

MINUTES FOR ANNUAL GENERAL MEETING OF ELECTORS

WEDNESDAY 13 MARCH 2019

Muchea Hall
48 Archibald Street
Muchea

Commencement: 7.01PM
Closure: 8.48PM



Disclaimer

The purpose of this Annual General Meeting of Electors 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 the 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 Chittering 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 Annual General Meeting of Electors.

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence “*Unconfirmed*” until the following Annual General Meeting of Electors, where the minutes will be confirmed subject to any amendments.

The “*Confirmed*” Minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Annual General Meeting of Electors are put together as an addendum to these Minutes.

Unconfirmed Minutes

These minutes were approved for distribution on Wednesday 20 March 2019.



Neil Hartley
Acting Chief Executive Officer
Shire of Chittering

Confirmed Minutes

These minutes were confirmed at the Annual Electors Meeting held on **<date to be inserted >**.

Signed

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.

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1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Presiding Member declared the meeting open at 7.01pm.

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

2.1 Attendance

The following Elected Members were in attendance:

Cr Gordon Houston	President (Presiding Member)
Cr Peter Osborn	Deputy President
Cr Aaron King	
Cr George Tilbury	
Cr Carmel Ross	
Cr Mary Angus	
Cr Don Gibson	

The following Shire staff were in attendance:

Neil Hartley	Chief Executive Officer
Peter Stuart	Executive Manager Development Services
Jim Garrett	Executive Manager Technical Services
Natasha Mossman	Executive Support Officer (Minute Secretary)

Media:

Nil

The following residents were in attendance:

D.V. Jowett	Bindoon
Ruth Gibson	Bindoon
Jeanie Kerr	Bindoon
John Agnew	Bindoon
Dave Davison	Bindoon
Laurie Bush	Lower Chittering
John Davis	Lower Chittering
Trevor Tough	Mucea
Colleen Osborn	Bindoon
Gary Wilkinson	Bindoon
John Nagel	Bindoon
Dennis Boyanich	Bindoon
Kylie Hughes	Mucea
Carl Petersen	Bindoon
John Curtis	Bindoon
Roberto Pizzino	Bindoon
Thomas Fern	Bindoon
Josephine Fern	Bindoon

Paul Groves	Bindoon
Bill Nobes	Bindoon
Kevin Treloar	Muchea
Jenny Treloar	Muchea

2.2 Apologies

The apologies of three community members from the district (notified by attendees present) were noted.

2.3 Approved leave of absence

Nil

The Shire President addressed the meeting with regard to the use of the community bus for residents to attend tonight's meeting, at the request of Cr Gibson. This was organised by the Shire and the President thanked Shire staff for making the necessary arrangements. The President also formally introduced the Shire's Acting Chief Executive Officer, Mr Neil Hartley, to the meeting.

3. REPORTS

3.1 2017-2018 Annual Report for the Shire of Chittering*

Report date	13 March 2019
Applicant	Shire of Chittering
File ref	04/02/3
Prepared by	Acting Executive Support Officer
Supervised by	Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	N/A
Documents tabled	Nil
Attachments	1. Shire of Chittering 2017-2018 Annual Report, Financial Statements and Audit Report

Executive Summary

The 2017-2018 Annual Report and Financial Statements for the Shire of Chittering is presented to the Annual General Meeting of Electors.

Background

The *Local Government Act 1995* requires a local government to prepare an Annual Report each financial year and to hold an Annual General Meeting of Electors.

The Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the report is accepted by the local government.

The annual audit was undertaken on 15 to 17 October 2018 by Mr Wen Shien Chai from Moore Stephens (WA) Pty Ltd. The audit report was signed off by the Shire's auditor Mr Wen Shien Chai on 19 December 2018.

Mr Wen Shien Chai discussed queries relating to the 2017-2018 Annual Report and financial statements with the Audit Committee via teleconference at the Audit Committee Meeting held on 29 January 2019.

The draft Annual Report was considered at the same time as the Audited Financial Statements at a Special Council Meeting on 29 January 2019 meeting (Resolution 010119) along with the 2017-2018 Annual Report which is including of the concise audited financial report.

Consultation/Communication Implications

Local

Chief Executive Officer
President
Audit Committee

State

Nil

Legislative Implications

State

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations*
- *Local Government (Administration) Regulations*

Local

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

The Annual Report represents an accurate snapshot of the Shire's activities over the 12 month period from 1 July 2017 to 30 June 2018. In particular, the Annual Report also details progress made against the projects and actions as listed in the four year Corporate Business Plan 2017-2021. The financials have been assessed and meet the approval of the Shire's external auditors.

3.1 OFFICER RECOMMENDATION

Moved Cr Ross / Seconded Cr Gibson

That the 2017-2018 Annual Report be presented to the electors of the Shire of Chittering.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 7/0

7:06PM

4. NOTICES OF MOTIONS

4.1 Community Power Network – John Curtis, Bindoon

Mr John Curtis from Bindoon submitted the following motion:

4.1 MOTION

Moved John Curtis / Seconded Roberto Pizinno

That the Shire makes contact with the Port Pirie Council and see how their community power network operates, and what social and financial benefits it could bring to our residents.

THE MOTION WAS PUT AND DECLARED CARRIED BY A SHOW OF HANDS

7:12PM

Mr Paul Groves asked Mr Curtis for more information. Mr Curtis advised the meeting that he saw something on the news a few months ago, which is run by the local government and residents combined.

The President addressed the meeting and advised that staff have approached WALGA and will report back to Council once this information has been received. The President gave a brief overview of how the system works, by taking household generated power to load back into the power grid, and share that power with other local users.

4.2 Fees and Charges – John Curtis, Bindoon

Mr John Curtis from Bindoon submitted the following motion:

4.2 MOTION

Moved John Curtis / Seconded Roberto Pizinno

That Council abolish the administration fee of \$80 for payment arrangements.

THE MOTION WAS PUT AND DECLARED CARRIED BY A SHOW OF HANDS

7:14PM

Mr Pizinno addressed the meeting in support of the motion. Mr Pizinno also mentioned that his minimum rates had increased by 100% about three years ago. He asked if Council would look at reviewing rates to CPI increases.

5. GENERAL BUSINESS

5.1 Community Bus – Cr Gordon Houston

The President addressed the meeting to discuss the use of the Shire's community bus for tonight's meeting. The bus was originally to be booked by one of the community organisations, which didn't transpire; therefore the Shire arranged for the service to be provided (with a volunteer driver) and its schedule was promoted to the community.

The President then asked the community if:

- (a) there was an interest to have a bus provided for future Annual Electors Meeting? and
- (b) there is general consensus to scheduling Annual Electors Meeting for different parts of the district on a rotational basis?

The President opened discussion from the floor and asked if community members were happy for Council to rotate meetings around the Shire. There was a general positive consensus from the floor.

5.2 John Davis, Lower Chittering

Mr Davis addressed the meeting in regard to complaints lodged in 2017/18 to the Local Government Standards Panel, where the Order handed down by the Panel was for the Councillor to make public apologies to the President and the former Chief Executive Officer. Mr Davis asked the President what the cost to the ratepayers the Shire remunerated the Local Government Standards Panel for reaching their decision? Mr Davis then stated that the answer to his earlier question was that it cost \$6,974. What were the legal fees incurred by the President and Chief Executive Officer's legal costs?

Mr Davis then asked if Council has submitted a response to the Local Government Review Panel during public the consultation period, due 20 March 2019?

Mr Davis then asked why our local government is the last one in Western Australia to present their accounts and to conduct their Annual Electors Meeting, when the end of the financial year was 30 June 2019 (almost nine months ago).

The President took this questions on notice.

5.3 Bill Nobes, Bindoon

Mr Nobes provided his observations in regard to the WA Standards Panel.

5.4 Carl Petersen, Bindoon

Mr Petersen spoke to the matter of Council using the services of a consultant to audit the finances of all Shire owned facilities, and about the same period a Memorandum of Understanding with the Chittering Tourist Association. Mr Petersen asked if residents will see the recommendations from the facilities review or is this for Council's eyes only?

The President informed the meeting that the Facilities Review is approximately two thirds of the way through, with a couple of reports already presented to Council on the progress of the Review. The next and final stage is anticipated to be the presentation of the final report, at which stage this will become a public document.

Mr Petersen then spoke to the public meeting that was held in Muchea approximately four years ago (Crs Gibson and King were in attendance) where he raised the fact about a review to be undertaken on all Shire owned facilities.

The President informed the meeting that Council is not actually auditing the facilities – the consultant is looking at how they are structured. The President then read aloud the following article in the March 2019 Chittering Clubs Newsletter (copies of this newsletter were available in the Hall for the meeting):

The Shire of Chittering has been conducting a review of its community facilities to determine the state of the Shire of Chittering's practices, processes and systems. The Review has specifically looked at:

- *the Shire's policy and corporate framework governing facility management;*
- *the leases, licences and hire/user agreements used by the Shire in defining its relationships with occupiers;*
- *the Shire's costs for providing community facilities;*
- *general observations; and*
- *local government trends in facility management.*

The intention of the Review has been to explore a way forward for the management of community facilities. Consultation has occurred with all Shire of Chittering Facility Managers focused on building an understanding of the Clubs history at the respective facilities, determining their experiences under their existing lease or hire arrangements, Club strategic plans and future growth projections. Of particular importance to the Clubs and Shire Officers is the recognition within the broader community of the volunteer contribution to the overall management of Shire Facilities.

The next stage of the process will involve the development of a policy and corporate framework that will include:

- *providing its facility managers with sufficient guidance on operating its community facilities and delivering various services and programs; and*
- *establishing sufficient controls, such as regular reporting, to monitor facility managers' performance and compliance as part of Service Level Agreements.*

Further information on the review process can be found within the December 2018 Ordinary Council Meeting Minutes available here:
<https://www.chittering.wa.gov.au/council-meetings/past-meetings/2018?>

The President advised that what this means is that people/community groups who lease Shire owned facilities will be required to report to the Shire on a more regular basis.

Mr Petersen asked if the books of Shire building lessees were likely to be audited as part of this process. *The President advised yes (this will be required as part of their reports to the Shire on a more regular basis).*

5.5 Paul Harrison, Bindoon

Mr Harrison addressed the meeting with regard to the statements raised by Mr Davis, and stated that an investigation should be undertaken into the way the former Chief Executive Officer (mentioned Ray Hooper) acted whilst he was here.

The President advised the meeting that if anyone has any proof of any irregularity or in-proprietary this should be brought forward and the Shire will follow up on these.

5.6 John Curtis, Bindoon

Mr Curtis asked what the write-offs were from compulsory waste collection service in November's Ordinary Council Meeting?

The Acting Chief Executive Officer advised the meeting that the resolutions Mr Curtis is referring to are available in the Shire's minutes, which are available on the Shire's website. The Acting Chief Executive officer advised that Council may go behind closed doors to discuss an item, but the resolution of Council is never confidential – the resolution is always published, but the Officer report is not published in the public domain.

5.7 Paul Harrison, Bindoon

Mr Harrison asked the meeting if one Shire Clerk could be shared between Chittering and Gingin to cut overall costs?

The President this was an option that could be explored.

5.8 Laurie Bush, Lower Chittering

Mr Bush addressed the meeting and raised his concerns about Chittering Road, particularly the section of Chittering Valley Road and Muchea East Road. This road was installed in the 1960s and has not been widened since. There has been an increase in traffic on this road over that time and I would like Council to widen this section of road.

Mr Bush also made mention of the lack of fire control in Lower Chittering, and the low number of fire breaks in the area. Lower Chittering is ignored and some areas have not had protective burns for many years. Owners should also be required to clean up their properties where necessary.

The President stated that the local Fire Control Officers and volunteers are involved in checking firebreaks and assisting residents with their burn-backs. The Shire has in the last few years been undertaking an annual firebreak inspection program before the fire season, and educating residents on this matter. If there are areas of concern however, these should be addressed with your local Fire Control Officers.

5.9 Dennis Boyanich, Bindoon

Mr Boyanich asked the meeting what process does the Shire and the Ranger employ with regard to dealing with issues relating to wild dogs and domestic dog attacks. These attacks have resulted in loss of livestock and damage to one alpaca. When we provide what we believe to be proof to the Ranger (like pictures of the dog and where it came from) we are then advised that we do not have enough proof. Mr Boyanich asked if the Shire can come up with a plan to address these cases in the future.

The Acting Chief Executive Officer advised that wild dogs are different to domestic dogs, and maybe it is the Agricultural Department that deal with wild dogs, but if you are talking about domestic dogs that are attacking livestock it is somewhat different. The Shire's Rangers follow the legislation as outlined in the Dog Act, and with regard to proof – this needs to be good degree of proof before any action can be taken, i.e. to court. This is because courts are only interested in proof and without this it is difficult to prove that somebody owned a particular dog, especially if the dog does not have a collar or a registration tag. The Shire's Rangers are there to do what they can to assist residents with regard to dogs, but there does need to be an acceptable level of proof before it can be taken any further. The Ranger would be able to explain to you, what level of proof is sufficient to progress a case to court.

Mr Boyanich addressed the meeting expressing his concern when some livestock escaped from a paddock and they were captured and put into a holding pen. A Shire Ranger came out and advised that there was nothing that they could do, and apparently those sheep were let out again. Livestock should be marked with an ear-tag and Rangers should be able to check stock markings against the appropriate Ownership Register. This would locate the owners and then the Shire can act. Could the Shire investigate this matter and ensure future events like this don't re-occur.

Mr Boyanich asked if the Shire supported local businesses; there is for example, a local machinery dealer and hardware store. Mr Boyanich stated that he understands that the Shire used to do a lot of business with the local dealers but now that doesn't happen at all. Can this also be considered for future action.

The President advised that the Shire does have a purchasing policy which addresses looking first locally, which is available on the Shire's website.

The Acting Chief Executive Officer confirmed that there is a purchasing policy that is for example graded on the value of the purchase required and how many quotes are required. The decision on which supplier to use is in accordance with this policy. The Acting Chief Executive Officer stated that the Shire can remind staff to contact local businesses when enquiring into product purchases.

Mr Boyanich then asked if Avon Waste were taking over the Shire's landfill sites?

The Acting Chief Executive Officer advised that the Shire has considered numerous options for its waste management responsibilities but thus far, we have decided to keep landfill operations in-house and not outsource. The Shire will however continue to monitor options into the future but there is no current proposal to change the existing format.

5.10 Paul Harrison, Bindoon

Mr Harrison addressed the meeting and raised economic development concerns about the Bypass and also about the unsightly amount of rubbish (unsightly cars, buildings, fences) around Bindoon.

5.11 Bill Nobes, Bindoon

Mr Nobes spoke to the meeting about a nursing facility for Bindoon. Mr Nobes asked Council if he would be able to volunteer his services as a “Councillor” to manage aged care for the Shire, as Mr Nobes has advised the interested people that if Council are involved, he will not be. Mr Nobes explained that this means that he would do the negotiations and that he would keep the Council informed at all times as to what was happening. Mr Nobes advised that he has addressed this issue with the Minister for Local Government, and has an application currently with the Minister for Health and Minister for Aged Care. Mr Nobes asked if it was possible for him to volunteer his services and others wanted to join in working for nothing. If agreed, we would go forward and put a proposition forward, letting the community elect us. This would be done without pay, but there would be a sitting fee as projects are progressed.

The President explained to the meeting about the Legislative requirements to be elected to Council. The Shire is not able to adopt or take on extra Councillors as the number of Councillors is already determined.

Mr Nobes stated that he was not talking about becoming a Councillor, but more putting himself forward for projects. Mr Nobes then stated that if the permission to go ahead with aged care that there would be no liability put on the Council, other than negotiation of the land.

The President advised that the Council would need to consider a range of matters, including the impost on Council’s financial resources, and whether there would be a body formed to manage that process (which might involves planners of the project, and potentially community members and members of Council). If a project is not funded by Council, Council would play a similar role; however it would be the proponents of the project to set up their own management team with or without Council representation on it.

Mr Nobes stated that the land in question (i.e. the land immediately behind the medical centre) has already been designated for aged care.

The President stated that any proposed development on land that is owned by Council would require an application to Council. The Acting Chief Executive Officer suggested that if a business / community based proposal should be presented to the Shire in the form of written proposal (including what you would like to see eventually built, what role and what support you want from the Shire, etc) it can then be taken to Council for its consideration.

Mr Nobes stated that this would be a massive project that will require a minimum two year commitment, but it can only happen without any interference by the Council (other than it providing the land).

The President advised that if the financials have already been established for this project, then Council will consider the option that is put to them, particularly relating to land that is owned by the Shire. The President reiterated that a proposal needs to be submitted to Council before any action can be taken.

Mr Nobes asked about a sum of money being granted to Lower Chittering for the use of a playground or sports ground?

The President advised that an application was made to the Federal Government to develop a sporting complex in Lower Chittering, which has been on the Shire's Strategic Plan for some time. The Shire has only recently (in the last couple of days) received confirmation of the grant.

Mr Nobes asked if the community were going to have to put other monies in; and stated that the only beneficiaries of this project will be the Catholic Church, there will be no benefit to Bindoon. Mr Nobes expressed his concerns that if it becomes a financial liability for the Shire he doesn't want the other residents of the Shire outside of Lower Chittering to be liable.

The Acting Chief Executive Officer informed the meeting about the application made under the Federal Governments "Building Better Regions Fund" (BBRF) for \$4.71m as a contribution towards the total cost of the Lower Chittering Sports and Recreation Facility. Confirmation of the grant was received last week. The total anticipated project cost is \$9.71m and the contribution towards that cost is \$3m from the Shire, \$2m from Immaculate Heart College and \$4.71m from the Federal Government. An Officer report is being tabled at March's Ordinary Meeting of Council to commence the project, including calling tenders for architects etc. Other matters like the operation of the facility, shared operational costs, and timing of the school's use of the facility all need to be negotiated. The build is likely to take approximately two years, anticipated completion date July 2021. This will be a community facility that will be run jointly with Immaculate Heart College to provide a cost effective community and school oval. There are two stages to the project, stage one is what will commence shortly.

Mr Nobes asked if the Shire was financial to take this on without higher rates.

The Acting Chief Executive Officer advised that this project has been factored into the Shire's Long Term Financial Plan and this facility was requested by the community through the Strategic Community Plan process. Council is responding to that request. As population and community needs grow, rates will always be under challenge to meet those increased costs, however, when you receive an almost 50% Federal Government grant for a project, that is a very good position to be in.

The President asked if other attendees in the meeting would also like an opportunity to speak.

5.12 John Davis, Lower Chittering

Mr Davis expressed his concern with the Lower Chittering Sport and Recreation Facility, and to see Council wanting to sell some 3ha of Public Open Space to a private school. Mr Davis referenced a Council report from October 2018 that referred to significant community consultation having been undertaken. Mr Davis stated that nobody that he knows in Lower Chittering has been interviewed on this. Mr Davis asked if the Department of Sport and Recreation were invited to participate, along with any other sporting codes?

The President advised that in the back of the document there should be reference to the consultation bodies involved.

Mr Davis then stated that the proposal plan is totally flawed as there is inadequate seniors facilities; there is a football oval and one rectangular oval that will potentially need to be shared amongst the 16 teams who might be using the ground; also, a number of other sports have also been omitted from the plan.

Mr Davis then spoke to Item 9.4.6 of October 2018 Ordinary Meeting of Council. He was opposed to the validity of the report on that basis that it had proposed expenditure of over \$16m over two years (notwithstanding the BBRF grant of \$3m); and it is not a facility for the community, but a benefit for the school. Mr Davis did acknowledge that there is a need for a community and sports centre, including an indoor sports centre in Lower Chittering as the population of about 40% of the Shire but objected to the overall cost to the Shire of over \$100,000 for the study and plans has been a total waste of money.

The Acting Chief Executive Officer informed the meeting that a reference group was established as part of the study process, which included an architect. Public meetings were held with the reference group, and expressed his surprise at the remark that the community did not have an opportunity to comment or make a contribution to the process.

The Acting Chief Executive Officer added that the process of the study included how best to design this facility. This is a joint facility with the school, which hasn't been kept a secret. Local Governments rarely now-a-days build single use facilities, and it is more common for Local Governments to build facilities adjacent to partners and schools are a good partner generally as they will use the facilities during school hours, which leaves the other time for community members to use. The design of the facility should have picked up on the issues raised by Mr Davis; and yes there is no bowling green and as Mr Davis stated, however there is one that it is only 30kms away. Mr Hartley advised that the proposal is going to Council at the next Ordinary Meeting of Council, which if the recommendation presented is passed the project will include a reference group and some more community consultation. Mr Hartley expects the community consultation to occur in approximately three or so months time.

5.13 John Curtis, Bindoon

Mr Curtis expressed his support for the Aged Centre proposal made by Mr Nobes, that it was the most important thing for the district, and believed that Council should support the proposal.

Mr Curtis expressed his observation about waste management and supported the Shire's operation of the landfill sites on an in-house basis. Mr Curtis objected to his rubbish rates rising from \$260 to \$300.

5.14 Paul Harrison, Bindoon

Mr Harrison asked if churches pay normal rates?

The Acting Chief Executive Officer advised that sometimes churches will pay rates if they have a commercial enterprise, but they generally do not pay rates.

The President advised the meeting that there is the Local Government Act Review currently underway, and that one of the issues being looked at is rates applicable to charitable and not-for-profit organisations, which includes churches as well.

5.15 Kylie Hughes, Muchea

Ms Hughes advised the meeting that she was on the reference group for the Lower Chittering sporting centre and wished to ask some questions in regard to the costings. As this project has been on the Shire's Long Term Financial Plan for several years, was there a plan to put money aside during this time in preparation?

The President referenced the Shire's Strategic Community Plan and the Long Term Financial Plan, and that various projects within those plans have been reviewed by Council (as this is not the only project being undertaken by Council) and that Council has looked at the finances of the Shire over a 10 year period. Projects are on the Plans as Council believes they are affordable and in accordance with the financial management of the Long Term Financial Plan. Considerations like rates generated per year, and projected income from rating of land (including projections for industrial land for example).

Ms Hughes asked if this is the money that has been put in the Recreational Reserve Fund.

The President responded in the affirmative.

Ms Hughes asked how much money was in this Fund currently.

The President advised that he was not sure on the exact amount.

Ms Hughes advised that she understood it is approximately \$300,000.

The President advised that the money in the Recreational Reserve Fund will allow Council to commence the project.

Ms Hughes asked if \$300,000 is the average yearly amount that is put into this Fund.

The President outlined he could not quote an exact balance amount but referenced to the Strategic Plan. He outlined that the amount placed into the fund is probably a similar amount that would pay off a loan. Council does not have \$3m upfront to fund this project.

Ms Hughes asked if there would be an application for a loan for \$3m.

The Acting Chief Executive Officer advised that Council will be seeking to apply for a loan from WA Treasury. The President advised that there is also sale of underutilised land to also fund a portion of this and other projects.

Ms Hughes asked if that costing also includes money spent on this project thus far?

The President advised that when a project is first brought before Council, deliberations are held on all the potential future costs to Council. There is normally amounts set aside in the first instance under a consultant's section of the budget, to evaluate whether the project is worth progressing, following which consideration of a construction budget is then required if the project is considered warranted. The planning component of the project has already been accommodated in existing budget allocations.

5.16 Bill Nobes, Bindoon

Mr Nobes addressed the issue of the Post Office and expressed his concern that the ratepayers are sponsoring this business, whilst the person who is managing the Post Office doesn't pay rates and is getting a certain amount of money, and is selling his own goods. Mr Nobes would like Council to put this business in order.

The President advised that this issue is dated, being some 10 – 12 years old. This Council recognised that there was an issue and a couple of years ago, conducted an audit. Subsequently there are now systems in place where there is suitable levels of responsibility for the way the business is managed. The President stated this is considered to be a historic issue; that Council is happy with the way it is being run; the auditing and reporting is now open and transparent, with reports being made available. However if there is any evidence of impropriety with anything to do with that facility, that residents are asked to bring that information to Council's attention.

Mr Nobes asked which report?

The President advised the report which was done into the operations of the finances, which was undertaken by Council. The President stated that the income derived from this premises provided a Post Office service and a Tourism Officer.

Mr Nobes expressed derogatory remarks of Councillors. The President called Mr Nobes to order and stated that he will not condone 'slanging' of Councillors.

5.17 Paul Harrison, Bindoon

Mr Harrison asked Council what was happening with the building on Great Northern Highway that used to be run by Silver Chain, but that it looks like there is a ute there and someone is renting the house.

The President advised he was unsure which building Mr Harrison was referring to and will seek clarification from the Shire staff.

5.18 John Curtis, Bindoon

Mr Curtis expressed his belief that the majority of ratepayers believe that there is something 'dodgy' going on at the Post Office.

The President advised the meeting that Council's position on this matter has been given earlier.

5.19 Josephine Fern, Bindoon

Mrs Fern expressed her concerns with residents wanting to live in the past, we should all want to move ahead and do something for the future of the town. The past has been dealt with.

5.20 John Nagel, Bindoon

Mr Nagel advised his question relates to WALGA and the amount this Shire pays to WALGA. Do we pay 10, 20 or 30 thousand dollars and what do we receive for this investment?"

The Acting Chief Executive Officer advised that he was not able to quote the exact figure, but that the amount would be in the accounts of the Shire, which are publicly available. Mr Hartley outlined that he would guess that it would be in the vicinity of \$20,000 or thereabouts. Mr Hartley informed the meeting that WALGA is the peak body for all local governments in Western Australia. It is managed by a Board of Councillor representatives from all over Western Australia; including 'honorary' members on the Board. Its agendas are contributed to by all local governments through a zone system of representation. As an organisation, WALGA provides an incredibly wide range of services (e.g. environmental, human resources advice, governance advice, legal advice, it has an automated web-based procurement services which helps to keep the Shire's procurement costs down, it advocates for local governments and represents the local government industry, it has a number of representations on a wide range of State Government boards and committees. In summary, WALGA are a central point of service for all local governments in Western Australia. With any service which is a conglomerate of individual users, it is going to provide a better and cheaper service than individual local governments trying to do that on their own. WALGA is an efficient, professional, and well run organisation that provides local governments in Western Australia with a good service at a very good price.

Mr Nagel continued, Mr President, you would be aware there is a new group formed in WA named the West Australian Residents and Ratepayers Association Inc. The objects of the Association are to:

1. Advocate on behalf of the interests of residents and ratepayers;
2. Facilitate and promote consultation, participation and co-operation between ratepayers, residents and government authorities (state and local) and other stake holders;
3. Represent members, residents and ratepayers to government and other local stake holders; and
4. Review local government authority decisions in terms of transparency, accountability and statutory requirements under relevant legislation.

Mr Nagel outlined an example of the benefits of withdrawing from WALGA would be as follows:

"A short time ago one of our shires which is about 1% of the WA population cut their ties with WALGA and sourced their insurance elsewhere, reputedly saving some hundreds of thousands of dollars on behalf of the community. If this was replicated across all WA local government the savings would run into tens of millions of dollars each and every year. Local mayors have investigated the provision of insurance services to local government and have found that they could significantly lower their insurance costs if they went out to the market instead of using the LG insurance scheme. It appears that WALGA is full of has been CEO's filling in time and topping up their super funds prior to retiring.

Mr President with this in mind we as a shire would be far better becoming members of WARRAI as there would be a huge savings on insurance and a host of other benefits and maybe bring some common sense back to the Shire of Chittering. With the above objects and comments in mind I would like to put a resolution that this shire withdraw from WALGA and become affiliated with WARRAI in the interest of our community."

5.20 MOTION

Moved John Nagel / Seconded Bill Nobes

That the Shire withdraw from the Western Australian Local Government Association and become affiliated with the Western Australian Ratepayers & Residents Association.

THE MOTION WAS PUT AND DECLARED CARRIED BY A SHOW OF HANDS

8:28PM

Mr Nagel then asked what the total cost of sitting fees and out-of-pocket expenses for the seven Councillors?

The President advised that he could not quote the exact figure from his memory but the amounts are available to the general public in the annual budget.

Mr Nagel stated that two years ago the total cost of sitting fees and out-of-pocket expenses for the seven Councillors was \$156,000, so would likely be around \$150,000?

The President advised that could probably be around that.

Mr Nagel then asked what the breakdown was for the President and Vice-President, and the five other Councillors.

The President advised that this information is readily available on the Shire's website, which is in the Shire's adopted Annual Budget. The Acting Chief Executive Officer supported the President's advice that this information is in the public domain. The information is in the Shire's Annual Budget resolution, which was adopted in July or August 2018. The sitting fees of all the Councillors, the President and the expenses are all there. The monthly financial statements etc are all regularly presented to Council, the minutes of which is in the public domain.

Mr Nagel then asked the President in his role as the President receive full entitlements for the 12 months regardless of meeting attendance.

The President advised that there is a payment to all Councillors whether they attend meetings or not. There are rules around meeting attendances and that there are costs proportioned to Councillors for travel to and from meetings, which if you don't attend a meeting you don't get paid travel expenses. Mr President reiterated that this information is readily available on the Shire's website.

Mr Nagel questioned the President that he doesn't get paid for not attending a meeting.

The President responded in the affirmative; and stated that he does not get any travel for not attending a meeting.

Mr Nagel then questioned why the figure was increasing every year, when it should be going down.

Cr Gibson stated that every Councillor is fully aware what they are being paid, and that he can't see why it is being kept secret from the ratepayers.

The President thanked Cr Gibson and advised that the information is not being kept secret, all the figures that Mr Nagel is enquiring after are all available on the Shire's website. The President advised that he didn't have the figures in front of him and if he was to give a figure he wanted it to be accurate.

Cr Gibson advised that his payment is \$16,000 per year.

Mr Nagel then asked if this combined figure was acceptable and justifiable to the community who are paying this allowance. Mr Nagel questioned if it would be better/fairer to pay all Councillors an attendance fee rather than a sitting fee?

The President advised that fees for Councillors are determined by the State Administrative Tribunal (SAT). The Acting Chief Executive Officer advised the meeting that Council has the option of having an annual sitting fee or a per-meeting fee. The maximum fees that a Council can pay are set by SAT, and it is up to each individual local government to decide as part of their annual budget deliberations how to address that fee style. If a Council chooses an annual fee, then each Councillor is paid an annual fee and this is often paid on a pre-determined rate (i.e. monthly or quarterly), depending on how Council wants to make this payment. If this is an annual sitting fee then this fee is paid irrespective of whether a Councillor attends a meeting, except for the fact that there is protocols for apologies and leaves of absences. It is a sitting fee per meeting then Councillors are paid for the meetings that they attend. The actual fee is set by resolution of Council every year as part of the annual budget adoption.

Mr Nagel then questioned \$16,000 times by five you get \$80,000, and Council is spending between \$150,000-\$160,000; that the figure split between the President and Deputy is \$75,000-\$80,000, can this be justified?

The President referred to the response provided by the Acting Chief Executive Officer that the maximum fees are determined annually by SAT, and Council determine within the Band for our Shire (as each different sized council has different amount that they can pay their councillors). As a collective, Council decide the amount that Councillors will receive, and that there is a separate fee paid to the President and Deputy in addition to the Councillor fee. The President advised the meeting that Chittering Council is not at the top of the Band for payments.

Mr Nagel then questioned if it is compulsory for Councillors to take that money or can they do it voluntary.

The President advised that each Councillor can decide not to take their allowance as it isn't a compulsory fee. The Acting Chief Executive Officer advised that the fee is set by Council (as previously outlined). A Councillor does not have to accept the fee if they do not wish to. Councillors are however, legally entitled to the minimum fee irrespective of what the Council decides. There is a minimum fee which must be paid if Council wishes, and there is a maximum fee which you cannot exceed. In between these amounts is the prerogative of each Council. Therefore, Council sits in justification of that fee as part of the annual budget and by way of the resolution. Acting Chief Executive Officer then briefly explained to the meeting what Councillors do. They have two regular sessions each month, a monthly Council Briefing Session and Council Meeting and they are also representatives on external organisations like the local Bush Fire Advisory Committee and Tourism Committee. Councillors are the 'conduit' between the community and the local government and that means that they are contactable by ratepayers. As a dollar figure per hour, I expect it is a very low hourly rate as a remuneration.

5.21 Paul Harrison, Bindoon

Mr Harrison expressed concern that in the last 20 years the Shire has not gotten very far. That there was no vision by Council as there doesn't appear to be an incentive to stay.

The Acting Chief Executive Officer informed the meeting that local government has improved a great deal in the 40 years that he has worked in the industry. Local governments today are involved in much more than they have in the past. If you go back to the old 'road, rates and rubbish' analogy that is what it used to be many years ago. Local governments are now involved in recreation centres, ovals, tourism, environmental health, public health, roads are better than they ever have been, communications are better, the opportunity to make a contribution to Council is so much more vast than it ever used to be. There are for example, so many more opportunities for ratepayers to

contribute as residents can ring, fax or email, get on the website, and come to Council meetings and briefing sessions.

Mr Harrison outlined that thirty years ago the Shire had three staff yet we haven't gone anywhere since then, and now have more staff.

The President advised that we have progressed since those days, the population has increased and the Shire staff have increased accordingly.

5.22 John Davis, Lower Chittering

Mr Davis raised his concerns about Councillors receiving a gift from a commercial body, are they are able to vote on any motion that involves that commercial body?

The Acting Chief Executive Officer advised that it depends on the value and when the Councillor receives the gift. If the gift was received as an election gift then that can be treated differently to if the gift is received after an election. It also depends on the circumstances, as sometimes Councillors will not be allowed to remain in a meeting, however sometimes they will.

5.23 Robert Pizinno, Bindoon

Mr Pizinno asked if Council would look at alternative options for its under-utilised land. For example, small house lots, solar panels, eco systems, with the land that isn't doing anything. Council could create an aged care or eco village?

The President referenced the Strategic Plan where all of Council's properties were identified, and Council has made some decision on the opportunity to release some of that land. The sale of these properties will offset some of the costs of projects that Council is undertaking. The properties are all identified in the Integrated Strategic Framework documents.

5.24 Bill Nobes, Bindoon

Mr Nobes advised of a letter he has sent to the Minister and the Minister's response.

The President asked Mr Nobes if there was an opportunity for him to compile and present to Council a document on the matter.

The President observed that Electors Meetings have often been a discussion topic as to whether they serve a purpose and that he would prefer that questions like these should be raised when they become an issue, rather than saving them until the Annual Electors Meetings.

6. CLOSURE

The Presiding Member thanked the residents for attending and declared the meeting closed at 8.48pm.



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