



MINUTES

SPECIAL MEETING OF COUNCIL

Held on
Tuesday 5 June 2012
6.30pm
City of Albany Council Chambers

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1.0 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

[6:30:45 PM](#) Mayor declared the meeting open.

ITEM 1.0: RESOLUTION

MOVED: COUNCILLOR CALLEJA

SECONDED: COUNCILLOR GREGSON

**THAT Council SUSPEND Standing Order clause 3.1 to allow recording of proceedings;
CARRIED 9-0**

2.0 OPENING PRAYER

“Heavenly Father, we thank you for the beauty and peace of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”

3.0 PUBLIC QUESTION AND STATEMENT TIME

Council’s Standing Orders Local Laws provide that each Ordinary Meeting of the Council shall make available a total allowance of 30 minutes, which may be extended at the discretion of Council, for residents in attendance in the public gallery to address clear and concise questions to His Worship the Mayor on matters relating to the operation and concerns of the municipality.

Such questions should be submitted to the Chief Executive Officer, **in writing, no later than 10.00am** on the last working day preceding the meeting (the Chief Executive Officer shall make copies of such questions available to Members) but questions may be submitted without notice.

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

No members of the media or public were in attendance.

4.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Mayor D Wellington

Councillors:

Breaksea Ward	R Hammond
Breaksea Ward	V Calleja
Frederickstown Ward	C Dowling
Frederickstown Ward	G Stocks
West Ward	J Gregson
Kalgan Ward	Y Attwell
Kalgan Ward	C Holden
Vancouver Ward	D Bostock
Vancouver Ward	S Bowles
Yakamia Ward	R Sutton

Staff:

Chief Executive Officer	F James
Executive Director Community Services	L Hill
Executive Director Planning and Development Services	D Putland
Executive Director Works and Services	S Grimmer
Manager HR	D Baker
Minutes	J Williamson
Minutes	C Crane

Public Gallery and Media:

Nil.

Apologies/Leave of Absence:

West Ward	D Dufty
Yakamia Ward	A Hortin

5.0 DECLARATION OF INTEREST

[Elected members of Council and staff are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the presiding member prior to the conduct of the meeting]

Name	Item Number	Nature of Interest

6.1: CITY OF ALBANY GENERAL WORKERS ENTERPRISE AGREEMENT 2011

Responsible Officer(s) : Chief Executive Officer (F James)
Manager Human Resources (D Baker)

Maps and Diagrams:**IN BRIEF**

- City of Albany General Workers Enterprise Agreement 2011 for Inside Staff.

RECOMMENDATION

ITEM 6.1: RESOLUTION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR ATTWELL

THAT Council ENDORSE the attached City of Albany General Workers Enterprise Agreement 2011 and direct the CEO to sign the Agreement and forward to Fair Work Australia.

CARRIED 11-0

BACKGROUND

1. The City of Albany currently operates under three Employee Collective Agreements, namely the *Outside Workers Union Collective Workplace Agreement 2011*, *Employee Collective (Day Care) Agreement 2011* and the *General Workers Union Collective Workplace Agreement 2007*.
2. The General Workers 2007 Agreement has a nominal expiry date of 30 June 2010, but under the terms of that current Agreement, continues to operate until replaced or terminated by a new Agreement.
3. The General Workers Agreement negotiations for a new Agreement relating to changes in conditions have been undertaken between the Australian Services Union (ASU), the City of Albany (as employer) and staff “covered” by this Agreement.
4. Some new terms and conditions were agreed between the parties, while the majority of the current Agreement continues.
5. On 26 July 2011 staff voted to **accept** conditions proposed by the City.

DISCUSSION

6. The City of Albany and the ASU reached agreement for the new General Workers (Enterprise) Agreement to be put to a secret ballot for all eligible staff
7. The General Workers (Enterprise) Agreement, which was then the term, was made available in hard copy to staff in each applicable business unit as well as the Intranet and a seven day review period was held from the 14 to 21 May 2012.
8. Ballot papers were distributed to staff and a secret ballot held from the 21 to 25 May 2012.
9. The new General Workers (Enterprise) Agreement is endorsed by Council and then forwarded to Fair Work Australia for review and confirmation, this review can take anywhere from one week to three months to complete.

GOVERNMENT CONSULTATION

10. Not Applicable

PUBLIC CONSULTATION / ENGAGEMENT

11. Not Applicable

STATUTORY IMPLICATIONS

12. The Agreement will be governed by a range of Federal and State Industrial Relations law. This will be one of the matters that the Commissioner will consider if approving the Agreement – inconsistency between the Agreement's terms and conditions need to comply with legislation.

STRATEGIC IMPLICATIONS

13. This item directly relates to the following elements from the Strategic Plan (2011-2021):

5. Organisational performance.

The City's administration must exhibit strong accountability, transparency, effectiveness and efficiency. Planning and management of revenue, costs and the resource capability of the City is essential for financial stability.

Staff Development

Develop effective human resources policies to facilitate the recruitment and retention of trained staff.

POLICY IMPLICATIONS

14. Not Applicable

RISK IDENTIFICATION & MITIGATION

15. The risk identification and categorisation relies on the City's Risk Management Framework.

16.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Employees do not accept the new General Workers (Enterprise) Agreement</i>	<i>Unlikely</i>	<i>Moderate impact to reputation</i>	<i>Medium (6)</i>	<i>Use of positive Public Relations to mitigate reputation damage</i>
<i>Employees do not accept the new General Workers (Enterprise) Agreement</i>	<i>Unlikely</i>	<i>Major impact to organisation operations</i>	<i>Medium (8)</i>	<i>Return to bargaining table and seek urgent agreement to mitigate industrial action</i>

FINANCIAL IMPLICATIONS

17. Due to the lower than expected CPI increase (1.9%) the one off payments to staff and increase in salaries have been accounted for in the 2012-2013 Budget.

LEGAL IMPLICATIONS

18. Not applicable.

ALTERNATE OPTIONS

19. Not directing the CEO to sign the agreement is the only alternative. This alternative would have implications on morale, Industrial Action and organisational uncertainty.

6.2: MOTION BY MAYOR WELLINGTON-RESCISSION OF PREVIOUS DECISION OF COUNCIL

NOTICE OF MOTION TO REVOKE A PREVIOUS DECISION OF COUNCIL

In accordance with Regulation 10 (1b) of the *Local Government (Administration) Regulations 1996*, we the undersigned hereby move to have point 3 of Item 6.4: Request to Host International Basketball at ALAC 10 June 2012, which was moved at the Special Council Meeting held on 1 May 2012, be revoked.

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

**ITEM 6.2: MOTION BY MAYOR WELLINGTON
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR SUTTON**

THAT the resolution of point 3 of Item 6.4: Responsible Officer Recommendation made at the Special Council Meeting held on 1 May 2012 be RESCINDED.

- 3. The City of Albany will at its cost host a Civic reception at the Albany Entertainment Centre at an anticipated cost of \$8000 (excluding staff time)*
- 4.*

**CARRIED 11-0
ABSOLUTE MAJORITY**

**ITEM 6.2: MOTION BY MAYOR WELLINGTON
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR SUTTON**

THAT the \$8,000 originally allocated to host a Civic reception be REALLOCATED to general funding for the event.

CARRIED 11-0

Mayor's Reason:

Refinement of the event budget by RV Sports has resulted in a request for the Civic reception funding to be reallocated for additional temporary stadium seating.

Officer's Comment (L Hill):

As the organisation for the event has advanced a better understanding of essential requirements to host the event have become clearer. Reallocation of funding to seating is sensible and practical.

7.0 CLOSURE OF MEETING

ITEM 7.1: RESOLUTION

**MOVED: COUNCILLOR DOWLING
SECONDED: COUNCILLOR HOLDEN**

THAT Standing Order 3.1 be RESUMED to stop recording of proceedings.

CARRIED 11-0

[6:34:26 PM](#) there being no further business the Presiding Member declared the meeting closed.

(Unconfirmed minutes)

**Dennis W Wellington
MAYOR**