



**MINUTES**  
**ANNUAL GENERAL MEETING OF ELECTORS**  
**HELD ON 9 FEBRUARY 2016**

I hereby certify that the Minutes of the Annual General Meeting of Electors are a true and accurate record of the proceedings contained therein.

\_\_\_\_\_  
**Shire President Confirmed**

**Date:** \_\_\_\_\_

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**SHIRE OF WYNDHAM EAST KIMBERLEY  
MINUTES  
OF THE ANNUAL GENERAL MEETING OF ELECTORS  
HELD ON TUESDAY, 9 FEBRUARY 2016 AT 5:00 PM**

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**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Shire President declared the meeting open at 5.00pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE  
PREVIOUSLY APPROVED**

**ATTENDANCE**

Cr J Parker	Shire President
Cr K Wright	Deputy Shire President
Cr S Cooke	Councillor
Cr E Bolto	Councillor
Cr B Robinson	Councillor
Cr D Spackman	Councillor
Cr N Perry	Councillor
Cr S Rushby	Councillor
Cr A Petherick	Councillor
C Askew	Chief Executive Officer
L Gee	Director Community Development
N Octoman	Director Corporate Services
D Klye	Director Infrastructure
M Le Riche	Acting Executive Assistant (Minute Taker)

**GALLERY**

Rhonda Guerinoni	Michelle Pucci
Richard Bianco	Silke Becke
Chris Magnay	Dennis Pert
Maria Bolten Magnay	Jim Lewis
Robert Boshammer	Paul Cavanagh
Tony Chafer	Jenny Spragg
Peter Cottle	Mark Northover
Laine Ellis	Robert Storey
Danny Carter	Peter Stubbs
Benedict Smith	Rex Townsend
Jan McLean	Natika Hawes-Wright
A McLean	Vivienne McEvoy
M Long	Rene Harbers
M Douglas	Chantal Adams
U Macdonald	Paul Bawden
J Doherty	Lincoln Heading
Mick Guerinoni	Tricia Handisyde
Julie Kimpton	John Moulden
Shelley Marcos	R B Dessert

Lloyd Morley  
Cally Dupe  
Roslyn Hegarty  
Graham Gould  
Ebony Daniell

Chiquita Dos Reis  
Roy Adam  
Wayne Richards  
Jesse Johnson  
Lisa Hannagan

**APOLOGIES**

NIL

**LEAVE OF ABSENCE PREVIOUSLY APPROVED**

NIL

**3. CONFIRMATION OF MINUTES**

**3.1 CONFIRMATION OF MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS 28 APRIL 2015**

**RECOMMENDATION**

That Council confirms the Minutes of the Annual General Meeting of Electors 28 April 2015

**DECISION**

**Moved: Cr B Robinson  
Seconded: Cr K wright**

**That Council confirms the Minutes of the Annual General Meeting of Electors 28 April 2015.**

**Carried Unanimously**

**4. PRESENTATION OF THE 2014-2015 ANNUAL REPORT**

**4.1 SHIRE PRESIDENTS REPORT**

**4.2 CHIEF EXECUTIVE OFFICERS REPORT**

**4.3 ANNUAL FINANCIAL STATEMENTS**

**4.4 AUDITORS REPORT**

**DECISION**

**Moved: Cr B Robinson  
Seconded: Cr K Wright**

**That the 2014-2015 Annual Report, including the President's Report, CEO's Report, Annual Financial Statements and Auditor's Report be received**

**Carried Unanimously**

**5. PUBLIC QUESTION TIME / OTHER GENERAL BUSINESS**

**Question from Leigh Pedler – taken on notice and responded to by separate correspondence**

**Letter from Andrew Mock – taken on notice and responded to by separate correspondence**

**Question from Rhonda Guerinoni, Kununurra**

**Question 1** – Why are employees entitled to a vehicle in their contracts, provided with 4 wheel drives that cost more to buy, insure, repair and licence, when most of these employees are only driving from home to the Shire Offices?

*Cr Jane Parker, Shire President provides the following response:*

*Some senior staff are provided with a vehicle as part of their contract. This is standard practice within government and assists with recruitment and retention.*

**Question 2** – What is the local business percentage when the Shire is Tendering?

*Carl Askew, Chief Executive Officer provides the following response:*

*There is no local business percentage when the Shire is tendering.*

**Question 3** – How much is the Shire spending on new vehicles coming from Broome, and why hasn't it gone before Council?

*Carl Askew, Chief Executive Officer provides the following response:*

*This matter has gone before Council via its annual budget process. I am not in a position to provide details tonight however a number of vehicle have been "traded" for new vehicles as part of our fleet management and these were assessed and approved within the budget adopted by Council.*

**Question 4** – Why does the Shire have more staff now than at the end of 2014 when staff were culled to save costs?

*Carl Askew, Chief Executive Officer provides the following response:*

*The Shire's current staffing levels (2015/16) are marginally less than that the figures recorded for 2014/15.*

**Question from Natika Hawes Wright, Kununurra**

**Question 1** – Where can Council identify opportunities to work with existing community development programs, such as the Department of Regional Development contracted Community Resource Centres and Visitors Centres with a view to saving rate payers and value adding to other projects?

*Cr Keith Wright provides the following response:*

*Perhaps Ms Hawes-Wright would like to consider proposing a motion for the members to consider.*

Ms Hawes-Wright agreed to provide later in the meeting.

**Question 2** – What are Council's visions for a community hub/space to support the variety of social development activities in the town of Kununurra?

*Cr Jane Parker, Shire President provides the following response:*

*Council is generally supportive of initiatives that demonstrate agencies working together to support social development with the Shire and would like to partner or support where appropriate.*

Danny Carter moved the following motion:

**ELECTOR MOTION**

**Moved: Danny Carter  
Seconded Jenny Spragg**

**That Council:**

- 1) Write to the Minister of Health requesting that he immediately put on hold the decision to proceed with the addition of fluoride into the Kununurra town site water supply. This is in light of recent research and reviews of existing evidence questioning the efficiency of this initiative as well as the pending outcome by the National Health and Medical Research Council review and recommendations of the water fluoridation practice and the National Toxicology Program report on the neurotoxicity of fluoride.**
- 2) That because of the complex nature of this subject; the Health Department of Western Australia and Water Corporation WA be requested by Council to provide an open forum to the public with balanced and unbiased information on the pro's and cons of water fluoridation for the residents of Kununurra.**

**Carried 30/10**

**Question from Paul Cavanagh, Wyndham**

**Question 1:** Currently there are only 2 people in Wyndham working on Parks & Gardens. What is being done to about this?

*Carl Askew, Chief Executive Officer provides the following response:*

*Recruitment is presently underway to fill the vacant position of Leading Hand. Resources from Kununurra are being sent to Wyndham to assist in the form of backfilling staff. There have been some issues with the bore pumps but both have been fixed and should be operational soon.*

**Question 2 –** Can the Shire utilise the Wyndham work camp to help with the maintenance of Wyndham?

*Cr Jane Parker, Shire President provides the following response:*

*The role of the work camp workers is not meant to impede on real jobs that businesses need staff for, however it is a conversation which could be had to fill the gap whilst the recruitment process is underway.*

**Question from Dennis Peart, Bell Springs**

**Question 1 –** There is 45% indigenous population in the Shire but only 5% representation in Shire workforce. What is the reason for this?

*Cr Jane Parker, Shire President provides the following response:*

*In the past the Shire has competed with mining and other initiatives in the region and have been unable to match the salaries provided. We certainly encourage indigenous members of the community to apply for positions. Vacant positions are advertised locally and open to all suitably qualified and/or experienced applicants*

**Question 2 –** Why was the Racial Discrimination Policy withdrawn?

*Carl Askew, Chief Executive Officer provides the following response:*

*As part of a review of its Policies, Council determined that some, which have a relevant higher level legislation (State and Federal) have been superceded, or are no longer required.*

Cr D Spackman moves the following motion:

**ELECTOR MOTION**

**Moved: Cr D Spackman**

**Seconded: Cr N Perry**

**That Council put forward a regional price preference policy**

**Carried 23/1**

Cr D Spackman moves the following motion:

**ELECTOR MOTION**

**Moved: Cr D Spackman**

**Seconded: Cr S Rushby**

**That Council not accept any applications from Glenn Taylor or his associated businesses for future Shire grant funding**

**Lost 7/17**

**Question from Lincoln Heading, Kununurra**

**Question 1** – Some new councillors ran an election campaign to curb “corruption”, reduce council costs and oversee a movement toward a more open, transparent and credible SWEK council. In light of these electoral platforms:

Did councillors identify or indeed reach a point of prosecution to any councillors or SWEK staff as a result of numerous “code of Conduct” breaches?

*Carl Askew, Chief Executive Officer provides the following response:*

*To date, no complaints have resulted in prosecution.*

**Question 2** – What services will be cut by councillors and how many staff will go to further reduce costs to ratepayers?

*Carl Askew, Chief Executive Officer provides the following response:*

*The issue of Shire services and staffing levels will be considered by Council as part of the 2016/17 Budget process.*

**Question 3** - In light of difficult SWEK financial and budgetary positions can council justify the cost \$35,000 for a Fly in – Fly out CEO?

*Cr Jane Parker, Shire President provides the following response:*

*The Council agreed that it was important to employ an acting CEO for four weeks (while our CEO was on Annual Leave). The three Directors are all very busy with their own departments and to ask one of them to take on the acting CEO role was not in the best interest of the departments or the Shire. An acting CEO would also be looking at the Shire as a whole over the month and make recommendations to the CEO and Council regarding any improvements that could be made to improve our services.*

**Question from Jenny Spragg, Kununurra**

**Question 1** – What was the outcome of the investigation into Amanda Nella from Nella Global Solutions for interfering with and mishandling a number of formal complaints including three of mine?

*Carl Askew, Chief Executive Officer provides the following response:*

*All complaints into or by Nella Global Solutions have been completed and finalised. It is not appropriate in a public forum to comment on individual cases or circumstances.*

**Question 2** – As the complaint was first brought to the CEO's attention on 11/7/2015 and has not been resolved, who do I contact now?

*Carl Askew, Chief Executive Officer provides the following response:*

*As indicated in the previous question all complaints have been addressed and finalised. Should you wish to complain about the CEO's handling of a specific matter a complaint could be lodged with the Public Sector Commission.*

**Question from John Moulden, Kununurra**

**Question 1** - Considering the considerable ambassadorial significance of the SWEK delegation's approaching visit to China, will the President assure the East Kimberley community that all delegates, staff and Councillors, will be required to wear suitable attire, as advised by Department of Foreign Affairs and T, when attending any function at which they are representing the Shire, in order to avoid embarrassing our hosts and bringing the Shire into disrepute?

*Cr Jane Parker, Shire President provides the following response:*

*All five Councillors attending the China Forum are very aware of the fact they are representing our Shire and will behave and dress appropriately at all times. They will adhere to the customs of China and will honour our shire and themselves. I would like to confirm that all five Councillors are paying the full cost of this trip themselves and they all understand the considerable ambassadorial significance to SWEK.*

**Question from Tony Chafer, Kununurra**

**Question 1** - Can I present to Council at a Briefing Session on the Crossing Falls green waste.

*Cr Jane Parker, Shire President provides the following response:*

*You are welcome to give a presentation to Council at a Briefing Session. Please liaise with the Shire Administration.*

**Question from Mark Northover, Kununurra**

**Question 1 (a)** – SWEK is charging \$1282 per man, woman and child and is considered by the DLGC to be in the high end of town. (out of the 139 councils -54 are charging in excess of \$1000.00/ person, noting 50 of these 54 shires have populations less than 2000) That is a quoted direct from the website. To make it perfectly clear, we are one of 4 shires that are under scrutiny for excessive rates, so going forward, can we have some clarity on the importance of the FTE ratios and the changing circumstances that we face in 2016?

*Cr Sophie Cooke sought clarification from Mr Northover on the statistics that were quoted.*

*Cr Jane Parker, Shire President provides the following response:*

*Thank you for your question. We are not in a position to give you a specific answer now, but we will take the question on notice and a response will be provided.*

**Question 1 (b)** – Are we using the management FTE forecasting tools for determining the staffing levels?

*Carl Askew, Chief Executive Officer provides the following response:*

*I am not aware of the Management forecasting tool you are referring to, however staffing levels are determined by Council service levels and the budget process.*

**Question 2** – Are we continuing to use the services of Nella Global from the "university of hard knocks" (sic) for SWEK's complaint handling when all the complaints were unfairly obfuscated and dismissed in bulk?

*Carl Askew, Chief Executive Officer provides the following response:*

*We are not currently using the services of Nella Global Solutions.*

**Question 3** – As the Crossing Falls resident (Tony Chaffer) was just now (tonight) asked to speak at a briefing session to advocate and collaborate for his colleagues on the continuation of an illegal dumping site at Crossing Falls, would I be able to have an invite also please?

*Cr Jane Parker, Shire President provides the following response:*

*The Briefing Sessions are not open to the public as per Council Policy. Members of the public can request to make relevant presentation on matters before Council.*

**Question 4** – Why are the Council Briefing Sessions not open to the public.

*Cr Jane Parker, Shire President provides the following response:*

*As advised, the Briefing Sessions are not open to the public as per Council Policy. Briefings give the community, government departments and investors an opportunity to talk to Council regarding potentially confidential items and/or investment opportunities in the region. Briefings also give councillors the opportunity to talk to officers and each other in a less formal setting.*

**Question 5** – Why can't the briefing sessions be treated like the OCM where confidential matters are addressed separately, as the guidance or support from the CEO's experience in Cottesloe to the briefing sessions being open to the public?

*Carl Askew, Chief Executive Officer provides the following response:*

*To clarify, the Town of Cottesloe does not have Briefing sessions per se but operates a number of Standing Committees which are open to the public, similar to Council's Audit (Finance & Risk) Committee. The Town of Cottesloe did conduct separate briefing sessions, as required, with elected members which were not open to the public.*

Mark Northover moved the following motion:

**ELECTOR MOTION**

**Moved: Mark Northover  
Seconded: Jenny Spragg**

**That Council Briefing Sessions be opened to the Public**

**Lost 16/19**

Dennis Peart moved the following motion:

**ELECTOR MOTION**

**Moved: Dennis Peart  
Seconded: Graham Gould**

**That Council develop a Racial Discrimination Policy, Sexual Harassment Policy and Harassment Policy**

**Lost 8/19**

Natika Hawes-Wright moved the following motion:

**ELECTOR MOTION**

**Moved: Natika Hawes-Wright  
Seconded: Cr K Wright**

**That Council consider the options, partnerships and outcomes a dedicated community hub would foster within the community, with a view to working with stakeholders such as the Community Resource Centre, Visitors Centre and Progress Association (Picture Gardens) to develop such a facility.**

**Carried Unanimously**

**Question from Jim Lewis, Wyndham**

**Question 1** – Does Council have an Indigenous Employment Policy?

*Carl Askew, Chief Executive Officer provides the following response:*

*No, the Shire does not have an Indigenous Employment Policy*

Jim Lewis moved the following motion:

**ELECTOR MOTION**

**Moved: Jim Lewis**

**Seconded: Cr J Parker**

**That Council develop an Indigenous Employment Policy that looks at culturally appropriate ways to promote Indigenous Employment**

**Carried 28/7**

Jenny Spragg moved the following motion:

**ELECTOR MOTION**

**Moved: Jenny Spragg**

**Seconded: Mark Northover**

**That Council:**

- 1) Recommends to management that rates are to remain static or reduced for the next budget period,**
- 2) Advise management that Council makes rate setting decisions after it has received the budget,**
- 3) Notes that management are to present a five year budget as a matter of urgency for clarity and transparency for the electorate prior to adopting the rate in the dollar on the Valuer General's assessment,**
- 4) Adopt a policy that caps rate rises to the CPI during the projected period of budgetary planning,**
- 5) Align all fees and charges based on a cost benefit analysis of needs versus wants.**

**Lost 15/19**

**6. CLOSURE**

The Shire President declares the meeting closed at 6:14pm