

ANNUAL GENERAL MEETING OF ELECTORS

MINUTES INDEX – 4 February 2016

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unconfirmed minutes

Minutes of the Annual General Meeting of Electors, held in the Council Chambers on Thursday, 4 February 2016 commencing at 5.30pm

*The Shire President opened the Meeting at 5.30pm and welcomed those in attendance*

### **1. Attendance, Apologies and Leave of Absence**

President	- Cr Nicholas
Councillors	- J Boyle - S Hodson - D Mackman - J Moore - P Quinby - P Scallan - A J Wilson
In Attendance	- T Clynch, CEO - M Larkworthy, Executive Manager Corporate Services - E Denniss, Executive Manager Community Services - T Lockley, Executive Assistant
Leave of Absence	- Cr Pratico

### **2. Electors Present**

D&L Skelly, N&J Troddyn, J Boyle, K Edsall, E Wallace, JA Reynolds, W Moyes, M Southwell, Q Saint, F Berry

### **3. Confirmation of Minutes**

Attachment 1

*A Motion is required to confirm the Minutes of the Annual General Meeting of Electors held 5 February 2015.*

**Moved Cr Mackman, Seconded Cr Moore**

**E.01/0216 That the Minutes of the Annual General Meeting of Electors held 5 February 2015 be confirmed as a true and correct record.**

**Carried**

### **4. Annual Report & Annual Financial Report**

*A Motion is required to receive the Annual Report & Annual Financial Statements for the 2014/15 year as presented.*

**Moved Cr Scallan, Seconded Cr Hodson**

**E.02/0216 That Council receive the Annual Report & Annual Financial Statements for the 2014/15 year as presented.**

**Carried**

## **5. General Business Regarding the Financial Statements - Nil**

## **6. General Business**

### **M Southwell**

1. You are chairman today, not President. Is that right?

*President's response – I am still the President, but chair of this meeting, yes.*

2. As President of the Shire, what's your vision for the future of the district and what can the shire do to improve the economic situation so that there is a future here for our children?

*President's response – My vision is that we maintain the status quo, to ensure that this is a place where people want to live, work and retire. So what do we do for the future of our children? That becomes a difficult one. I guess if you are talking about significant education facilities, then I think that the future will see an increase of those opportunities being provided online. For those children who live and qualify out of high school in Bridgetown, given that they want to take on that education role, I would be happy for the Shire to support that kind of development (online learning). Long term, if it's employment that we are looking at, it is a much more significant issue in respect to meaningful developments, I think we have missed some of those chances in the past, and I think you are very much aware personally of one of those, and will probably now raise its head in another town in the south west and provide significant employment for that district. At this point I don't hold any great hopes or have great plans for significant industry development or significant commercial development in Bridgetown.*

3. Can you tell me, what's the current value of the CEO's remuneration package?

*CEO's response – I don't have the exact figure but I can tell you it is within the band set by the Salaries and Remuneration Tribunal of WA. Each local government CEO is allocated to one of 5 bands, and my remuneration fits within that band.*

4. Which band?

*CEO's response – Band 3.*

5. Who in the Shire was responsible for negotiating the contract for the construction of the new swimming pool?

*President's response – I don't think there was any one person that was responsible for that, council made that decision, the councillors sitting in front of you.*

*CEO's response – Council did engage services of WALGA, WALGA run a dedicated procurement division so we engaged WALGA to assist and manage the tender and assessment process, and from there they managed the*

*contract and the negotiations with the preferred tenderer who turned out to be Safeway.*

6. Within the contract that was negotiated, was there any financial penalties in the contract if the work on the pool was not completed by the due date which were told was the opening of the summer swimming season? Were there penalty clauses in the contract?

*CEO's response – The contract is based on an Australian standard model contract, so there is penalty provision. That provision hasn't been enacted because the contractor has been able to demonstrate that some of the delays in the process, such as the design, were not totally within their full responsibility. They have been able to successfully argue that a penalty clause wouldn't apply in this case.*

7. Can you just clarify for me Mr Chairman, I believe that at these AGM's, people can put forward a motion for debate and voting on? And that those motions if they are carried at the meeting are then included in the Council Agenda?

*President's response – Yes, they will be included in the agenda for the next Council meeting which is 25 February.*

**Moved M Southwell, Seconded F Berry**

**E.03/0216 That Council instruct the CEO to refer to the Corruption and Crime Commission for investigation, the allegation of theft of building material (steel beams) from the Council Depot by a senior works employee, as reported by former Council employee Kevin Edsall in November 2014.**

**Carried**

**Moved M Southwell, Seconded K Edsall**

**E.04/0216 That Council instruct the CEO to refer to the Department of Environmental Regulation for investigation, the cutting down in 2014 of a jarrah tree at the rear of the Council Depot by shire employees without a clearing permit.**

**Carried**

**Moved M Southwell, Seconded K Edsall**

**E.05/0216 That council instruct the CEO to prepare a written report for presentation to the March meeting of Council on the construction by Council staff of a recreation deck at the rear of the Council Depot building, explaining why a building permit was not required, and that this report be incorporated in the Council meeting minutes.**

**Carried**

**Moved M Southwell, Seconded F Berry**

**E.06/0216 That council instruct the CEO to refer to the Department of Environmental Regulation for investigation, the cutting down in December 2015 of a jarrah tree on the road reserve alongside the property at 7 Sittella Lane.**

**Carried**

W Moyes

1. With regard to the new swimming pool, prior to the demolition of the centenary pool that stood there for some 40-50 years, can you advise whether the Shire engaged an engineer or engineers to assess one whether the cracks could be prepared in the pool and whether there was any thought given to keeping some infrastructure, the pump house or the change rooms or the fencing? In these days and times a lot of people and a lot of shires believe in reduce, reuse, recycle. In this case it doesn't seem that too much was recycled or reused.

*CEO's response – Over the course of the last few years of the pool, there were a number of assessments done of the pool including staff from the Department of Sport and Recreation conducting an assessment. It wasn't just the physical condition of the pool, issues such as the circulation system were extremely below the minimum standard required by the Health Department. The return rate for water back into the pool was incredibly below the standard and the determination was made that that couldn't be improved with that existing pool. There were various assessments made, and the decision was made to replace the pool. That was a project that had been on the books for quite a few years by Council and there was an understanding that the physical condition of the pool with cracking, both of the pool bowl and tiling, the surrounds of the pool had reached the end of its natural life, and that was the determination that was made.*

2. So there would be engineer's reports to back up what you've said with regard to whether the pumping could have been improved and the cracks been repaired?

*Presidents response – that question is taken on notice (response to be included in February Council agenda).*

3. I have spoken to quite a few people around town and most people that I speak to fail to see that it is an improvement to get a pool that is half the size of the one that was there preceding. So can you please explain why it is an improvement.

*President's response – I am not too sure who you are speaking to, but certainly the people that I speak to, and they tend to be the people that use the pool quite clearly have a very different opinion to that. The facts of the matter are that we would probably not have got the appropriate funding had we stuck to our guns to have a 50m pool, and the thing you need to understand is that the current pool structure has almost, if not equivalent, amount of water, space and area as the old pool did. It is just now in three separate pools which provide better access for different groups of users. If you look around the State now and have a look at the new pool developments that have appeared in other country towns, you will see precisely that type of development.*

4. Thank you, I note you said it allows access for different groups of users; this would be very good indeed but is there an access from car park immediately to the west of the swimming pool to the pool kiosk? Or does one actually have to walk all the way around to the Rec centre?

*President's response - The formal access to the new pool facility will be through the Recreation Centre. My understanding is that there is a gate access on that side, but it will not be a general public access.*

5. May I ask what would happen if there was an emergency like a drowning, is there a part of the fence that you pull down to let an ambulance in?

*President's response - There are gates on that side for exactly that sort of emergency. It is not a public access.*

**Moved W Moyes, Seconded M Southwell**

**E.07/0216 That Council take appropriate measures to ensure that access is given to the public to the new swimming pool from the carpark immediately west of the pool, or failing that, carry out a survey of ratepayers to see if they would like that or not like that.**

**Carried**

6. This comes from having sat amongst you at time and we are not a big community and rate payer base is not very large. Some five years ago I was aware that the cost of running the recreation centre was around \$350,000 p/a, which equated at the time to \$20 per head. Prior to my departure from Council, I did ask what the running costs would be, or losses if you like, for the new library. Although it is well attended sometimes, especially on Thursdays, there are other times it seems when there are only three or four cars outside. So may I ask what the running costs are of the library?

*CEO's response – The cost of operating the library is \$275,000 per year and there is no income for library services. There are no fees and charges, or government subsidy for operating a library, so the loss is approximately \$275,000 per annum.*

JA Reynolds

1. Can you advise all the people here how exactly financially the swimming pool is going, will it go over budget and what's going to happen if it does go over budget?

*CEO's response – At this stage the project is on budget and that includes the extra work that Council identified in December using some of the fundraising money, and like any project there are some variations to the project that the contractor is requesting and we are currently assessing those. I'm not saying that if they were approved they would take the project out of budget. The final construction amount is yet to be determined, at the end of a construction period you always will discuss the potential for some variations where there were some deviations from the original plans. Like any project there are changes made as you go along, but I can confidently say at this stage that the project is within budget.*

W Moyes

1. The way we vote in this town, postal voting in comparison to voting in person, and bear in mind that in Manjimup they believe in a long tradition of voting in person, and they have not done anything but that. So I would like to ask the

questions, what was the voter participation in the last Council election? And what were the costs associated with that?

*CEO's response – The return rate was less than 50%, it was in the high 40%'s. The costs for the WA Electoral Commission to run it was in the order of \$13,500.*

**Moved W Moyes, Seconded M Southwell**

**E.08/0216 That Council return to a more economical form of voting in local government elections, being in person, in the next Council election.**

**Carried**

2. I watched with amusement at the junction of Bunbury Street and Rose Street, where there is a roundabout been installed, on the Blues Weekend where a huge big combination vehicle (truck) demolished a three headed 'black boy' that was at the intersection planted in that roundabout. It was a tragedy to see such a nice expensive plant flattened like that. As that was actually the second planting at that roundabout, I have to ask in the interest of not wasting any more money trying to plant something where trucks go right over the middle of it, can we abstain from planting anything on that roundabout?

*President's response – Obviously if that's the case probably will be considering what we do with the roundabout, whether we do plant it or whether we do something else because my understanding is that issue will continue trying to get trucks around those corners over the Blues weekend. It makes sense what you are saying, yes.*

3. There are two wards now, south and north, but I am not aware that there have been any ward meetings, so could you please tell me have I missed something?

*President's response – No you have not.*

4. Is one able to move by motion that Council consider having ward meetings?

*President's response – Ward meetings, as you should know I would have thought, are a prerogative of the Councillors, not of the Council. If Councillors believe in their ward, and there is a reason for having a ward meeting, then they themselves can call that ward meeting. That's the substance of the issue and I would think that knowing Councillors as I do, if there is a residential persons requirement to do that then they should contact their respective Councillors and suggest that we do have a ward meeting. That being north or south, it doesn't really matter.*

5. Can I perhaps then move a motion that council have two meetings per year like this, like a twice annual yearly meeting, then a six monthly meeting?

*I can't stop you moving anything but an Annual General Meeting is what it says it is, it's an Annual General Meeting and it's held annually. A meeting of residents could be held at any time, and I think there was one of them last year as well.*

**Moved W Moyes - Lapsed for want of a seconder**

That council consider or undertake to have a meeting of electors every six months to give the public an opportunity in the absence of ward meetings.

M Southwell

1. I notice there was some catered food being bought in, is that for the Councillors and staff only or for all the people attending tonight's meeting?

*President's response – It is for the Councillors as we have another meeting after this meeting which will take us on for a number of hours probably.*

**7. Closure**

*The Shire President closed the Meeting at 6.14pm*

**8. List of Attachments**

<b>Attachment</b>	<b>Item No.</b>	<b>Details</b>
1	3	Minutes of the AGM of Electors held 5 February 2015

Minutes checked and authorised by CEO, T Clynych		12.2.16
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<u>CERTIFICATION OF MINUTES</u>
As Presiding Member, I certify that the Minutes of the Annual Meeting of Electors held 4 February 2016 were confirmed as a true and correct record of the proceedings of that meeting at the Annual Meeting of Electors held on ..... 20.....
.....(Date).....