting Achievement Awards, the person must either be a resident of the Shire of West Arthur or represent a West Arthur sporting club in the sport for which they are being recognised.

For all other awards, the President has discretion to determine when the circumstances for this policy will apply.

The criteria provided for this year's Australia Day Citizenship Awards from Australia Day Council WA have been updated as follows:

- Nominees should reside or work principally within the local authority making the award.
 - *previously Nominees should reside principally within the local authority.*
- Awards may be granted posthumously in recognition of recent achievements.
 - *previously Awards were not granted posthumously.*

- Groups of people or couples will not normally be eligible except when meeting the criteria for a community group.
- A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative. –
 - *previously a person could not receive the same award twice, but can be considered for another award*
- Unsuccessful nominees may be nominated in future years.
- Nominations must be apolitical in their nature and should not in any way bring the awards program or local government area into disrepute.
- Sitting members of State, Federal and Local Government are not eligible.

These changes broaden the number of people eligible for these awards.

It is proposed to reword the definition of 'resident' and streamline the criteria for all awards, this is outlined in the Draft policy attached.

CONSULTATION:

Nil.

STATUTORY ENVIRONMENT:

Not applicable.

POLICY IMPLICATIONS:

Any changes will be incorporated into the Honours and Awards. There are no implications on any other Council policies.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with the proposed changes.

STRATEGIC IMPLICATIONS:

Changes to the policy will provide direction to the selection of individuals and groups for awards.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – (ITEM 8.1.4)
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That the proposed changes to the Honours and Awards Policy be adopted in accordance with the attached document including:

The term resident be amended as follows:

The term resident is taken to include a person who principally resides or works in the Shire.

- The person may be living away for the purpose of education or sporting pursuits.
- The person may have lived in the Shire for a number of years, recently moved away and still has ties to the district.
- The person may reside on or near the boundary of an adjacent Shire, however the achievements, activities, club or community group representation for which they are being recognised are for the benefit of the West Arthur community.

COUNCIL DECISION – ITEM 8.1.4

Moved: Cr Michael Meredith

Seconded: Cr Marie Lloyd

That the following changes be made to the Honours and Awards Policy:

Scope be changed to

This policy shall apply to awards and public recognition for achievements of individuals and groups that have benefited the West Arthur community.

The definition of resident be removed.

Policy Statement be changed to:

Community members and Councillors may nominate a person, group or event for an award. Awards will be presented either at the annual Australia Day Awards or another civic ceremony at the discretion of the Shire President.

- a) **Community Meritorious Service Awards** will be presented to community members that make an outstanding contribution to the community of West Arthur or the wider region. The President has discretion to determine when the circumstances for this policy will apply.
- b) Recognition of **outstanding achievements in an academic, arts or culture field**. The Shire President has discretion to determine when the circumstances for this policy will apply.
- c) **New businesses proprietors** will may be presented with a certificate for an outstanding contribution to the community of West Arthur or the wider region. The Shire President has discretion to determine when the circumstances for this policy will apply and when the certificate will be presented.
- d) Where a person has obtained an **outstanding sporting achievement** that meets one or more of the following criteria they may be considered for an outstanding sporting achievement award:
 - Selected and/or Competed in a sport at a national or international level
 - Overcome significant adversity to achieve or compete at a high level in their chosen sport; or
 - Obtained a high level of achievement in a regional event.

A committee made up of the Shire President or representative, Shire Officer, and a community sporting representative from each of the Darkan and Districts Sports Club, Arthur River Country Club and Moodiarrup Sports Club shall decide award recipients.

- e) **Australia Day Awards** recognise and honour the outstanding achievements of community members and groups within the Shire of West Arthur.

A committee of three community members with the assistance of a Shire Officer shall select award recipients. One committee member is appointed each year in November for a three year period in accordance with the following:

- councillors are provided with a list of people who have previously been on the committee;
- councillors nominate potential committee members;
- a secret ballot is held where all councillors vote for their preferred committee members – giving 3 votes to the highest preferred candidate, 2 votes to the second highest and 1 vote to the third highest.

Nominations shall be advertised in accordance with information supplied by the Australia Day Council. All nominations are provided to the committee members who meet at a time and location convenient to them to select the recipients.

Shire staff may request additional information from people who have made nominations, if they think that there is not enough information available for the committee to make an informed decision.

The committee may determine to award no recipients in any or all categories.

Shire staff manage the awards process confidentially.

CARRIED 6/0

The reason Council altered the officer recommendation was remove the requirement for a recipient to be a resident of the Shire.

ATTACHMENT

- Nil.

8.2 COMMITTEE REPORTS

Nil.

8.3 REPORTS OF ELECTED MEMBERS

Cr R Harrington

- 30 November 2018 – WALGA Central Zone Meeting

Cr K King

- Nil

Cr M Meredith

- Nil

Cr M Lloyd

- 28 Nov 18 – CRC Meeting

Cr J McFall

- 26 November 2018 – West Arthur Cottage Homes AGM
- 25 November 2018 – WALGA Annual Civic Service

Cr A Blencowe

- Nil

9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

10. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil.

11. CONFIDENTIAL ITEMS

Nil.

12. CLOSURE OF MEETING

Cr Harrington declared the meeting closed at 7.45 pm.

DISCLAIMER

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of West Arthur expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

These Minutes were confirmed at the ordinary council meeting on: 19 February 2019.

Signed: _____
Presiding Member at the meeting at which the Minutes were confirmed