

**SHIRE OF LEONORA**

**MINUTES OF THE ORDINARY  
COUNCIL MEETING**



**LEONORA**  
*Star of the West*

**HELD IN COUNCIL CHAMBERS,  
LEONORA ON TUESDAY,  
15<sup>th</sup> MARCH, 2005**

## SHIRE OF LEONORA

Minutes of the Ordinary Meeting held in Council Chambers, Leonora on Tuesday 15<sup>th</sup> March, 2005 commencing at 9.30am.

### 1.0 DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS / FINANCIAL INTEREST DISCLOSURES

1.1 Cr Dawes declared the meeting open at 9.30am and announced visitors at 10.30am and Information Bay site visit at 11.00am.

1.2 Financial Interests Disclosure –  
Nil

### 2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (previously approved)

#### 2.1 PRESENT

President	GR Dawes
Deputy President	N J Johnson
Councillors	G R Kemp
	S J Heather
	T C Demasson
	L Petersen
	B S D Taylor
	P J Craig
Chief Executive Officer	J G Epis
Deputy Chief Executive Officer	J F Rowe

#### 2.2 APOLOGIES

J F Carter

#### 2.3 LEAVE OF ABSENCE

Nil

#### 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

#### 4.0 PUBLIC QUESTION TIME

Nil

#### 5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

#### 6.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

#### 7.0 CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETINGS

Moved Cr Demasson seconded Cr Kemp that the Minutes of the Ordinary Meeting held on Tuesday 15<sup>th</sup> February, 2005 be confirmed as a true and accurate record.

**CARRIED (8 VOTES TO 0)**

#### 8.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

## **9.0 REPORTS OF OFFICERS**

### **9.1 CHIEF EXECUTIVE OFFICER**

#### **9.1 (A) COMMUNITY GRANTS LEINSTER**

**SUBMISSION TO:** Meeting of Council  
Meeting Date: 15<sup>th</sup> March, 2005

**AGENDA REFERENCE:** 9.1 (A) MAR05

**SUBJECT:** Community Grants Leinster

**LOCATION / ADDRESS:** Not Applicable

**NAME OF APPLICANT:** Not Applicable

**FILE REFERENCE:** Grant – Leinster 11.16

#### **AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT**

**NAME:** James Gregory Epis

**OFFICER:** Chief Executive Officer

**INTEREST DISCLOSURE:** Nil

**DATE:** 1<sup>st</sup> March, 2005.

#### **BACKGROUND**

In the past, the Shire of Leonora has made an annual financial contribution of \$40,000.00 directly to the Leinster Sports Association for distribution to community and sporting groups in Leinster to further develop their own projects. Unfortunately, concerns have been raised that the Shire of Leonora was not receiving any recognition for this substantial contribution. As a consequence, it was agreed that in future, the Shire of Leonora would allocate funding on a needs basis. The following flyer was distributed within the Leinster Community in November, 2004.

#### **COMMUNITY GRANTS LEINSTER**

**GRANT:** Assisting Your Community

**PROVIDER:** Shire of Leonora

**CLOSES:** 27<sup>th</sup> February, 2005

**FUNDING POOL:** \$40,000.00

**FUNDING ALLOCATION:** Maximum \$10,000 - Minimum \$500.00

**PURPOSE:** To provide the additional resources often needed by community groups to develop their own projects and find their own ways of getting people to work together for the common goal of promoting and benefiting the whole community.

#### **ACTIVITIES SUPPORTED**

- Development Projects
  - Talent identification and development.
  - Developing sport and recreation within the community.
  - Creating school - community links.
  - Skill development clinics.
  - Coaches/ officials courses.

## 9.0 REPORTS OF OFFICERS

### 9.1 CHIEF EXECUTIVE OFFICER

#### 9.1 (A) COMMUNITY GRANTS LEINSTER (continued)

- Participation Projects
  - Outdoor and indoor recreation.
  - Community participation events.
  - Annual events at local level.
  - Introduction of new competitions.
- Community Service Groups

#### WHO CAN APPLY:

To be eligible for funding, organisations must be:

- Not for profit.
- Incorporated.
- Community based.

Community organisations which are not incorporated should approach an incorporated community based organisation to auspice the project.

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When applications for funding closed on the 27<sup>th</sup> February, 2005 the following community groups and sporting organisations had expressed an interest in the available funding.

• Leinster Swim Club	\$ 2,500.00
• Leinster Craft Group	\$ 5,640.00
• Leinster Community Day Care Centre	\$ 7,635.00
• Leinster Golf Club	\$10,000.00
• Leinster Drive-In	\$10,000.00
• Leinster P & C Association	<u>\$10,000.00</u>
	<b>\$45,775.00</b>

Unfortunately the total amount sought exceeded the funding pool by \$5,775.00

#### STATUTORY ENVIRONMENT

Section 3.1 of the Local Government Act 1995 states that “the general function of a local government is to provide for the good government of persons in its district”.

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

An amount of \$40,000.00 is contained within the current budget for expenditure as detailed.

#### STRATEGIC IMPLICATIONS

To provide the additional resources often needed by community groups and sporting organisations to develop their own projects and to find ways of getting people to work together for the common goal of promoting and benefiting the whole community.

**9.0 REPORTS OF OFFICERS**

**9.1 CHIEF EXECUTIVE OFFICER**

**9.1 (A) COMMUNITY GRANTS LEINSTER (CONTINUED)**

**RECOMMENDATIONS**

That Council approve the following allocation of funding.

• Leinster Swim Club	\$ 2,500.00
• Leinster Craft Group	\$ 4,000.00
• Leinster Community Day Care Centre	\$ 6,435.00
• Leinster Golf Club	\$ 9,021.00
• Leinster Drive-In	\$ 9,021.00
• Leinster P & C Association	<u>\$ 9,023.00</u>
	<b>\$40,000.00</b>

moved Cr Demasson

seconded Cr Johnson

*That Council approve the following allocation of funding.*

• <i>Leinster Swim Club</i>	<i>\$ 2,500.00</i>
• <i>Leinster Craft Group</i>	<i>\$ 4,000.00</i>
• <i>Leinster Community Day Care Centre</i>	<i>\$ 6,435.00</i>
• <i>Leinster Golf Club</i>	<i>\$ 9,021.00</i>
• <i>Leinster Drive-In</i>	<i>\$ 9,021.00</i>
• <i>Leinster P &amp; C Association</i>	<i><u>\$ 9,023.00</u></i>
	<i><b>\$40,000.00</b></i>

**CARRIED (8 VOTES TO 0)**

## 9.0 REPORTS OF OFFICERS

### 9.1 CHIEF EXECUTIVE OFFICER

#### 9.1 (B) TENDER - PLANT

**SUBMISSION TO:** Meeting of Council  
Meeting Date: 15<sup>th</sup> March, 2005

**AGENDA REFERENCE:** 9.1 (B) MAR05

**SUBJECT:** Tender - Plant

**LOCATION / ADDRESS:** Not Applicable

**NAME OF APPLICANT:** Not Applicable

**FILE REFERENCE:** Plant Tenders 10.5

#### AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

**NAME:** James Gregory Epis

**OFFICER:** Chief Executive Officer

**INTEREST DISCLOSURE:** Nil

**DATE:** 1<sup>st</sup> March, 2005.

#### BACKGROUND

In accordance with Council Plant/Vehicle replacement policy, tenders were called on the 15<sup>th</sup> January, 2005 for item of plant as detailed hereunder. An advertisement appeared in the West Australian on that day. Tenders closed 4.00pm Friday 25<sup>th</sup> February, 2005. Tenders were opened by the Chief Executive Officer in the presence of Shire President, Cr Dawes, Councillor Demasson and Mr Ian Wate and Mr Fintan Kearns representing Komatsu Australia Pty Ltd and Westrac Pty Ltd respectively.

#### TENDER 05.01 ROAD GRADER (Budget Change Over Price \$175,000.00)

All prices include GST

<b>Tenderer</b>	<b>Make</b>	<b>Model</b>	<b>Engine</b>	<b>KW</b>	<b>Price</b>	<b>Trade-In</b>	<b>Net</b>
Hitachi Construction	John Deere	670CH11	John Deere	138kw	310,200.00	143,000.00	167,200.00
CJD Equipment	Volvo	G720B	Volvo	153kw	348,920.00	168,300.00	180,620.00
CJD Equipment	Volvo	G710B	Volvo	133kw	320,837.00	168,300.00	152,537.00
Westrac	Caterpillar	12H	Caterpillar	123kw	327,910.00	132,000.00	195,910.00
Komatsu	Komatsu	GD555-3A	Komatsu	119kw	305,765.00	115,500.00	190,265.00
Komatsu	Komatsu	GD555-3A	Komatsu	119kw	321,344.00	115,500.00	205,844.00
BT Equipment	Mitsubishi	MG460	Mitsubishi	129kw	297,000.00	132,000.00	165,000.00
Hedgers	Outright Purchase Only					148,225.00	-----
Smith Broughton & Son	Outright Purchase Only					140,540.00	-----

#### STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulation 11 states that tenders are to be publicly invited before a Local Government enters into a contract for another person to supply goods or services if the consideration under the contract is expected to be worth more than \$50,000.00.

## **9.0 REPORTS OF OFFICERS**

### **9.1 CHIEF EXECUTIVE OFFICER**

#### **9.1 (B) TENDER – PLANT (continued)**

#### **POLICY IMPLICATIONS**

In accordance with Council policy to replace:

Graders/Loaders every 7 years

Trucks every 4 years

Other light vehicles every 2 years or 40,000 Kms

#### **FINANCIAL IMPLICATIONS**

Expenditure for this item of plant, the subject of this report, is included in the current budget.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **RECOMMENDATIONS**

That Council accept the following recommendation for the item of plant as specified.

- Road Grader. CJD Equipment for the supply and delivery of one only **Volvo G720B Motor Grader** at cost of \$348,920.00 less trade-in of \$168,300.00, net price being \$180,620.00 (including GST).

**moved Cr Craig**

**seconded Cr Taylor**

*That Council accept the following recommendation for the item of plant as specified.*

- *Road Grader. CJD Equipment for the supply and delivery of one only Volvo G720B Motor Grader at cost of \$348,920.00 less trade-in of \$168,300.00, net price being \$180,620.00 (including GST).*

**CARRIED (8 VOTES TO 0)**

**9.0 REPORTS OF OFFICERS**  
**9.1 CHIEF EXECUTIVE OFFICER**  
**9.1 (C) PROPERTY PURCHASE**

**SUBMISSION TO:** Meeting of Council  
Meeting Date: 15<sup>th</sup> March, 2005

**AGENDA REFERENCE:** 9.1 (C) MAR05

**SUBJECT:** Property Purchase

**LOCATION / ADDRESS:** Leonora

**NAME OF APPLICANT:** Not Applicable

**FILE REFERENCE:** Council Property 3.0

**AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT**

**NAME:** James Gregory Epis

**OFFICER:** Chief Executive Officer

**INTEREST DISCLOSURE:** Nil

**DATE:** 3rd March, 2005.

**BACKGROUND**

On the 11<sup>th</sup> January, 2005 I did write to the United Aboriginal Mission in regards Lot 57 Tower Street, Leonora (Christian Fellowship Centre) seeking whether their organisation was interested In selling the property.

I advised that the Shire of Leonora was eager to acquire additional land in close proximity to the Community Recreation Centre which could be used as additional parking space if required at any time in the future.

In the meantime, and if the sale proceeds, Council could simply erect a colourbond fence on the property boundary which would provide security and make the area a little less unsightly. Added security is that a Council employee is prepared to live on site indefinitely and or until such time the land is required for the reason it was purchased. As caretaker, the employee should not be expected to pay rent however all public utility services would be at his expense.

On the 16<sup>th</sup> February, 2005 the United Aboriginal Mission responded to my earlier correspondence advising that their Council would consider selling the property and requesting that the Shire of Leonora make a formal offer.

A physical inspection of the property revealed the following:

The building is single storey and the front elevation is parapeted to conceal a gabled roof behind. The brickwork, laid in a bondwork of alternative rows of five stretchers and one header, is partially rendered. Pilasters frame the entry and articulate to the ends of the facade.

The front elevation, originally symmetrical, has been altered to include a wide opening, with various glazing treatments. The front verandah and verandah roof are no longer extant. The side elevations are painted and rendered to the lower sections. Physical evidence (partially demolished wall and bricked – up openings) remains of an addition to the south side of the building.

The interior has floorboards throughout, pressed metal ceilings, ceiling roses, rendered and painted walls and original wall vents.

Additions have been built at the rear. Fretted bricks and missing render contribute to the poor condition of the front elevation.

The rear timber lintels require replacement.



## **9.0 REPORTS OF OFFICERS**

### **9.1 CHIEF EXECUTIVE OFFICER**

#### **9.1 (C) PROPERTY PURCHASE (continued)**

Eventhough the place contributes to the Tower Street streetscape it is not essential to an understanding of the history of Leonora.

Heritage and History Research Consultants recommended in 1995 that the place should be photographically recorded prior to any redevelopment or demolition.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Funds are not available in the current budget for property purchases. If Council resolves to proceed with the purchase, an allocation of funds will be required in the 2005/2006 budget.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **RECOMMENDATIONS**

That Council resolve to engage the services of Mr Mark McGillivray, Certified Practising Valuer to investigate and provide true valuation for property located Lot 57 Tower Street, Leonora.

**moved Cr Taylor**

**seconded Cr Demasson**

*That Council resolve to engage the services of Mr Mark McGillivray, Certified Practising Valuer to investigate and provide true valuation for property located Lot 57 Tower Street, Leonora.*

**CARRIED (8 VOTES TO 0)**

## **9.0 REPORTS OF OFFICERS**

### **9.1 CHIEF EXECUTIVE OFFICER**

#### **9.1 (D) SICK LEAVE BONUS SCHEME**

**SUBMISSION TO:** Meeting of Council  
Meeting Date: 15<sup>th</sup> March, 2005

**AGENDA REFERENCE:** 9.1 (D) MAR05

**SUBJECT:** Sick Leave Bonus Scheme

**LOCATION / ADDRESS:** Not applicable

**NAME OF APPLICANT:** Not Applicable

**FILE REFERENCE:** Awards – Municipal Employees/Officers 1.16

#### **AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT**

**NAME:** James Gregory Epis

**OFFICER:** Chief Executive Officer

**INTEREST DISCLOSURE:** Nil

**DATE:** 7th March, 2005.

#### **BACKGROUND**

The proposed Sick Leave Bonus Scheme is designed to encourage staff not to take unnecessary sick leave, thereby increasing productivity and minimising the disruption to Shire operations and unfair burden on employees required to cover for absent fellow workers.

- The Sick Leave bonus is available to all permanent employees (full-time and part-time).
- The Sick Leave bonus will comprise a payment of up to one week's sick leave, based on the employees' sick leave history for the preceding 12 months.  
For example, if an employee has taken no sick leave in the preceding 12 months, he or she will receive one week's sick leave bonus. If an employee has taken say, three days sick leave, the bonus will be equivalent to 2 days sick leave.
- The bonus cuts out if the employee takes 5 or more day's sick leave in the preceding 12 months.
- The bonus will be paid in the first pay period in December each year. The first bonus payment to be made in December, 2005.
- The employee has the right to not accept payment of the bonus and retain the accrual.
- Any such leave bonus payment made to an employee will be deducted from their sick leave accruals.

#### **STATUTORY ENVIRONMENT**

In conjunction with the Municipal Employees' (Western Australia) Award 1982 and Local Government Officers' (Western Australia) Award 1988.

#### **POLICY IMPLICATIONS**

Nil

**9.0 REPORTS OF OFFICERS**

**9.1 CHIEF EXECUTIVE OFFICER**

**9.1 (D) SICK LEAVE BONUS SCHEME (continued)**

**FINANCIAL IMPLICATIONS**

If the policy in regards Staff Incentive – Sick Leave Bonus is adopted, the additional costs will need to be considered in future budgets.

**STRATEGIC IMPLICATIONS**

The policy will improve the quality of working life, enhance job satisfaction and provide a suitable reward for those who do not take unnecessary sick leave.

**RECOMMENDATIONS**

That the policy “Staff Incentive – Sick Leave Bonus” as presented be adopted.

**moved Cr Demasson**

**seconded Cr Johnson**

*That the policy “Staff Incentive – Sick Leave Bonus” as presented be adopted.*

**CARRIED (8 VOTES TO 0)**

## 9.0 REPORTS OF OFFICERS

### 9.2 DEPUTY CHIEF EXECUTIVE OFFICER

#### 9.2 (A) MONTHLY FINANCIAL STATEMENTS – FEBRUARY, 2005

**SUBMISSION TO:** Meeting of Council  
Meeting Date: 15<sup>th</sup> March, 2005

**AGENDA REFERENCE:** 9.2(A) MAR05

**SUBJECT:** Monthly Financial Statements – February, 2005

**AUTHOR:** J F Rowe

**POSITION:** Deputy Chief Executive Officer

**INTEREST DISCLOSURE:** Nil

**DATE:** 3<sup>rd</sup> March, 2005

**COMMENT:** Monthly Financial Statements submitted for adoption include:

- (a) Financial Position as at 3<sup>rd</sup> March, 2005
- (b) Operating Statement Summary – 28<sup>th</sup> February, 2005
- (c) Operating Statement - Detail - 28<sup>th</sup> February, 2005
- (d) Operating Statement - Nature/Type - 28<sup>th</sup> February, 2005
- (e) Balance Sheet as at - 28<sup>th</sup> February, 2005
- (f) Statement of Fixed Assets - 28<sup>th</sup> February, 2005
- (g) Statement of Outstanding Debtors - 28<sup>th</sup> February, 2005

#### RECOMMENDATION

The Monthly Financial Statements for the month ended 28<sup>th</sup> February, 2005 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 3<sup>rd</sup> March, 2005 showing balances of:-

	\$	
Municipal	\$1,224,351.20	Credit
Long Service Leave Reserve	\$60,665.11	Credit
Fire Disaster Reserve	\$4,518.73	Credit
Building Reserve	Nil	Credit
Plant Replacement Reserve	Nil	Credit
Community Amenities Reserve- Swimming Pool	\$920,366.74	Credit
Municipal Investment	Nil	Credit

be adopted.

#### VOTING REQUIREMENTS

moved Cr Taylor

seconded Cr Heather

*The Monthly Financial Statements for the month ended 28<sup>th</sup> February, 2005 consisting of Operating Statements (3), Balance Sheet, Statement of Fixed Assets, Lists of Outstanding Debtors, and the Financial Position as 3<sup>rd</sup> March, 2005 showing balances of:-*

	\$	
<i>Municipal</i>	<i>\$1,224,351.20</i>	<i>Credit</i>
<i>Long Service Leave Reserve</i>	<i>\$60,665.11</i>	<i>Credit</i>
<i>Fire Disaster Reserve</i>	<i>\$4,518.73</i>	<i>Credit</i>
<i>Building Reserve</i>	<i>Nil</i>	<i>Credit</i>
<i>Plant Replacement Reserve</i>	<i>Nil</i>	<i>Credit</i>
<i>Community Amenities Reserve- Swimming Pool</i>	<i>\$920,366.74</i>	<i>Credit</i>
<i>Municipal Investment</i>	<i>Nil</i>	<i>Credit</i>

*be adopted.*

**CARRIED (8 VOTES TO 0)**

**9.0 REPORTS OF OFFICERS**

**9.2 DEPUTY CHIEF EXECUTIVE OFFICER**

**9.2 (A) MONTHLY FINANCIAL STATEMENTS – FEBRUARY, 2005**

<b>SHIRE OF LEONORA</b>		
<b>FINANCIAL POSITION AS AT 3<sup>rd</sup> March, 2005</b>		
		<b>MUNICIPAL</b>
		<b>\$</b>
Balance as at 28 <sup>th</sup> February, 2005		\$1,284,641.86
Receipts to 3 <sup>rd</sup> March, 2005		\$ 18,623.53
<b>Balance</b>		<b>\$1,303,265.39</b>
Less Accounts since 28 <sup>th</sup> February, 2005		\$ 78,914.19
<b>Balance 3<sup>rd</sup> March, 2005</b>		<b>\$1,224,351.20cr</b>
<b>AMOUNT HELD ON TERM DEPOSIT - NATIONAL AUSTRALIA BANK</b>		
		<b>\$</b>
A) PLANT REPLACEMENT RESERVE	Nil	CREDIT
B) LONG SERVICE LEAVE	\$60,665.11	CREDIT
C) FIRE DISASTER RESERVE	\$4,518,.73	CREDIT
D) BUILDING RESERVE	Nil	CREDIT
E) COMMUNITY AMENITIES RESERVE	\$920,366.74	CREDIT
F) MUNICIPAL INVESTMENT	Nil	CREDIT

## **9.0 REPORTS OF OFFICERS**

### **9.2 DEPUTY CHIEF EXECUTIVE OFFICER**

#### **9.2 (B) ACCOUNTS FOR PAYMENT – FEBRUARY, 2005**

**SUBMISSION TO:** Meeting of Council  
Meeting Date: 15<sup>th</sup> March, 2005

**AGENDA REFERENCE:** 9.2(B) MAR05

**SUBJECT:** Accounts for Payment

**AUTHOR:** J F Rowe

**OFFICER:** Deputy Chief Executive Officer

**INTEREST DISCLOSURE:** Nil

**DATE:** 10<sup>th</sup> March, 2005

#### **COMMENT:**

Attached statement consists of Vouchers **709 to 794 plus Direct Bank Transactions** and totalling **\$ 327,286.15** attached.

#### **RECOMMENDATION**

That accounts as represented by Vouchers **709 to 794 plus Direct Bank Transactions** and totalling **\$ 327,286.15** attached be authorised for payment.

**moved Cr Petersen**

**seconded Cr Demasson**

*That accounts as represented by Vouchers 709 to 794 plus Direct Bank Transactions and totalling \$ 327,286.15 attached be authorised for payment.*

**CARRIED (8 VOTES TO 0)**

The meeting adjourned for morning tea at 10.05am and resumed at 10.30am with attendance identical to that at Item 2.1.

At 10.35am standing orders were suspended to receive visitors in Ms Denise Norrie and Libby Huel representing the Leonora P & C Association and Ms Karen Hayes of the GEDC.

Cr Dawes welcomed the visitors who outlined a proposal for possible funding of a Community Bus. A Grant of \$30,000.00 has been obtained with another \$14,000.00 in local donations being received. The P & C Association requested Council assistance in obtaining further grants to bring the project to fruition.

Cr Dawes advised he would approach John Bowler MLA regarding any further funding. The visitors departed at 10.55am.

The meeting adjourned at 11.00am to visit the information Bay Old Battery Project.  
The meeting resumed at 11.45am with attendance identical to that at Item 2.1.

**9.0 REPORTS OF OFFICERS**

**9.3 ENVIRONMENTAL HEALTH OFFICER**

Nil

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

**A. ELECTED MEMBERS**

CEO Employment Contract – That this matter be treated as of an urgent nature.

**moved Cr Taylor**

**seconded Cr Demasson**

**CARRIED (8 VOTES TO 0)**

The President presented details of a three year contract which was circulated to all present. Mr Epis declared an Interest and left the meeting at 11.46am.

## **10.1 SHIRE PRESIDENT**

### **10.1(A) EMPLOYMENT CONTRACT – CHIEF EXECUTIVE OFFICER**

**SUBMISSION TO:** Meeting of Council  
Meeting Date: 15<sup>th</sup> March, 2005

**AGENDA REFERENCE:** 10.1(A) MAR05

**SUBJECT:** Employment Contract – Chief Executive Officer

**LOCATION / ADDRESS:** Not applicable

**NAME OF APPLICANT:** Not Applicable

**FILE REFERENCE:** Applications CEO 1.19

**AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT**

**AUTHOR:** Graham Robert Dawes

**OFFICER:** Shire President

**INTEREST DISCLOSURE:** Nil

**DATE:** 11<sup>th</sup> March, 2005

#### **BACKGROUND**

As advertised in a report to Council on the 24<sup>th</sup> December, 2004, the employment agreement between the Shire of Leonora and the Chief Executive Officer expires on the 30<sup>th</sup> June, 2005.

Council members at its meeting on the 21<sup>st</sup> December, 2004 provided delegated authority to Councillors Taylor and Petersen and myself to undertake the CEO's performance review. Furthermore, discussions regarding the possibility of a further extension of term of employment be instigated between both parties.

Following discussion with Councillors after the February meeting of Council, Councillors Taylor, Petersen and I met with the CEO to progress this matter, in particular extending the current Employment Agreement. As a result of the meeting delegates investigated other salary packages currently being negotiated by other Local Governments in the region.

Prior to the 1<sup>st</sup> July, 2002, the Council at that time resolved that the officer be paid an annual salary of \$110,000.00 together with other benefits and that the Local Government must, before the expiration of each year during the term of the contract, review the remuneration and that consideration be given to annual CPI movements.

The annual salary of the Officer is currently \$115,000.00 which represents contract salary as at 1<sup>st</sup> July, 2002 plus the upward movement in the CPI for the 2002/2003 and 2003/2004 years. The CPI movement for the 2004/2005 year is not yet known, however it is expected to be about 2.4% equating to about \$3,000.00.

Delegates are of the opinion that the work load and the responsibility expected of the CEO remains similar to that of 2002.

June 2005 equates to 28 years of service by the officer to the Shire of Leonora, the last 9 years as Chief Executive Officer and because of his long service to Council and the Community, his dedication to his position and his vision to progress the Shire of Leonora further, delegates are of the opinion and have no hesitation in recommending that his annual salary be increased to \$118,000.00 in line with CPI increases since the 1<sup>st</sup> July, 2002.



## **10.1 SHIRE PRESIDENT**

### **10.1(A) EMPLOYMENT CONTRACT – CHIEF EXECUTIVE OFFICER (continued)**

#### **STATUTORY ENVIRONMENT**

Section 5.39(1) of the Local Government Act, 1995, states that the employment of a person who is the CEO or a senior employee is to be governed by a written contract in accordance with other sections of the Act.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

The forthcoming budget and budgets thereafter would need to reflect the increase in annual salary and superannuation benefits should Council resolve to accept my recommendation.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **RECOMMENDATIONS**

1. That Council resolve to increase the Chief Executive Officer's annual salary to \$118,000.00 with all other benefits previously approved to apply and that the term of the contract be for a further period of 3 years.
2. That \$15,000.00 be made available annually to the Officer to cover travel and other recreational type expenses and that any surplus funds available at the end of each financial year are not to be accumulated.
3. That both recommendations, if accepted by Council, be offered to the Officer with a request that his decision be forthcoming prior to the April meeting of Council.

**moved Cr Demasson**

**seconded Cr Kemp**

- 1. That Council resolve to increase the Chief Executive Officer's annual salary to \$118,000.00 with all other benefits previously approved to apply and that the term of the contract be for a further period of 3 years.*
- 2. That \$15,000.00 be made available annually to the Officer to cover travel and other recreational type expenses and that any surplus funds available at the end of each financial year are not to be accumulated.*
- 3. That both recommendations, if accepted by Council, be offered to the Officer with a request that his decision be forthcoming prior to the April meeting of Council.*

**CARRIED (8 VOTES TO 0)**

Mr Epis returned to the meeting at 11.55am and Cr Dawes advised Mr Epis of Councils decision.

#### **B. OFFICERS**

Nil

## **11.0 NEXT MEETING**

The next ordinary meeting was set for Tuesday 19<sup>th</sup> April, 2005 at 9.30am in the Council Chambers, Leonora.

## **12.0 CLOSURE OF MEETING**

Cr Dawes declared the meeting closed at 11.56am.