



MINUTES OF THE SPECIAL MEETING OF ELECTORS

MONDAY 17 JUNE 2019

Commenced at 7.09pm

Concluded at 10.03pm

Held at

**Bindoon Town Hall
6182 Great Northern Highway
Bindoon WA 6502**

RECORDING OF THE SPECIAL MEETING OF ELECTORS

Objective

- To ensure that there is a process in place to outline access to the recorded proceedings of the Special Meeting of Electors.
- To emphasise that the reason for recording the Special Meeting of Electors is to ensure the accuracy of the minutes and that any reproduction is for the sole purpose of Council business.

Statement

Recording of proceedings

1. Proceedings for the Special Meeting of Electors shall be recorded by the Shire on sound recording equipment.
2. No member of the public is to use any electronic, visual or vocal recording equipment device or instrument to record the proceedings of the Special Meeting of Electors meeting without the written permission of the Shire President.

Retention of recordings

3. Recordings pertaining to the Special Meeting of Electors shall be retained in accordance with the *State Records Act 2000* (General Disposal Authority for Local Government Records). The current requirements for the retention of recording of proceedings is 30 years.

Disclosure of policy

4. This policy should be printed within the agenda of the Special Meeting of Electors to advise the public that the proceedings of the meeting are to be recorded.

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INFORMATION ON HOW THE SPECIAL MEETING OF ELECTORS IS CONDUCTED

Welcome to the Shire of Chittering's Special Meeting of Electors for 17 June 2019.

The purpose of the meeting is to discuss the following topics as they relate to financial management/contracts, etc.:

- **Lower Chittering Sports Complex;**
- **Muchea Sports Complex;**
- **Bindoon Oval;**
- **Bindoon Lifestyle Village; and**
- **Gray Road Recreation Complex.**

In accordance with the *Local Government (Administration) Regulations 1996*, the Shire President is to preside at a general or special meeting of electors and is to determine the procedure to be followed.

- (1) All present are required to sign the attendance register at the entry to Bindoon Hall, including name and address.
- (2) Speakers must be Electors of the Shire of Chittering.
- (3) The proceedings will be taped for the purpose of production of the minutes and speakers are requested to use the microphone(s) each time they speak.
- (4) No other audio or visual recording is to be undertaken without the permission of the Presiding Member.
- (5) The order of proceedings will firstly make reference to these rules by the Presiding Person, followed by Attendance, Apologies, Leave of Absence, Declaration of Interest and Special Business.
- (6) During Special Business, questions or statements may only relate to matters on the agenda and that affect the local government, and will be accepted at the discretion of the Presiding Member.
- (7) When asking a question at the meeting, a person is to:
 - (a) rise and make their way to a static microphone (a mobile microphone is available for attendees with mobility restrictions);
 - (b) state your name for recording in the minutes; and
 - (c) address the meeting through the person presiding.
- (8) Minutes of this meeting will be available for inspection by members of the public as of 12 July 2019.

Any decisions of this meeting are not binding on the Council, but as required by the *Local Government Act 1995*, the reasons for any Council decision of this meeting are to be recorded in the minutes of the Council meeting.

1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The President declared the meeting opened at 7.09PM.

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

2.1 Attendance

The following Elected Members attended:

Cr Gordon Houston	President (Presiding Member)
Cr Peter Osborn ¹	Deputy President
Cr George Tilbury ²	
Cr Carmel Ross	
Cr Mary Angus ³	
Cr Don Gibson	

The following Shire staff attended:

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

The following residents attended:

Carl Petersen	Bindoon
Ernie Males	Mooliabeenee
Gwyneth Jones	Mooliabeenee
Vicki Smit	Muchea
Frank Blanchard	Muchea
Kylie Hughes	Muchea
Graeme Donaldson	Bindoon
Derek Tabor	Mooliabeenee
Patricia Tabor	Mooliabeenee
Heath Elkington	Lower Chittering

¹ Arrived at 7.17pm

² Arrived at 7.17pm

³ Arrived at 7.17pm

Lachlan Chilman	Muchea
Megan Chapman	Chittering
Chris Tillyard	Muchea
Chris Waldie	Bindoon
Lindsay Bennett	Bindoon
Sarah Canman	Chittering
Maxine Southink	Lower Chittering
Linda Foldenauer	Lower Chittering
Vicki Humphry	Upper Chittering
Phillip Humphry	Upper Chittering
Megan Black	Chittering
Kevin Black	Chittering
Kathy Tunnicliffe	Bindoon
Davind Lines	Bindoon
Larry Dugay	Chittering Springs
Dawn Kay	Bindoon
Steven Chitty	Muchea
Trevor Tough	Muchea
Nathan Hebbard	Bindoon
Colleen Nagel	Bindoon
Clive Griffiths	Bindoon
Phil Martin	Bindoon
Nita Hart	Bindoon
Brian Bingham	Bindoon
Phillip Lefroy	Bindoon
Joy Lefroy	Bindoon
Colin Matting	Muchea
Frank Schubert	Bindoon
Dennis Boyanich	Bindoon
Jean Kell	Bindoon
Paul Groves	Bindoon
Mark Brunini	Muchea
Elaine Read	Bindoon
Ross Read	Bindoon
Brendan Hughes	Muchea
Anne Elliot	Bindoon
Noel Elliot	Bindoon
Lenni Duffield	Chittering
Judi Tomlinson	Muchea
Gordon Tomlinson	Muchea
Keith Bishop	Bindoon
Cheryl Porter	Mooliabeenee

Peter Porter	Mooliabeenee
Jay Chapman	Chittering
Gavin Fleay	Bindoon
Valerie Fleay	Bindoon
Julie Henderson	Bindoon
Samantha McKay	Chittering
James McGregor	Muchea
Lyn Borg	Bindoon
Silvio Borg	Bindoon
Alison Barnard	Lower Chittering
David Barnard	Lower Chittering
Dee Pine	Muchea
Ian Hall	Muchea
Jenny Hall	Muchea
Paul Foldenaur	Lower Chittering
David Deng	Wannamal
Melanie Baker	Muchea
David Baker	Muchea
Jodee Maddock	Lower Chittering
Mike Beltranetti	Chittering Rise
Josephine Fern	Bindoon
Stan Gaston	Bindoon
Robyn Taylor	Chittering Heights
David Brisbane	Bindoon
John Barlow	Bindoon
Christine Agnew	Bindoon
John Agnew	Bindoon
Les Parsons	Bindoon
Maxine Parsons	Bindoon
John Nagel	Bindoon
Lee Martin	Bindoon
Laurie Bush	Lower Chittering
Jane Righton	Bindoon
John Davis	Lower Chittering
Carolyn Gomersall	Mooliabeenee
Andy Gomersall	Mooliabeenee
Maree Donaldson	Bindoon
Rhonda Walsh	Bindoon
Ed Walsh	Bindoon
Thomas Eastough	Bindoon
Patricia Fletcher	Bindoon
Trident Buttfield	Muchea

Donna Buttfield	Muchea
Dave Lucas	Bindoon
Piet Berkers	Bindoon
David John	Bindoon
Betty Rorbye	Bindoon
Judy Chilman	Muchea
William Grimshaw	Muchea
Brian Chipchase	Muchea
Julie Duzevich	Bindoon
Richard Frew	Bindoon
Walter Hoge	Bindoon
Yvonne Garland	Bindoon
Frank Fewster	Muchea
Margaret Fewster	Muchea
John Curtis	Bindoon
Raelene Kay	Bindoon
Roslyn Ferrell	Bindoon
Colin Ferrell	Bindoon
Robyn Browne	Muchea
Gordon Carter	Upper Chittering
Helen Taylor	Chittering
Louise Yates	Muchea
Tom Fern	Bindoon
Judy ????????	Muchea
Belinda Martin	Bindoon
Neva Harris	Bindoon
Chris Cano	Chittering
Charmaine Fewster	Chittering
Neil Fewster	Chittering
Alan Barnes	Bindoon
Eyal Gringart	Chittering
Denise Scott	Bindoon
Gary Scott	Bindoon
Tracey Yates	Mooliabeenee
Lindsay Yates	Mooliabeenee
Paul Yacopetti	Bindoon
Louise Andrew	Muchea
Barni Norton	Bindoon
Kate Winter	Bindoon
Justin Dawson	Lower Chittering
Robert Taylor	Mooliabeenee
John Kay	Bindoon

Marie Merrifield	Muchea
Ruth Sprague	Chittering
Bob Sprague	Chittering
Yvonne Ong	Muchea
Phillippa Ong	Muchea
Richard Lanman	Upper Chittering
Tobias Zillesen	Chittering
Greg Carli	Chittering
Cheryl Martin	Bindoon
Vesna Starcevic	Lower Chittering
Thomas Connolly	Muchea
Janet Verran	Bindoon
Stephen Verran	Bindoon
Fiona Newson	Bindoon
Lee Greenberg	Bindoon
Daniel Greenberg	Bindoon
Jack Donser	Bindoon
Roslyn Bentley	Bindoon
Steve Bentley	Bindoon
Bill Ashman	Mooliabeenee
Paul Young	Lower Chittering
Nelson Palmer	Lower Chittering
Jill Boerma	Muchea
Jenny Johnson	Bindoon
Marion Cherry	Lower Chittering
Sonia. Taylor	Mooliabeenee
Robyn Welsh	Lower Chittering
Shane Love MLA	Member for the Agricultural Region
Paul Eddy	Lower Chittering
Kristel Eddy	Lower Chittering
Daniel Thomas	Chittering
Fern Thomas	Chittering
David McSweeney	Chittering
Ronald H. Armstrong	Chittering
Nyaree Lake	Bindoon

2.2 Apologies

Cr Aaron King
Gordon Powell
Shelly Powell
Ruth Gibson

Heather Boyanich
Maurus Ward

2.3 Approved leave of absence

Nil

3. SPECIAL BUSINESS

3.1 Lower Chittering Sports Complex

Mr Neil Hartley spoke to the information contained in **Attachment 1**.

3.2 Muchea Sports Complex

Mr Neil Hartley spoke to the information contained in **Attachment 1**.

3.3 Bindoon Oval

Mr Neil Hartley spoke to the information contained in **Attachment 1**.

3.4 Bindoon Lifestyle Village

Mr Neil Hartley spoke to the information contained in **Attachment 1**.

3.5 Gray Road Recreation Centre

Mr Neil Hartley spoke to the information contained in **Attachment 1**.

4. Public Question Time

4.1 Lee Martin, Bindoon

Question 1: Thanked the Acting CEO for his information, but the information was not what they were asking. Will the Acting Chief Executive Officer stand aside for the rest of the meeting, and only the Elected Members answer questions that are asked by the residents and ratepayers at this meeting?

Answer 1: The President advised that where the Elected Members are able to provide a response, then they will do so; however we will seek assistance from the Acting Chief Executive Officer for answers that require further explanation(s).

Statement: Councillors are elected by the community and you need to listen and the concerns raised by the community, as your decision is tearing apart this community. I would like to think as you as Councillors listen to the people carefully and answer the questions on your own.

4.2 John Davis, Lower Chittering

Question 1: Between 2002-2005 planning permission was granted to build a school and church at Santa Gertrudis Drive in Lower Chittering. The Immaculate Heart College now wants to upgrade to a high school/secondary school part of that development. Has the Shire received an application to build this high school, and if they have why haven't the residents and ratepayers in Maryville Downs been notified of this? Has there been secret discussions behind closed doors to build a high school?

Answer 1: The President took this question on notice.

The President advised the meeting, that questions at this meeting as only to relate to the items on tonight's agenda, as requested by your ratepayers association.

Question 2: In October 2015, approval was given for the Structure Plan for Stage 12 was presented to Council. Five of these residential blocks have a common boundary with the public open space and future sports facility and resident centre. Since approval was given in 2015, nothing has happened, why? There are now rumours that five of these blocks are going to be purchased or have been purchased by the Church, and I have reliable information that it is the intention of the Church to build a residential college or university on those sites, primarily to cater for students to the north of the state. Once again has Council entered into secret discussions with the church behind closed doors on this matter?

Answer 2: The President advised that Council does not go behind closed doors on secretive matters. If there are issues of public report or notice that they appear on our agendas and minutes.

Question 3: At a recent meeting with a number of architects organised by the Shire at the Lower Chittering site, I uninvited attended on behalf of the Ratepayers Association. The meeting was chaired the CEO and in attendance with the Shire was Cr Tilbury. Unbeknown to the CEO the meeting was recorded by myself. During this meeting the CEO informed the architects that the school would be the main users of the facility. Also another statement was made that the Council believed that about 50% would be the architects fees for the design and construction, with the other 50% for the build. It is obvious to me that the whole purpose of this facility is to include the dream of a resident college, not for the residents and ratepayers of Chittering. With the loan to be obtained from Treasury, the ratepayers from Wannamal, Bindoon, Muchea and Upper and Lower Chittering's, will be expected to pay for it. You (Cr Houston) along with Crs Tilbury, Osborn and Ross have shown over the past few months total contempt for the ratepayers of the Shire that you are elected to represent. You are not elected to represent the church or the IHC. The way this project has been handled by the temporary CEO and the four Councillors involved could amount to possible fraud. I believe that the BBRF Commission and the State Fraud Squad should be asked to investigate.

Answer 3: Through the Chair, Mr Hartley asked what you would think of someone taping your conversations without their permission and approval to do so, not withstanding that I do not recall that the school was a major user, however what I may have meant was that the school was the user of most importance nor the user of the most number of hours or days of the week. Mr Hartley welcomed Mr Davis to go to the Department, or the Crime and Corruption Ombudsman to pose that I have acted inappropriately in any way.

4.3 Neva Harris, Bindoon

Question 1: I cannot see how this development will do anything for the ratepayers in Bindoon at all. We need a pool and we are told that we are never ever going to get one. We are an older demographic and we need a pool that is very easy accessible. How can Gingin have a pool and we can't. this project looks like a whole lot of rubarb to me just to cover the real issue. I do not see any benefit to what I have seen on the screen for the people of Bindoon.

Answer 1: The President advised that there are projects that people would like Council to do in Bindoon and potentially Wannamal. Council has to do a juggling act with what it can do, and as there is a significant population to the south of our shire, Council made a determination in its strategic forecasting and in its strategic planning that there needed to be a recreation centre; and that the location was the Lower Chittering area. We understand that there is a significant aging population, which is why are looking at projects like the retirement village too.

4.4 Lenni Duffield, Chittering

Statement: I want to recommend that you change your forms at the door as due process to have a special meeting is that you record each one of us as your name and address, and your form has locality; therefore some of us have put our address down which is due process for a Special General meeting. When you are developing your forms you may want to ensure that your forms follow the Act.

Question 1: Is the \$1.625m unsecured loan a normal common loan as pointed out by the Acting CEO in his statement last week?

Answer 1: Through the Chair, Mr Hartley advised that self-supporting loans are very common for local governments. It would also be universal that there wouldn't be security over those loans, as most of those loans are given out to sporting clubs. The amount that the Shire is looking at (\$1.625m) is on the larger side to most other local governments that are in the region of \$10,000-\$100,000.

Question 2: It is quite a substantial large loan compared to other local governments in WA. You have received no complaints to oppose the Lower Chittering Facility, is that correct?

Answer 2: Through the Chair, Mr Hartley asked people to make contributions about the proposal; with a dozen or two responses there would have been ¼ - ¼ opposed. If you call that a complaint then we received no formal complaints. The Shire has received correspondence from residents and ratepayers in support and

objecting to the facility. If you call those people who object to the facility as a 'complaint', then yes the Shire then of the total received $\frac{1}{4}$ - $\frac{3}{4}$ were opposed to the facility.

Question 3: The Shire had three weeks to develop a slide presentation which should have contained the correct and up-to-date information. There was significant funds missing from your LTFP. You had three weeks to develop that information, on the other slides you put footnotes that were wrong. Why did you neglect to update the slide and put a footnote to say that you had forgotten to omit that it did not take into consideration the operational costs or some of the loan requirement?

Answer 3: Through the Chair, Mr Hartley advised that he could recollect which slide was being referenced. The slides were designed to be correct and I apologise if the information contained is not correct. Whilst there has been three weeks to prepare, there are other duties that staff have to perform. These presentations take some detailed time to research, and a great deal of effort has gone into these two presentations. This is whilst staff are doing their other duties as well. If any errors are noticed, please advise the Shire so that they can be fixed.

Question 4: Knowing that the information was incorrect in the LTFP, what will be the rate increase required for the Lower Chittering Hall?

Answer 4: Through the Chair, Mr Hartley advised that the LTFP has a rate increase of 3.1%; however the operating costs are not included in the Long Term Financial Plan. The slides that have been provided at tonight's meeting are correct with the information contained in them. What I didn't find when looking through the Long Term Financial Plan was the operational costs of the Lower Chittering Sports & Recreation Facility. I correctly reported what was in the LTFP. What Council will need to do before construction of the facility is that they will need to rework the Long Term Financial Plan so that it includes operational costs and contribution, which we need to work out what that is until it is built. This will then reflect a more accurate rate increase once Council has figures for the operational costs and contribution from the facility.

4.5 Trevor Tough, Muchea

Question 1: The figures in the CEO presentation last week [Information Session, Lower Chittering Hall on 10 June 2019] it showed the original amount of money that the loan would cost would be \$150,000 a year; and that has been amended to \$228,000 a year. If you take our current pool of rates, 1% of that is either \$54,000 or \$57,000 a year; the loan repayments of \$228,000 which equates to 4%. How does the CEO state that for the next 20 years we are only going to have a 3.1% rate increase, where the loan repayments on this \$5m is 4% on its own. Council already has a deficit and you already have a need for 3.1% increase. How do you explain this misinformation that has been given to us, as the figures there for anyone to see, you are not telling the truth to us?

Answer 1: The President advised that the Shire's Long Term Financial Plan is a lists of what we would like to do, and a list of all the projects of the next 10 years. The costs in the Plan are an estimate, and Council sets a required rate amount per year to cover those projects. We have a recreation centre and part of that analysis is that we need to spend more, and therefore Council at its next budget round will need to work through its LTFP and work out what it keeps. Council is currently working through the 2019/20 Annual Budget, and will be corresponding this with information in our Long Term Financial Plan; and some things may come out from the Plan so that we do not have to raise rates. At the start of the budget deliberations 3.1% was a figure agreed on by Council, which allows the Shire to fix roads and develop areas for the community. The direction to be taken by Council is set out in our Long Term Financial Plan, and it all depends on the vision and commitment of Council. The figures are not rubbery, they are a planning tool that Council needs to use.

Question 2: the fact is that the ACEO stood there and told us that the 20 years it is stood at 3.1%, in fact you lied as it is 4%.

Answer 2: Through the Chair, Mr Hartley advised that the Long Term Financial Plan is only for a period of 10 years – not 20 years. The loan repayments are included in the LTFP for Stages 1 and 2. In the current LTFP there is provision to meet the loan repayments of the Shire's two loans within the 3.1%. Chittering is a growing shire, with over 100 homes built in the last couple of years. Loan repayments are in the LTFP and inside the 3.1%. the LTFP also includes a natural growth allowance of 3% which picks up industrial development and residential expansion. If you didn't put up rates, you would get a natural rate of 3% without doing anything else. The other rate increase on top of that you have the opportunity to do other things that you wouldn't normally be able to do.

Question 3: Are you willing to take a show of hands from people here tonight who want the facility or a financial burden? If the show of hands is in favour of not having a financial burden, will Council back down from building the facility?

Answer 3: The President advised that he would happily take a show of hands, but drew the audience to the fact that a lot of the community who are in favour of the facility are in fact not here tonight. I have received numerous emails from people who have concerns about it and I have responded to as many as I can. I have also received feedback from lots of people who are significantly positive about the facility.

4.6 Daniel Thomas, Chittering Rise

Statement: Mr Thomas stated that he is willing to invest in his community, and that he doesn't care where the facility is being built as he believes that this a facility that the whole community needs. There are a lot of families that were unable to come tonight who are also in favour of this facility who could not make it tonight.

4.7 Lee Martin, Bindoon

Question 1: At a previous public meeting here, I asked you the question on the \$16.7m of the overall cost of this project I asked you if that was right and you said 'no, that last figure is all pie in the sky' to quote. Then you make an announcement about a month later at a Council meeting where it is on. How much had been spent on this project to this stage?

Answer 1: Through the Chair, Mr Hartley advised that it would be between \$70,000 - \$80,000.

Question 2: \$70,000 to \$80,000 you say, in fact it is up around \$300,000 when you look at how the former CEO divided things up. That is a fact, so why would I trust you?

Answer 1: The President that the first part of your question is that the amount in the LTFP is for the whole cost of the development. Depending on whether we get funding for Stage 2 will determine the cost to Council, but the figures in the LTFP are for the entire build, not just Stage 1. As Council does not know how much this entire project is going to cost, the figure that was given to you previously was from the LTFP but that it is an unknown cost at this stage. If the project goes ahead and if we get the funding, this is dependent on whether we get funding to go alone for the second stage.

4.8 Neil Fewster, Chittering

Question 1: Are the facilities in the Shire are they ‘flat-strapped’ for people wanting to use them?

Answer 1: The President advised that all the Shire’s community facilities are being used with most activities occurring on the weekends or in the evening. During the week I would say that they remain empty.

Question 2: If the Shire has enough money to spend, why are you not fixing the gravel roads around the Shire, i.e. Wandena Road; as the traffic and skidding near the Shire’s refuse site is unsafe?

Answer 2: The President advised that Council is not giving money to the College for nothing, as in fact the College will be contributing to the operational costs and the repayment of the loan. The Council is not doing it for the school, but the community as a whole; and that Wandena Road is a road on our network for ongoing maintenance.

4.9 Kathy Tunnicliffe, Bindoon

Question 1: Has Council received Treasury approval for the loan?

Answer 1: Through the Chair, Mr Hartley advised that yes, Treasury have given an indication that the loan will not be difficult, however there is a process to follow. Treasury set limits for every local government in Western Australia, and Council will need to pass it through the 2019/2020 Annual Budget for Treasury to approve.

Question 2: Considering the amount of junior netball and cricket, why is there only one rectangular field as part of Stage 1?

Answer 2: The President advised that the rectangle field is still under consideration, and that an oval field will be more useful.

4.9 John Curtis, Bindoon

Question 1: Why can’t Council contact the Minister to increase the amount they can contribute towards the facility as we can’t afford it in [S]hittering?

Answer 1: The President advised that the amount granted to the Shire has already been signed off by the Minister. We can certainly ask the question, but it is normally that the money approved is based on submission.

4.10 Alan Barnes, Bindoon

Question 1: As there is no much opposition to this facility, why can't Council just put it aside until after the next election and see if the same four Councillors get back?

Answer 1: The President advised that Council made a decision that we are going to continue on with the project.

4.11 Josephine Fern, Bindoon

Question 1: Has the test drilling for water commenced and what have the results been so far?

Answer 1: Through the Chair, Mr Hartley advised that there has been two test bores at the site, with one successful. The lining and finalization of that bore is due to occur in the coming weeks, which will then allow for the water to be tested for quantity and quality. The sustainability of the bore will not be known for a few more weeks. We are also calling for quotes for a hydrologist to give us an indication of the expected sustainability of that bore, once we plant grass it will need to be water. That won't be known for several more weeks yet. There was some work done in 2006 that the Shire had done, that also was relevant to water supply which will be passed onto the hydrologist.

Question 2: If there is not enough water or if the water isn't suitable, will the project go ahead?

Answer 2: The President advised that there will be some challenges, and if there is not enough water or the quality isn't good enough, then Council will need to look at some alternatives.

4.12 Ruth Sprague, Chittering

Question 1: With the loan documentation, it says that if the college is disillusioned the full balance of the loan shall become payable; so if the college becomes disillusioned who will be responsible for payment of the loan?

Answer 1: The President advised that at this stage because it is an unsupported loan it is a challenge but we do not believe that that is going to occur.

Question 2: With regard to water, what affect (if any) will this have on the aqua-table in Bindoon?

Answer 2: The President advised that the aquafer in Lower Chittering is different to the one in Bindoon. As with any organisation installing a bore, the Shire will also need to comply with all relevant Department regulations.

Question 3: As Council are looking at increasing rates, will Council consider putting the brakes on this until the new CEO starts who has a more vested interest in our Shire and the Councillors get ample opportunity to hear from residents?

Answer 3: The President advised that at the Ordinary Council meetings there has been an item that relates to this project, and that Council considers each report when presented with the information that it contains.

Statement: Apart from emailing all the Shire's ratepayers, we think you need to find out what your ratepayers actually want from you, how do we do that?

Response: The President advised that as a Council, we have received numerous emails in relation to this project; those expressing concern and those in favour. Council is in a situation to progress the project, and in accordance with the Federal Government grant the building needs to be completed by the deadline given to the Shire.

Statement: If Council contacted the Federal Government for an extension to the deadline, I am sure that they would give an extension.

4.13 Kylie Hughes, Muchea

Statement: The statistics highlight that \$67,000 of funding for the Muchea cricket nets; this is actually the total cost – one third of that was put in by the cricket club so that is not a true reflection of what the Shire , where a portion was funded by the clubs and other funding agents.

Response: The President advised that as stated by the ACEO the funding as 1/3, 1/3 and 1/3. That was the budget figure for those projects as stated in the LTFP, and they may have a portion provided by the local clubs and other funding agencies.

Statement: For the netball court resurfacing, you had Muchea plus Bindoon's figures in there of \$30,000, which is 2/3 of Bindoon's; Muchea was \$40,000, but it should have in fact been only \$10,000 as it should have been done two years previously under warranty with the clubs putting in \$2,500 aside every year for four years for that to be done, and when it came time to do it two years

ago the Shire could not find the money, and the warranty expired as it took two years for us to prove that case that was in the Sport and Recreation Plan. Also you had a \$20,000 for a sign that is actually on the front of the Muchea Hall and is 60cm x 60cm and has been put next to the existing sign that is still on the building. It is hard to get costings out of these figures that appear on the screens.

Response: Through the Chair, Mr Hartley advised that there is no error in the presentations on those areas that are being referred to. With reference to the \$20,000 for the sign, this is in the LTFP and is accurately recorded in the presentation.

Question 1: Did the Shire actually pay \$20,000 for a 60cm x 60cm sign?

Answer 1: Through the Chair, Mr Hartley advised that the Shire would not have paid \$20,000 for that sign, but the amount of \$20,000 is in the LTFP that would include other entry signs. As Council works through the LTFP they may realise that they do not want to spend \$20,000 on a sign, all we want is a \$500 sign on the wall. The annual statements will record the actual expenditure, the LTFP lists the anticipated, future expenditure. It is impossible to project forward even 10 years and get costs to any degree meaningfully accurate; and will change as time goes by.

Question 2: The \$4.71m Federal Grant is going to be paid in arrears, so the shire is aware that you will be paying these costs up front and invoicing to receive the money, i.e. when milestones are reached. The first payment of \$293,620 was due to the Shire on 12 April, has this payment been made?

Answer 2: Through the Chair, Mr Hartley advised government grants are paid at dedicated instalment times over the period of the loan, and Council is tasked with managing the cash flow of the entire project. This is the same way it works as per every other project everywhere else; it isn't like this project is a different situation. You will take out your loans in front of the construction timelines so that you will have the cash to meet the payments for the builders, etc. And at the end of the day when the project is finished, it will all balance.

Question 3: There will be another grant payment due in on 19 August, is this still tracking within this timeframe, or are you still waiting on applications and funding agreements?

Answer 3: The President advised that the funding agreement is going to Council on Wednesday night. With regard to the other key payment procedures we have to show them that we have met timelines or criteria. I am sure that Shire staff will send off invoices on a timely manner to make sure that we get funding as and when it is due.

Question 4: Are you also aware that in the fine print that it is due by December 2021; and then has to stay operational and maintained for a period of five years as a minimum otherwise you forfeit that funding, is it on track for that? To change from a rectangle oval to a full size senior oval is at least 1.5 times the price of a rectangle field, and the budget is already just on the cusp and it doesn't include GST.

Answer 4: The President advised that none of the costings have been complete 'set-in-stone' and that there will be a lot of work to work around what they are going to be. As far as the process is concerned, it will roll along as it has to and we will have to meet our commitments as we have to. There is no sense that this building is going to be empty in five years' time.

Question 5: In signing that agreement with that being conditional shouldn't more work have been done regarding the operational costs and revenue generation, to be able to make statement at that period when it was signed you were going to fulfil those obligations.

Answer 5: The President advised that all that can happen at the initial stage of a grant submission is a best knowledge on what the development is going to cost. The operating costs are completely unknown; the configuration of the building is basically known, but other things like a gymnasium and private operator are unknown at this stage.

Question 6: At these milestones does the Shire need to report back to the funding provider and give an update on the project, and have you advised them about the change to the funding arrangements; as in the agreement it says that Immaculate Heart are contributing \$2m?

Answer 6: The President advised that the Shire as part of the reporting process there will be a list of requirements that will need to be adhered to and will be reported on accordingly.

**4.14 John Nagel, President Chittering Residents and Ratepayers Association, Bindoon
(the following questions were asked on behalf of Jan Stagbouer)**

Question 1: What measures have been taken to obtain security over the \$1.6m loan with the owners of the IHC? Have you contacted the Archbishop to offer for security?

Statement: These questions were put to Mr Hartley today and I would like Mr Hartley to comment on these as I know he was with Jan today, and whether he has forgotten about it or what the situation is. I want a response as Jan is absolutely disgusted with the whole setup, which she told Neil today. I would like to hear Neil's response, and she also rang you today too Gordon and she told you. I feel like it is like water off a ducks back the two of you. Jan is one of the recognised people, and we have Lenni Duffield who have figures and you people are not taking any notice and I would like to go on with a few more questions that Jan has put through.

Question 2: Given Paul Fox recently purchased two properties across the road from the school, why are the ratepayers of Chittering being asked to help fund his interest in the sports and recreation facility? Is this yet another investment that will be funded by us ratepayers?

Answer 2: The President advised he has no understanding about his purchase of properties at all, as they have not been known to him. As far as the arrangements that the school has in terms of property purchase, arrangements with the Catholic Church, Council has no knowledge of that because that is an arrangement between them and the Church.

Statement: Jan presented Neil with a copy of the title today, isn't that correct?

Response: Through the Chair, Mr Hartley advised that that was not correct. What Jan did present to me was a report from a real estate agent, it was not a title. The meeting with Jan was very amicable and I didn't discern any angst to the level that you are raising tonight. During our meeting Jan suggested that she would have preferred a different loan arrangement, and she said that she might contact the Archbishop (or whoever it is) and ask whether or not the Church would guarantee the loan. If the Church could, that would be a great outcome. The land ownership of the school is not relevant to the loan, because the loan is effectively for a structure that will sit on Shire owned land, not on school owned land. The Shire will own the land and the facility 100%. The school will not have any ownership rights over the property. The loan agreement will include, apart from a requirement to repay the loan, the use rights opportunities and restrictions, and the operational costs and contributions that the school will

need to make to the Shire. The loan agreement will be available as a public document, which arrived to the Shire this afternoon. It is a standard self-supporting loan agreement that local governments have across the state.

Question 3: It would seem that the rush to get this facility started is somewhat connected with the Federal grant. Is there a connection that comes with the grant that is pushing the Council to make unrealistic decisions; if so, what are those connections?

Answer 3: The President advised that there wasn't any unrealistic decisions that are being made by Council. Council is very aware that this is a very significant process and significant expenditure and an impost on the community, but Council is being as careful as we possibly can. The other observation that I would like to make is that I have spoken with Jan, and she has been touting this development to the south of the Shire since 2005 whilst she was on Council. This development has been on the books for a very long time, and all that Council can do is make sure that we get money back from the facility. There is a huge opportunity that we may get upwards of \$1.8m back, which we would otherwise be paying for ourselves.

Question 4: Would it be correct in saying then that you have until the 30 June to get this application through to the Federal Minister for grant funding?

Answer 4: The President advised that he was not sure of the exact date it has to get through by.

Through the Chair, Mr Hartley advised that the grant approval has been confirmed and it was signed off before the Federal election. The grant is guaranteed. The project officially starts on 1 July 2019, and needs to be concluded within two years of that date, i.e. 30 June 2021 is the completion date in accordance with the grants conditions.

Statement: So that confirms that you have got until the 30 June to get it in place to start from the 1 July, which is why you are pushing this through. You are trying to push this through before the next election.

Response: Through the Chair, Mr Hartley advised that the Shire is working as quickly as we can, at the same pace as we do with any project that Council undertakes. The tenders for architects go to Council next Wednesday [19 June], and the loan agreement is being progressed with the College. The water is being investigated. All of these things are happening. The Shire has a two year timeline and it will be busy to make sure this this project is completed within that two years. It will take over a year to build and several months to design. Council needs to keep on this project as quickly and as reasonably as we can,

but that does not mean that as the President said, when you make poor decisions as you progress along that path.

Question 4: It is essential that the Chittering ratepayers are kept fully informed of the negative impact this proposal will have on the current and future rates. Why is this development being pushed beyond the capacity of the ratepayers to afford? Would the CEO and Council accept the services of an experienced person to review the development of a business and financial plans to have been so badly constructed? This would give some comfort to our community?

I put that question to you tonight, would you be prepared to get an independent auditor come up and go through all this before you go any further?

Answer 4: The President advised that all Federal Government grants are internally vetted before approval is given. The Shire would not have received the federal grant if we did not meet their requirements. Internally, the Shire employs project managers to audit the entire process. The Shire also has their internal financial people to manage the incomes and outgoings.

Question 5: The question I asked was ‘are you prepared to get an independent auditor in’? Figures that are being presented to us are not correct.

Answer 5: The President advised that the figures that are being talked about are in the Long Term Financial Plan, and this document is subject to change every year.

Statement: Someone needs to stand up as the community has lost confidence with this Council and the CEO, your planning of this sports facility has been dreadful and will see the loss of the Chittering sustainability. The facility may well be needed but the current proposal is unrealistic. You desperately need help to establish a more realistic business plan for this project from both practical and financial viewpoints.

On behalf of Jan Stagbouer.

4.14 John Nagel, Bindoon

Question 1: What are the expected costs of the architects? How many applications have you received from your advert in the West Australian on the 13 April?

Answer 1: The President advised that he was not sure.

Through the Chair, Mr Hartley advised that the Shire received eight or nine submissions for the tender to provide architectural services for the design of the facility. These submissions will go to Council on Wednesday [19 June], and one of those architects will be selected by Council as the company to undertake the task of designing the facilities. The Shire received good submissions and the tenders are confidential until they are dealt with by Council until after the Council meeting when the resolution of Council will be known.

In response to one of the earlier questions, Council's books are audited every year by licensed auditors under the control of the Auditor General of the State Government. They would be testing those figures that you speak of at the annual audit and at the half yearly audit as well.

Question 2: If I remember rightly the question John Davis asked was said at that meeting at Lower Chittering was approximately 50% of the cost was going to be under the architect, so 50% of what?

Answer 2: Through the Chair, Mr Hartley advised that he would like that statement re-clarified before giving a response. Mr Hartley asked what he was taped saying.

Statement: I cannot answer that as I have not got the tape, but I am pretty sure that John is not the kind in telling 'porkies'. You must have some sort of formula, is it 20%, 30%, 50%?

Response: Through the Chair, Mr Hartley advised that it is on the Shire's website, and the total professional fees estimate is 10% of the project cost. This is on the quantity surveyors list, grant application, website, therefore you can look at all of the costs for the whole centre broken down as per the quantity surveyor.

The President advised that this includes engineers, and all other services.

4.15 Graeme Donaldson, Bindoon

Statement: Mr Tough previously asked for everyone to give a show of hands of people who think this is a wonderful idea, a concept of the sports pavilion of the Roman Catholic Church. Can we have a show of hands?

Response: The President asked for it to be rephrased as it is not at a Roman Catholic Church; it is on land in Lower Chittering.

Statement: We know that the Roman Catholic Church is so astute with financial investment that they can't lose, the Council can. This could prove (if it goes ahead) to be a millstone around the Council's neck, which is the ratepayers – we are the Council. We don't want millstones around our neck, and we are just about to go down the road; can we have a show of hands for the ones who think this is a wonderful idea; come-on, put your hands up....1...2....3.... I am not waiting.

Response: The President asked Mr Donaldson if he had a question as there are other people who would like to ask questions.

Statement: Can we have a show of hands before I read this out.... Around about 5% of the meeting tonight want it. Can we have a show of hands from those who think that this is a bad idea for the council and us.... 95%. That is all, I am too old now to make bad financial decisions.

4.16 John Davis, Lower Chittering

NOTICE OF MOTION

Proposer John Davis / Seconder Lee Martin

The Ratepayer Electors of this Special meeting of the Shire of Chittering demand that any agreements regarding the Lower Chittering Sport and Community Facility, made between the Shire Council and the owners of the Immaculate Heart College, be presented to the Minister of Local Government, Sport and Cultural Industries, and to the Department of Treasury WA for their opinions on the Legality or otherwise on the proposed agreement, and also furthermore no contracts to be signed off, and the seal of the Shire of Chittering not applied until after the Local Government Elections, to be held in October 2019.

This motion is proposed by the Chittering Residents and Ratepayers Association Incorporated.

Dated: 17 May 2019

CARRIED

Statement: We expect it to be heard at the next Council meeting, under s5.33 of the Local Government Act.

As Secunder of the Motion Lee Martin addressed the meeting

I think it is pretty important that this facility be reconsidered, and I would like you to get a show of hands in support of the motion to show that the meeting support the motion.

4.17 Jodie Chilman, Muchea

Question 1: Concerns with the existing sporting clubs and facilities in the Shire; when the new facility is fully operational, I would like to know what your expectation is as a Council on other sporting clubs within the Shire. I would hate to see an entire facility would be shut-down and forced to relocate to this new facility because one you are taking away facilities and amenities from one area or townsite, and taking away history

Answer 1: The President advised that Council has not had any discussions to remove facilities, this is in addition to the facilities that we already have in the shire. Between now and the construction of the new facility, there is a lot of work that needs to be done. There has been no hint of any consideration on shutting them. The Shire's LTFP shows that we intend to spend money.

Statement: It does say about relocating to the new facility.

Response: The President advised that there will be clubs who would jump at the opportunity to move to a brand new footy oval if they wish; or add to their basketball. We hope people move to it, but we can't see, for example the junior football club, they probably won't go and play on a huge oval, and still train at the Muchea facility. These will be built into our Long Term Financial Plan, there is no hint that any facilities will be removed, just added to, as we will have population coming as well.

Statement: Concern that in Council's agenda for the June Ordinary Meeting of Council it says in the last paragraph is there potential for an ever better proposal and the one provided by the Muchea Hall Users Group in time the facility which is too small geographically be relocated to an alternative larger site, and the current site be subdivided for housing, with the sale proceeds to be used to partially fund the new facility.

Response: Through the Chair, Mr Hartley asked the audience who had read the report on the Shire's website, and if you had that you would know that one or two sentences that were read out are at the end of that report under a heading called "Plan B", which included a dozen or so questions that were there to

challenge the Council. The proposal that is being put by the Muchea Hall User Group would like to apply for a sport and recreation grant in September 2019 for a new facility at the Muchea Hall and Sports Ground, to replace the old facility. We are putting together a grant application between July, August and a little of September and getting it through Council and up to State Government. This is a huge task, and the report put forward to Council to suggest that they strongly look at that and a whole range of issues about how Council can support them during this process. Including recommendations like having a master plan and strategy for the broader area, without deciding on that one facility on its own. At the end of the report included a whole range of questions, including the one that was outlined: would it not have been better to relocate to somewhere bigger that you could fit all of the facilities on that the Muchea people needed as opposed trying to squeeze them around a restricted site. Encourage everyone to read the report in full and reach your own conclusions about its quality and the suggestions made.

{Inaudible question/statement}

In regard to the item that was read out, to the credit of the Muchea Hall User Group are an incredibly enthusiastic group wanting to push this project along as quickly as they can. The Shire is reacting to their enthusiasm by putting a report to Council as soon as we could and encourage everyone to read the report.

In regard to the comment about community consultation; would love more community consultation. The Community Strategic Plan is advertised for community contributions, and that forms the basis of the Council's thinking which goes into the Corporate Business Plan. Those documents are advertised. Council then forms that into a Long Term Financial Plan and from that they create the annual budgets. The community has had the opportunity to contribute at the highest strategic level. Encourage you to take an interest when those advertisements appear in the newspapers to play a role in that. This is the genesis, or the reason, why we are here tonight; because there was not enough contribution at the time. There was also consultation done as part of the Lower Chittering Recreation Facility proposal, where the consultants sent out 500 invitations, and they went to clubs and other things. There is a report that is on the webpage, and encourage everyone to get involved in those when asked for your input, as what happens and you leave it to the 11th hour, this is the position you find yourselves in. Your contribution is required at the time and everyone should take the time to do this.

4.18 Jenny Johnson, Bindoon

Statement: As part of CCPAG this plan was presented a couple of years ago and stated that this would be financed by natural growth in population. The Corporate Business Plan says that by 2026 we expect 8,000 people to live in the Shire, which is a 48% increase on the 2016 census. In the presentation last week and also the Northern Valleys News it has been realised down to 7,300, which is a 3.4% increase. The latest WA Tomorrow Population Report No 11, which is our latest and greatest figures, and we are expecting 6,115 based on the C-Band, which is the most likely band. This represents an extra 580 people, a downgrade of 2,000 people on a population that is only about 5,500. In terms of rates, if a population has to pay 100% of rates, if you have 20% less population that means that 80% that is left have to pay an extra 25% on their rates. Based on your own figures of 3.1% it would automatically if we don't make up that extra 20% population, it becomes 3.76%. This is based on population, not on financial figures which is short about \$100,000 on what you have presented.

Response: The President advised that when Council considered this development, they also considered what was not in those reports is the very significant industrial park to the south of the Shire. And rating from industrial land will bring in significant rate revenue to the Shire. With the development of this Park, it is likely to bring approximately 15,000 employees and that will result in people looking for accommodation/build houses, and we are hopeful that those figures will increase revenue for the Shire, but will also put pressure on existing facilities.

4.19 Dennis Boyanich, Bindoon

Statement: Irrespective of what might happen / what is going to happen there is one big basic fact that is missing here; you have got to remember that you people were elected by ratepayers, and put there by the ratepayers and you should do what they say. You sit up there defiant of what they are telling you and you get four Councillors who are quite prepared to go along with this, yet three others are like normal. You four are going to be responsible for whatever you do to this Shire. With respect to people from Lower Chittering who want a facility, so they should have a facility. So should Muchea and so should Bindoon, but the way that you people are going about this is totally wrong. You need to listen to what the ratepayers are telling you, that is what you were put there for; and if you are going to do that then please step down and let someone else do it that is capable of doing it.

4.20 Kylie Hughes, Muchea

Statement: With respect to the point earlier made by the ACEO, I have been involved in the community strategy, planning workshops, the sport and recreation plan, reviews, I do enjoy getting into conversations and listening to what the community is saying. Obviously our netball club is involved heavily in the sport and recreation plan over that 10years that I have been involved in the club. In this room now you have life members, someone representing a patron association, third generation of residents. You are not demonstrating the respect of people in this community. If this many people are saying that we don't have faith in this plan, like the plan that we have put together for the Muchea Hall, whilst everyone is saying that the facility is too small that oval is the same size as the SCG. In the Shire there is nowhere for senior football or senior cricket, yet there are three cricket clubs. All of these mistakes have been pointed out by me for at least the last two years when that plan came out. I was on the reference group for the planning of this facility. When I joined there was two AFL sized ovals; one was a practice and one was for playing. There was one multicourt. That is the only thing that is going to make any money of the whole plan, is the indoor facility. Now they have stretched it out to two. There are so many holes in the plan and so much disdain for people that you could be utilising from the sporting clubs that have been in the shire for such a long period of time that they understand why tennis is no longer popular. There are facilities that are not used just because the facilities are not good enough, there is no interest in those sports because they can access that elsewhere. We have spoken about where you haven't consulted Netball WA, you haven't consulted with the WACA, and you haven't consulted with Swan Districts Football Association. You don't know where the boundaries are. You don't know if you are going to have a senior club there because you can't, because Chittering is a junior club. Bullsbrook and surrounds send their juniors to Chittering. They get developed up and then move away. It is what sporting and government bodies are containing the integrity of their sporting regions because that is constrained. You can't just build it and have it, because the Shire said so; or because people think there housing prices are going to go up in Lower Chittering. There are so many things that should have been consulted by sporting bodies or with people who understand sport. I had to force my way onto that reference group and I applied for this reference group where I was nominated by two different organisations for that. Aside from my sporting experience and involvement in all of those plans, I have been a purchasing manager in an organisation that handles millions of dollars of money of Rupert Murdoch's money. I do contracting – I am a contract manager. I have also done facility management. Who better of the three that were elected is more qualified than that, that I

was not selected? This is why, is there a conflict of interest within that Reference Group. I know that at least 30 people have approached me to let me know that allegedly that one person is actually involved in a romantic relationship with another person on that reference group. One member on that reference group is a preferred contractor with the Shire. There are procurer interest.

Response: The President advised that if there is significant issues like that they shouldn't be made unless there was substance to them.

4.21 Lenni Duffield, Chittering

Statement: Why has the co-contribution been reduced from 50% to 25% from the original conversation that has happened in the documentation, which I have pointed out to you several times before with Lucid Economics and Jill Powell reports, and your subsequent Council reports on numerous occasions are incorrect. Particularly where you say that the decision was based on the number one priority that Council wrote in the Council minutes, and you as Councillors approved that. I would go on the recommendation of Neil Hartley and our President, and implore you to read all the documents as if you had, you would have picked up at least 68 mistakes. Some of them have been about the MPV and the rates that are used; there is a \$58,000 difference on one of them to start with, but that didn't change with them putting it down in another table to work out what the figures were going to be, and they are also incorrect. Also in that report there is a co-contribution or half operating costs from the IHC, but someone couldn't do the mathematics on that on either as that one is out. When you say that the operating costs are \$600 and something thousand, and we are going to expect to get half of that back.

Question 1: Why has it been reduced from 50% to 25%?

Answer 1: Through the Chair, Mr Hartley advised that this has not been reduced from 50% to 25%.

Statement: In your Council report it does say that in the minutes.

Response: Through the Chair, Mr Hartley advised that as far as he recalls it doesn't.

Statement: In your last minutes it says a minimum of 25%.

Response: Through the Chair, Mr Hartley advised that what it says is that there will be contribution split into two, a minimum of 25% based on costs and up to another 25% based on usage. Two 25s equal 50.

Statement: What is also in there is a statement from the Principal that they have said that if they were to be actually charged 50% of operational costs they couldn't afford it. This is why they have come to the Council to ask for a reduction in costs of down to 25%. This is a statement from the Principal in those minutes.

Response: The President advised that there is not a minimum of 25%, there is operating costs as well. They are obliged as a user to pay.

Question 2: Why was not the original 50%?

Answer 2: The President advised that it is.

Through the Chair, Mr Hartley advised that through the grant application said that the operating costs would be split, there was not a percentage allocated in the grant application. You assume that a split would mean something close to 50:50. The Shire has been in discussions with Immaculate Heart College, about that contribution, and it has to form part of the loan agreement. The Council Resolution was that the contribution be based on a 25% proportion plus up to another 25% based on usage. The school as part of this process with the reference group has been discussing how to best describe the use in the loan agreement, and how to best accommodate the operational part. The school will have its financial limitations and we have to work with them on how this is all going to work out on Wednesday at the Council meeting. Council will consider the loan agreement and the contribution paid by the school. Council has to make the decision on the loan agreement, and discussions with the school about their contribution rate and how that forms into the loan agreement. The Council Resolution is misinterpreted. The Council Resolution is that it be 25% plus up to 25%. The position by Council on a lot of things has changed over the period of this process, and that will continue to change. It would be good to set a position on anything today, but views can change tomorrow, or the next day, if you thought there was a better alternative. Once Council has considered the loan agreement that will include the configuration of the use rights, which will be dealt with by Council on Wednesday.

Question 3: So at this stage, Council is only committed to 25% that is what you are saying, and up to another 25% not the original 50%?

Answer 3: The President advised that it could be 50%.

Statement: Notwithstanding that, the Principal has stated and it is recorded in the Council minutes that they cannot afford that.

Response: The President advised that that would be a discussion and negotiations with the College.

Question 4: How are you going to afford it as the goal posts keep changing? All of a sudden we are up for 75% operating costs so that has not been included in the Long Term Financial Plan. In fact, we do not know what that 75% operating costs is going to be. How are we going to afford it when it has also been pointed out that none of the opportunity costs I asked last week have not been answered? There is about 50% of opportunity costs that haven't been answered and this could be attributed to the 50% that we are already missing in the budget to maintain assets on facilities right now that will have to be foregone to go with this project, let alone any other opportunity costs. Other opportunity costs are, what is the significant impact on our shire in applying for any other loans whilst we have this loan, because we are reaching our limit with the Treasury?

Response: The President advised that these were addressed last week, and to reiterate what was said last week, these costs are in the Shire's Long Term Financial Plan and Corporate Business Plan. Whatever the income from the building is and whatever the operating costs are, will have to be built into the annual budget.

Question 5: Those figures have been used to establish a 'go or no go' in a net present value of this capital investment on whether we go ahead or not. If they are unrealistic, then you have not quite figured that out yet, then why were they used as a hurdle point in an MPV that is already wrong in the Lucid Economics report?

Answer 5: The President advised that Council does its best work on the information that they are provided with. The documents presented may have inaccuracies but we fall back to the question that regardless on the amounts of money, Council has made a decision at this point in time, that they are comfortable with what they are presented with. The Shire's Strategic Plan will change every year and it could be in three years' time we have significant income coming from somewhere like that and from increase in population. And if we haven't then some of the projects that are in that Plan will have to dissipate or put back so that we can balance our budget. Council will make that decision about whether it charges 15% (heaven forbid) or it charges 2%, because it can afford to for its rates. We are talking about a whole heap of improbable that were put onto this project when the funding was applied for and we will not be able to rationalise most of those figures until the facility opens its doors.

Statement: My point is then, your \$4.71million is only for Stage 1 of this project. You are reliant on applying for other grants, so wouldn't we be more concerned and invest money into upgrading our facilities that are not at full use right now, that are not at capacity and give the money back and apply for further grants because you have to anyhow. The argument that we have got the money and we need to spend it doesn't fly if there is no guarantee that we can't do Stage

2 or 3 without further grant funding. Why not delay it and set up a reserve fund wait for Muchea to come online, put the money aside and go back and actually do your community engagement properly and look at this in three years' time. We are not going to have the population statistics as predicted, and maybe during that time we may be able to save some money, not actually spend more than what we get in, and do this project properly.

Question 6: Will the Shire give full support to the Muchea Hall User Group in supporting them in writing for the grant application?

Answer 6: Through the Chair, Mr Hartley advised that he has written a report which is available on the website and is in the agenda for the June Ordinary Meeting of Council and the recommendations are there. What Council decides to do is entirely up to its best judgement and officers will implement whatever the Council decides.

4.22 John Kay, Bindoon

Statement: You keep saying that people can read it on the web, if you look here tonight there is an aging population that wouldn't own a computer, they wouldn't know how to turn the computer on, let alone read the stuff that you put on the web. There is thousands of them who don't get to see it. You can't keep saying that it is on the web, because these people will not see it.

Question 1: The very first thing for this thing to happen – where did it start, where did it come from?

Answer 1: The President advised in 2002 it was first mentioned, and after talking with Jan earlier on today she said it was raised in its current location in the mid-2000's. It has been on the books for a long, long time in various forms.

Question 2: When did you guys decide that you were going to go ahead with it?

Answer 2: The President advised that this Council picked up the Long Term Financial Plan that was around beforehand. We made a decision as a whole Council (all seven of us) to get the CEO to....

Question 3: What was the vote on that?

Answer 3: The President advised that it was 7-0 to support the financial plan.

Question 4: What was the vote on the building?

Answer 4: The President advised that it was 7-0, at the October 2018 meeting. All the Councillors voted in favour.

Question 5: You reference that 500 surveys were sent out with regard to this, yet not one person that I have spoken too received this. Where any of those 500 sent to Wannamal, Bindoon or anywhere like that? Or were they just sent to Maryville?

Answer 5: Through the Chair, Mr Hartley advised that Jill Powell and Associates feasibility report is available on the Shire's website; and for those who are not able to access a computer, they can come into the office and obtain a paper copy. There was 500 Australia Post submissions sent out, they consulted with 18 clubs/associations. There is 5,000est people in Chittering so there will be a lot of people who haven't seen it, and of course there will be some who sore it but didn't think about it. Those that chose to respond were relied upon to formulate the report, with clubs and other people.

The President advised that it was also advertised in the local paper and public meetings.

4.23 Ian Hall, Muchea

Question 1: Are the other Councillors in attendance tonight willing to address the meeting to convince the community as to why this is a good thing for the shire?

Cr George Tilbury addressed the meeting at 9.28pm

I have spoken to hundreds of people within the shire who are in support of this project. I understand that the community is divided and wish that it was not the case as I want us all to work together. The passion that people have displayed in this community it could be turned into something positive – we could achieve many great things. Our shire is on the verge of something really good, in terms of planning, development, opportunities that are coming our way, because we are on the urban fringe the southern part of our shire is the strongest growing, particularly within the Wheatbelt. There is a lot of opportunity. We have already talked about commercial and industrial opportunity and rate basis from those are significant. We already have BP, which is going through final stages so that is going ahead. We have major road infrastructure with NorthLink WA finally going through. This is going to open our area like we have never seen before, and that places demand on the Shire to provide additional services for our communities. In terms of the Lower Chittering Project we have had this on the books for many years. When I first got into Council I said that this would be my first term; with some of you saying that this would be my last. If that is what you want to do at election time, then that is your choice, but I am here and I have been working hard for this community to get good things happening. In terms of this complex, I said to Council that there is a political window that is going to open when the Federal Election comes around with both sides throwing around a lot of cash, and it was a good opportunity for us as a Council to get some money for a major project. That major project happened to be the Lower

Chittering Sport and Recreation Facility. We as Councillors have to make an informed decision after looking at all the facts. My informed decision in relation to capital cost of the project (Stage 1) there is no commitment to Stage 2. We are not even talking about Stage 2 other than making some provisions, so if it is to be expanded it can be done at the cheapest possible price. \$9.71m, we got \$4.71m out of the Federal Government and that is due to the hard work Council and staff were doing behind the scenes, playing Labour off against Liberal to get that commitment for a grant. We also have another funding partner with a school that is going to use this facility during school hours, which is not our community peak demand period (that is afternoons, evenings and weekends), then that is why we got that grant, because we are going to maximise the use of that facility. Putting your business hat on and you have a funding partner prepared to put in, let's just round of figures- we have a \$10m capital project, we have got \$4.71m which is almost half which is significant for any grant issued by any Government for a project, plus \$2m from another partner who is not going to own any of the facility. The facility will be Shire owned. For a \$10m capital project it is costing the shire \$3m – how is this not a good deal? I know the people from Muchea in relation to their facility needs work down there. When I spoke to my fellow Councillors last week even people who are opposed on Council to this current project; I asked them the question: how many of you have been approached from the people of Muchea with this proposal about this project that has been on the books for years? Not one of them. None of us knew about this proposal. Yes, it has been discussed with staff and that is what I have said to the CEO and President that maybe that is a communication issue that needs to be addressed. As a Council we should be aware of all major projects. The people of Muchea deserve to have good facilities, and I support that happening. But we need to make sure that it is a priority and that the money can be evenly spread and we need to work out the order of those particular priorities. So we need to do a master plan as that has not been done. I fully support this project, and I know that there is a lot of support out there; and I respect those opposed to it because we are all entitled to our opinion.

Cr Mary Angus addressed the meeting at 9.34pm

Council is obliged to try and work together but I am here to represent the people. I have listened over the last few months of what people are saying to me. Yes, in the beginning I did think it was a great thing that we would have this brand new sports complex, it would be great for the new population and the young kids coming up. It would be wonderful as the Government is going to give us nearly \$5m. Since then I have realised that this is going to cost the community a lot of money, because there is no guarantee from College and I am seriously concerned about that. But as a Council we voted and it passed, and I am obliged to stand with Council regardless of my thoughts about it. I am here to listen to everybody and the show of hands here tonight, I think that my fellow Councillors have to see what is going on will go to bed tonight giving it a lot of thought.

Cr Carmel Ross addressed the meeting at 9.35pm

I came onto Council about 18 months ago, about when the project was underway. The things that struck me when I stood for Council, I looked at the population across the shire because anyone who comes onto Council should know who are we dealing with? I live north of Bindoon so my major point of contact is this township. However, when I looked at the figures what I said at a meeting a couple of weeks ago, we have reached the point where 37% of the population, i.e. 2,200 people live in Lower Chittering. About 1,200 live here in Bindoon, over 1,100 in Muchea, about 400 in Wannamal and 500 in Chittering. What has been said here tonight a number of times is that the population spread, the growth has been at the southern part of the Shire, and it seems to me that I agree with what has been said about Muchea and it is most unfortunate that a little more has not gone into keeping that facility going and looking at what it's future should be. There is no doubt that there is an urgent need for the people of Lower Chittering to have a suitable sports facility. I understand the concern that people have about the cost but I find it difficult to say 'give it all back'. It is one thing to say that you don't want rates that you are paying to increase to support a new facility, but if you look at the Lower Chittering area and turn it the other way around – the population of Lower Chittering have been paying their rates to support facilities that they do not have here in Bindoon, and elsewhere in the Shire. We do have to look at the whole picture and that is our job. The Shire does not have 'wards' and our job is to look at the whole shire and to not bed down on one location and say that this is where it should be as this is where the support should be. I don't believe for a moment that this will be an easy process, but I think it is important that I am prepared to put a lot of hours in. I am on the reference group that has been formed and we have already had a meeting. I suspect that all of us will be putting in a lot of time because we want it to work. If we want it to work we will invest the time; we will cross the "t's" and dot the "i's". We are aware of the errors that were in some of the preparation paperwork and it is most unfortunate that they were not picked up sooner. To my view they do not take away the validity of the project, we just have to pay closer attention to our figures as we go through the preparation stages. I will continue to be in support of it and I accept your opposition and I appreciate your concern. I have heard a whole lot of people across the Shire who say that they would like this to go ahead so there are two different views, and as Councillor Tilbury said, in the long term we need to go back to seeing ourselves as the people of the Shire of Chittering, not from Wannamal, or Bindoon or Muchea.

Cr Don Gibson addressed the meeting at 9.40pm

I like to thank you for coming tonight and the attendance shows the concern for this project. As you are aware there are a heap of problems: we've got not guarantees, we've got a rise in rates for the next 10-20 years, and people can't afford it. This project could probably work in 20 years time, and that is if and when we ever get more population. And as we have heard, the population forecast is dropping. Unless people can get on board, then I think it is a no-goer. And it think that it is pretty well demonstrated that the majority are against this, and there is three Councillors against, and that will remain the case; unfortunately one of them

is not here tonight. There is so many problems, that unless we can get some guarantees that this will be paid then we are all going to be liable for the whole cost of \$5m.

Cr Peter Osborn addressed the meeting at 9.41pm

I believe that as a Councillor I am meant to be visual and think of what the future is needed for this shire. I need to look at today, I need to look at tomorrow and I need to look at the future. That to me is where this recreation centre sits – it is the future. Populations change, the cohort that is in Lower Chittering at the moment will age and they will turn around and move elsewhere and other people move in; and most likely be younger families with children. There is a facility to be ready and able to support them. I totally concur with Cr Ross about the population of Lower Chittering, for years they have been paying their rates and have got nothing for it. It doesn't say that we have to go and build it down there, and if you do come to the Council meeting on Wednesday night you will probably hear a dissertation from me about the process. As late as October 2018, item 9.4.6 which was the acceptance of the feasibility study which was the basis for the grant application went to Council and passed 7-0. To me as of October last year there was a dedication from the entire Council that this was a project that should be put forward. This is where I stand and where we should be going.

4.24 John Nagel, Bindoon

Statement: In relation to Cr Osborn's comments that that might have been a fair call back in October 2018, but since then the goal posts have shifted. There was \$2m promised plus \$275,000 for the school; now it is \$1.75m so in actual fact you have given them \$550,000 gift. The figures have changed which is why the other three Councillors have got some common sense and realised that the situation isn't as it was. That is why they have changed in supporting the ratepayers. This is where the other four Councillors are not looking at that. The goal post have changed. You have bent over backwards to appease the school down there, not to appease the ratepayers.

4.25 Alan Barnes, Bindoon

Statement: I think that about 15mins away in Bullsbrook there is a similar facility and wouldn't it be possible for the people down there to go to 'Bully' perhaps. There is a huge population coming in down there. Not a couple of years ago the whole Council was dissolved over something a lot less than this. I reckon it would be a good idea for all the Council to resign and we have a new election.

4.26 Carol Gomersall, Mooliabeenee

Statement: We have had a 23 year association with the Chittering Junior Football Club with our son playing in the very first team; Muchea desperately needs funds. We have a girl's football team that is first year and they do not have anywhere to change. It is disgraceful that money has not been put into Muchea. You have to put some money aside for Muchea now with stinking sewerage and no change rooms for the girls.

Response: The President advised that most Councillors have attended the Muchea Sportsground, and there is a report being presented to June's Ordinary Meeting of Council will go some way to resolve the current situation.

4.27 Margaret Fewster, Muchea

Statement: This episode is just like what we had 30 years ago with the Tiwest debacle, where we were lied to right from the start. This is going to split the community like it did back then.

4.28 Daniel Yukovich, Lower Chittering

Question 1: Can you clarify if the first stage will be completely working and operational at \$9.71m? Is it missing lighting? Is it missing a fully functional kitchen?

Answer 1: The President advised that yes, it will be fully operational, however the current concept plan does not have lighting for the oval; however this is something that the Reference Group will be addressing and Council will look at available grant funding to ensure that lights are installed during Stage 1.

4.29 John Nagel, Bindoon

Statement: Cr Osborn at one of our Ratepayers meeting, and the question was asked how much was it going to cost, and he said with bells and whistles that it was going to be \$31m and they trimmed it down to \$16m, and lowered it down to \$9.6m for a grant and the wiring was going to be included and all the sewerage and everything (i.e. plumbing) in the first stage, so when they went to the second stage it was there. They took the lights out because they needed to get it under \$9.6m. That is why I have been saying all along that when you get your quotes this is going to be at least 20% out on your actual figures.

Response: The President advised that you would need to call into the Shire and get hold of a copy of the grant submission (if you do not have a computer) as that will

include in there everything that will be for a facility that is working and in operation.

4.30 Paul Groves, Bindoon

Statement: I came tonight to get a clear picture on what is happening. The last comment made by Margaret Fewster was that 30yrs ago there was a very divisive issue in the Shire. I implore Council that, anyway you are going to divide the community, but if you decide to go ahead with it, people won't like you; if you decide to cancel it, the people who want it, won't like you. I implore you to give absolute due diligence to whatever you do.

4.31 Unknown

Question 1: What troubles me is the costings. The operational costs that I have heard a figure of \$600,000 per year, even if Immaculate Heart College can come with up \$300,000 that is quite a large figure, and has that been taken into account in the forward costings?

Answer 1: The President advised that operational costs are currently not included in the Shire's Long Term Financial Plan because it was an unknown so at this stage we are working on estimates. Operational costs will be considered by Council every year during the budget process. The Long Term Financial Plan plays an important decision on what Council is able to do in the next 10 years. The last thing that Council wants to do is take away facilities from the community.

Statement: Setting out on a plan without knowing what it is going to cost. I ask that you put back the project and wait for all these industries coming in and Council should start saving now to build the project without a loan.

4.32 Lee Martin, Bindoon

Statement: There was \$2m set aside in the reserve funds during the 2005-2006 for sports and recreation, and no one has been able to locate what has happened to this money. Just an observation, that the community is losing confidence in Council and especially you in running this Council, and I suggest that you stand down and let someone else run.

4.33 Jenny Johnston, Bindoon

Question 1: With regard to the Bindoon Lifestyle Village and the Gray Road Recreation Complex and implications for the Bindoon Ag Society. The Ag Society currently use the space of the proposed lifestyle village for the Rodeo including camping for participants and spectators. I have heard that the Gray Road Recreation Complex is not going to happen due to the bypass cutting through the property that was proposed for the use. What is planned for Ag Society to be able to use in the future?

Answer 1: The President advised that Council has not been approached by the Agricultural Society.

Through the Chair, Mr Hartley advised that the Agricultural Society have been asked but I have not been involved in any discussion or what the solution is. The Ag Society has been in contact with the Shire, we are talking about what ifs. There is planning underway for the mountain bike track, caravan park and lifestyle village on this location.

Through the Chair, Cr Ross advised that there will need to be a master plan for the precinct to abate any conflict with the users.

4.34 John Davis, Lower Chittering

Question 1: What is going on with the Bindoon Lifestyle Village?

Answer 1: Through the Chair, Mr Hartley advised that Council has undertaken a sewerage study and is currently working on a feasibility for the mountain bike track. The land is now available, i.e. owned by Council, and Council is now waiting on the mountain bike plan to be finalised.

5. CLOSURE

The Presiding Member thanked everyone for their attendance, and declared the meeting closed at 10.03pm.