

**MINUTES FOR
ANNUAL GENERAL MEETING OF ELECTORS**

MONDAY, 11 DECEMBER 2017

**Chinkabee Complex
6166 Great Northern Highway
Bindoon**

Commencement: 6.05pm

Closure: 8.20pm



Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, 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 Ordinary Meeting of Council are put together as an addendum to these Minutes.

Unconfirmed Minutes

These minutes were approved for distribution on 22 December 2017.



Alan Sheridan
Chief Executive Officer
Shire of Chittering

Confirmed Minutes

These minutes were confirmed at a meeting held on 21 February 2018.

Signed

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

Disclaimer

The purpose of this Council meeting 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 Council meeting.

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* indicates separate attachments

1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Presiding Member declared the meeting open at 6:05pm.

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) | <i>Left the meeting at 6:50pm</i> |
| Cr Aaron King | | |
| Cr George Tilbury | | |
| Cr Carmel Ross | | |
| Cr Peter Osborn | Deputy President | <i>Presiding Member from 6:50pm</i> |
| Cr Mary Angus | | |
| Cr Don Gibson | | |

Quorum – 4 members

The following Shire staff were in attendance:

| | |
|-----------------|-----------------------------------------------|
| Alan Sheridan | Chief Executive Officer |
| Rhona Hawkins | Executive Manager Corporate Services |
| Peter Stuart | Acting Executive Manager Development Services |
| Jim Garrett | Executive Manager Technical Services |
| Natasha Mossman | Executive Support Officer (Minute Secretary) |

The following Shire electors were in attendance:

| | |
|-----------------|------------------|
| Dennis Boyanich | Bindoon |
| Carl Petersen | Bindoon |
| Lois Jones | Bindoon |
| Jane Righton | Bindoon |
| John Davis | Lower Chittering |
| David Barnard | Lower Chittering |
| Ruth Gibson | Bindoon |
| Jeannie Kerr | Bindoon |
| Marilyn Martin | Bindoon |
| John Nagel | Bindoon |
| Les Parsons | Bindoon |
| Maxine Parsons | Bindoon |
| Gary Wilkinson | Bindoon |
| Chris Waldie | Bindoon |
| Robert Pizzino | Bindoon |
| John Curtis | Bindoon |
| John Barlow | Bindoon |
| Tom Fern | Bindoon |
| Alan Barnes | Bindoon |

| | |
|---------------------|------------------|
| Graeme Donaldson | Bindoon |
| John Broad | Bindoon |
| Bruce Lefroy | Chittering |
| Josephine Fern | Bindoon |
| Colleen Osborn | Bindoon |
| Laurie Bush | Lower Chittering |
| Nita Hart | Bindoon |
| Bruce Wharton | Bindoon |
| Barni Norton | Bindoon |
| Don McDonald | Bindoon |
| Nadine King | Chittering |
| Catherine Backer | Bindoon |
| Renay Backer | Bindoon |
| Frank Schubert | Bindoon |
| Bill Nobes | Bindoon |
| Milton Clark | Bindoon |
| Nick Humphry | Bindoon |
| Lisa Kay | Bindoon |
| Mal Taylor | Wannamal |
| Trish Taylor | Wannamal |
| Nina Foulkes-Taylor | Bindoon |
| Vivienne du Plessis | Bindoon |

2.2 Apologies

Nil

2.3 Approved leave of absence

Nil

3. REPORTS

Declarations of Interest by Elected Members, including the nature and extent of the interest, Declaration of Interest forms are to be completed and handed to the Chief Executive Officer.

Nil

3.1 2016-2017 Annual Report for the Shire of Chittering*

| | |
|------------------------|---------------------------------------------------------------------------------------|
| Report date | 11 December 2017 |
| Applicant | Shire of Chittering |
| File ref | 04/02/3 |
| Prepared by | Executive Support Officer |
| Supervised by | Chief Executive Officer |
| Disclosure of interest | Nil |
| Voting requirements | Absolute Majority |
| Documents tabled | Nil |
| Attachments | 1. Shire of Chittering 2016-2017 Annual Report, Financial Statements and Audit Report |

Executive Summary

Council's consideration is requested to receive the 2016-2017 Annual Report and Financial Statements for the Shire of Chittering.

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 28 and 29 August 2017 by Mr Mncedisi Ndlovu from Moore Stephens (WA) Pty Ltd. The audit report was signed off by the Shire's auditor Mr Wen Shien Chai on 3 October 2017.

Mr Wen Shien Chai will meet with the Audit Committee in the New Year to discuss any queries relating to the 2016-2017 Annual Report and financial statements.

The draft Annual Report was considered at the same time as the Audited Financial Statements at its 15 November 2017 meeting (Resolution 041117) along with the 2016-2017 Annual Report which is including of the concise audited financial report.

Consultation/Communication Implications

Local

Chief Executive Officer
President

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 2016 to 30 June 2017. In particular, the Annual Report also details progress made against the projects and actions as listed in the four year Corporate Business Plan 2015-2019. The financials have been assessed and meet the approval of the Shire's external auditors.

Moved Cr Ross / Seconded Cr Osborn

That the 2016-2017 Annual Report be presented to the electors of the Shire of Chittering.

CARRIED 7/0

4. GENERAL BUSINESS

President Houston advised that in accordance with the procedures for the meeting, nil motions had been received in writing prior to the meeting.

President Houston introduced the Chief Executive Officer who spoke briefly to the electors on the projects that have been undertaken during the last financial year:

- Binda Place – renewal and maintenance
- Binda Place – existing property owners reinvesting in their businesses
- The new butcher – Northern Valleys Quality Meats
- Renovation of the IGA building
- New tenants at the old medical centre – Hon Marty Aldridge MLC and Shane Love MP moving in February 2018; renovation works are being undertaken by the State Government
- Walk trail behind Binda Place
- New pergola at the Muchea sports ground
- New ablution block at the Muchea Polocrosse Field
- Chittering Road roadworks
- Learners Way roadworks
- Upgrade to Great Northern Highway: Chittering Roadhouse – Muchea
- Capital Road Projects including:
 - Spice Road
 - Julimar Road
 - Ridgetop Ramble
 - Hart Drive
 - Forrest Hills Parade
 - Chittering Road
 - Muchea East/Wandena Roads
- Land purchases:
 - Lot 168 Binda Place, Bindoon
 - Lot 215 Great Northern Highway, Bindoon: purchased for future expansion of recreation facilities in the Bindoon townsite
 - Purchases have been funded by the sale of:
 - Building located on Lot 168 Binda Place, which is currently leased to Northern Valleys Tax;
 - Lot 104 Grey Road
 - Tenant in building located at 21 Binda Place paying commercial tenant fees
- Successful events include:
 - Wear Ya Wellies with over 5,000 visitors (travelled as far from Bridgetown)
 - Taste of Chittering with over 5,000 visitors, next year's event will be in a new locality due to carparking
 - Bindoon Show with approximately 3,500 visitors
 - Various Youth Krew activities and school holiday activities
 - Bindoon Library new activities and promotions including Rhyme Time
- Community bus service to Midland and Joondalup is very popular with numbers increasing
- Mobile Blackspot and NBN installations in various locations around the Shire
- Moora Citrus packing shed which opened in November
- Future resort development on Teatree Road, Bindoon
- New subdivision on Reserve Road now selling

- WA Retirees – current status and impact of the State Government withdrawing funding for STED scheme in Bindoon
- New St John Ambulance station which will be located near the Chittering Health Centre
- Muchea Employment Node

The Presiding Member thanked the Chief Executive Officer for his report and then opened the floor to the members of the general public.

4.1 Discussions during the meeting

4.1.1 Barni Norton, Bindoon

Barni Norton addressed the meeting and spoke on the costings of the STED proposal and the effect on the development of the independent living units.

Cr Houston stated that the WA Retirees development was a commercial development. WA Retirees had advised Council that the cancellation of the STED was one of the reasons why the development was no longer commercially viable. Cr Houston stated that the land was discounted to allow them to provide an ATU on-site. WA Retirees have developed independent living units in Geraldton which are taking longer to sell, and this has also affected their decision to develop in Bindoon. The Shire is still negotiating with WA Retirees to see what options are available to allow for the development of the site as was originally intended.

4.1.2 John Curtis, Bindoon

John Curtis asked if the cost savings would be passed onto ratepayers.

Cr Houston stated that any cost savings are being passed onto residents in the form of low rate increases. The Shire has specific objectives in mind and a STED scheme (or similar) is required for the future of the Bindoon townsite. The ATU systems located on Binda Place are near the wetlands and are inadequate. The Bindoon townsite's proximity to Perth means that the continued use of septic tanks may not be the best long-term outcome. The Shire has lost a project (independent living units) because of the State Government's decision. The Shire's Chief Executive Officer is now currently looking at alternative systems.

4.1.3 Robert Pizzino, Bindoon

Robert Pizzino enquired into if Council is considering the installation of a pathway to the lake.

Cr Houston stated that as the lake was surrounded by land on private property it isn't an easy step. The Shire is looking at future walkways, ensuring that we preserve the environmental sensitivity of the area.

4.1.4 John Broad, Bindoon

John Broad enquired on the status of the Bell Hill Reserve Mobile Phone Tower and also an alternative road for an emergency (Grey/Spice Roads) whilst road works are being undertaken.

Cr Houston stated that the Shire is still awaiting final State Government approvals for the NBN Tower on Bell Hill Reserve (this is expected shortly). With regard to the Spice Road this work is intended to be complete in the very near future (the road remains open for vehicle access).

4.1.5 John Davis, Lower Chittering

John Davis enquired into the notification of this meeting and the time that the meeting started, could the Shire send out email notifications to residents. Mr Davis also asked why he received two reminder notices for his rates; has the Shire looked at alternative schemes that now the State Government funded STED is no more; and recently noticed the voting in meetings.

With regard to the notification of this meeting, Council resolved on 15 November 2017 to convene the Annual General Meeting at 6pm at either the Chinkabee Complex or Bindoon. Following this resolution, Council published notice of the meeting on the Shire's website (24 November), Facebook page (24 November), eChatter and Keep me Posted publications (December 2017) and a public notice was published in the Ellenbrook Advocate newspaper on 29 November 2017.

Ms Hawkins apologised to all ratepayers that received two rate reminder notices. The Shire's Rates Officer who has over 11 years' experience, inadvertently printed them twice; and it wasn't until they were posted that the Officer realised the mistake. In the Officer's 11 years' of service to the Chittering Shire this is the first mistake.

Mr Sheridan advised the ratepayers that Chittering and four other local governments recently met with the Water Corporation to discuss sewerage. The Shire is currently in discussions with providers in South Australia with regard to water reuse and recycling.

Cr Houston advised that when voting in Council Meetings each Councillor can vote as he/she wishes. Once Council has voted and a resolution has been made, then each Councillor is bound to uphold the decision of Council; even if they did not vote in favour of the motion.

Cr Houston left the meeting at 6:50pm and Cr Osborn (Deputy President) took the Chair for the remainder of the meeting.

Cr Osborn stated that this meeting date had changed from the original date at the request of a couple of Councillors; and the reason why the meeting was being held here and not the Bindoon Hall was due to the Hall having an earlier booking. Cr Osborn informed the meeting that as Elected Members we are available 365 days a year for you to contact us.

4.1.6 Dennis Boyanich, Bindoon

Dennis Boyanich raised the matter of recent voting in Council Meetings and where there has been recent Elected Member Motions raised that have not been discussed in the meetings. Mr Boyanich also asked how much the Shire has paid out on consultants during the year.

Cr Osborn stated that the information with regard to the consultants was not at hand and that this information will be provided later. When a Motion is tabled at a Council Meeting each Councillor is allowed the opportunity to assess the Motion and vote as they wish. Each Councillor is entitled to one vote and this includes the President. As a Councillor when you are in attendance at a Council Meeting you must vote on each item that is listed on the agenda.

4.1.7 Bill Nobes, Bindoon

Bill Nobes spoke at length on aged care and made a number of statements. The questions he raised are summarised under the following topics:

- Chief Executive Officer performance – is the council satisfied with the Chief Executive’s Officer’s performance?
 - *The Chief Executive Officer’s performance was reviewed by an independent facilitator on the anniversary of his appointment. Councillors were interviewed and the Council met to discuss these matters. Council considered these matters at a Special Council Meeting on 6 September 2017. That report is available online. In essence the report commended the Chief Executive Officer for his first 12 months at the Shire and noted that the Chief Executive Officer’s overall performance had been rated as “meets requirements”.*
- Council approved vehicles – does the Shire executive have personal use of cars?
 - *The Chief Executive Officer and Executive staff have motor vehicles which are provided as part of their employment contracts. The Chief Executive Officer provided the meeting with information regarding the reduction in vehicle and fleet costs over the past 18 months. Council has reduced the number of private use vehicles from nine to four in the past 18 months; and this will continue as employment contracts expire.*
- Are Councillor’s voting independently?
 - *Yes; refer to previous response to the question raised by Mr Davis.*
- Proposal to establish an aged care complex in Bindoon.
 - *Matters regarding the provision of health care services (including aged care) have been recognised as an ongoing concern for the country. In this regard the Shire has initiated a Health Services Advisory Group which has already met on a number of occasions. Service providers and WA Country Health Services (WACHS) are represented at the meetings and WACHS have agreed to chair future meetings.*
- Is the current medical centre operating as was originally agreed?
 - *The Chittering Health Centre is operating generally in accordance with the agreed requirements although it is not providing weekend services. When the weekend service was originally trialed, very few members of the community attended. It is not viable to provide a service if it is not attended. The Centre has recently moved to offer full bulk-billing which has been well received by the community.*

- What are the arrangements regarding the Chittering Tourist Association (CTA)? What is the \$30,000 yearly payment for?
 - *Matters regarding the CTA were discussed at length during the Annual General Meeting of Electors 2016. Reports have been previously presented to Council regarding this matter. In summary, the CTA is a not-for-profit organisation which operates in accordance with the legislation. Council is working with the new board to establish a formal agreement with the Association, and books of account are submitted to Council for review. The \$30,000 payment is to assist the CTA with the employment of a Tourism Promotions Officer.*
- What are the arrangements regarding the electoral office (Martin Aldridge/Shane Love) in Bindoon?
 - *The Council owned building on Binda Place has been leased to the Department of Premier and Cabinet for the use as an electoral office. The lease rate is based on a commercial valuation and renovations to the office have been paid for and arranged by the State Government.*
- What is going on with the property behind the Bindoon Primary School?
 - *This matter is the subject of ongoing legal action and it would be inappropriate for Council to provide any further comment at this time.*
- Should a third of rates be based on Council wages and operational staff?
 - *The Chief Executive Officer provided information to the meeting indicating that the Shire of Chittering is one of the leading Councils (compared to similar sized Councils) in relation to staff ratios, efficiency and financial performance. The Shire has increased in population by 25% (1,000 people) over the past five years. During this time, staffing levels have remained constant and staffing costs have actually decreased.*
- Why are consultants used? What is the annual expenditure on consultants?
 - *Consultants are used and will continue to be used to provide expert advice in regard to legal matters affecting Council, and technical matters for which expert advice is absolutely essential. It is misguided to think that an organization with the compliance and legislative framework of local government could operate without expert consulting advice. To do otherwise would leave Council exposed with regard to risk and litigation.*

4.1.8 Carl Petersen, Bindoon

Carl Petersen raised his question that he asked at a Muchea meeting regarding the Shire undertaking a financial audit on the Chittering Tourist Association.

Mr Sheridan stated that at the 2016 Annual Electors Meeting information was provided to attendees on the status of the Chittering Tourist Association. The Shire has recently engaged a consultant to undertake a review of all the Shire's facilities; and the outcome from this review is likely to be that each community group that leases buildings from the Shire will enter into a formal Agreement with Council; the Agreements will be developed in consultation with each community group. As the Chittering Tourist Association is a not-for-profit organisation the Shire cannot undertake an audit of their books, however the Association on a yearly basis, provides their books to the Shire's Executive Manager Corporate Services.

4.1.9 John Nagel, Bindoon

John Nagel asked if the Shire has undertaken any surveys recently for the community.

Mr Sheridan stated that the prior to the recent adoption of the Strategic Community Plan 2017-2027 the community were asked to participate in a survey. This information was used in the development of the Strategic Community Plan 2017-2027 and will be used as a benchmark for future surveys.

John Nagel then enquired into the Bindoon Health Centre, which was raised at the June 2017 Ordinary Council Meeting.

Cr Osborn stated that the doctors who practice in the Centre are qualified to practice here in Australia; you are not able to practice unless you meet certain training requirements. Any doctors that arrive in Australia have to undertake training before they are fully qualified to undertake all duties.

John Nagel then enquired into the quality of the doctors.

Mr Sheridan stated that the Shire has recently undertaken a Health Survey with residents. This survey will be presented to the Chittering Health Advisory Group meeting to discuss further.

John Nagel then enquired into the recent adoption of the new Policy 3.18 Use of Council Vehicles and the use of Shire vehicles during period of holiday.

Cr Osborn stated that the Shire has recently undertaken a review of the Shire's fleet and asked Mr Sheridan to speak further on this. Mr Sheridan stated that in the past 18 months the Shire has engaged an experienced fleet management consultant to review the Shire's fleet and review the Shire's Vehicle Use Policy. Previously there was no restriction on the amount of km's that Shire vehicles could travel in a 12 month period. This new Policy cannot be implemented with current contracts, but any new employees will have this new Policy to adhere to. The Shire has decreased fleet costs, employee costs, decreased the cost of cleaning Shire facilities, and is sharing resources with the Shire of Gingin (Building Surveyor / IT Consultant). The Shire is also providing expertise with assessing development applications for the Shire of Victoria Plains.

4.1.10 Mal Taylor, Wannamal

Mal Taylor spoke at length with regard to the new section of Highway and the dimensions of road trains using the Highway.

Cr Osborn stated his concerns with regard to the length of the road-trains (where they have increased from 36 metres to 53 metres in length). The new section of Highway is a State Government project and the Shire has about as much influence as ratepayers with any decisions. The most significant issue at this time is the State's proposal to hand over 42km of the existing highway to Council. The maintenance of this section of road on an annual basis will cost in the vicinity of \$700,000; and if the Shire was responsible for this section rates would need to be increased to maintain it. The Shire is looking at the option of making the section a 'tourist route' so that it can be fully funded and maintained by the State Government.

4.1.11 Josephine Fern, Bindoon

Josephine Fern expressed her approval of the current Council and expressed her thanks for the time that they put in.

4.1.12 Frank Schubert, Bindoon

Frank Schubert spoke on the NBN Tower on Bell Hill Reserve, STED, Royalties for Regions, independent living units, medical centre and the new section of Great Northern Highway.

Mr Sheridan stated that the current status of the NBN Tower is with State Government; there were two issues that were holding up the approval – (1) Native Title Clearance; and (2) Excision of Land. Both of these issues have been resolved and the Shire expects the development to proceed in the new year.

The State Government's decision on Royalties for Regions is going to impact a lot of local governments, not just Chittering.

4.1.13 Nina Foulkes-Taylor, Bindoon

Nina Foulkes-Taylor commented on the work undertaken to improve Bindoon Place and asked if the Shire could seek Main Roads approval to modify the disability zone in front of the Bindoon IGA, and also near the butcher and bank.

Mr Garrett stated that there are Australian Standards that local governments have to follow when installing disabled car parking bays; however the matter would be considered further.

4.1.14 Vivienne du Plessis, Bindoon

Vivienne du Plessis spoke on the sale of Lot 104 Grey Road, Bindoon and if the Shire was able to assist landowners with the subdivision of their properties.

Mr Sheridan stated that the initial discussions were for Main Roads to purchase Lot 104. As a landowner you are at liberty to request arrangements which best suit your own circumstances. The initial purchase of Lot 104 was for future depot, show grounds, but is now not fit for purpose. The Shire is yet to be provided with detailed plans regarding Lot 104 or to enter into these discussions with Main Roads. The Shire is able to provide advice regarding any subdivision but the responsibility for lodging a subdivision application rests with the property owner. The determination of subdivision applications is a responsibility of the State Government (through the relevant state planning agency).

4.1.15 Bruce Wharton, Bindoon

Bruce Wharton expressed his thanks to Council for their stand on the Extractive Industry on Toy Road. Mr Wharton also expressed his thanks to the Shire Staff and Council for their support of the Bindoon Sporting and Recreation Association, who lease the Chinkabee Complex from the Shire on a peppercorn lease. Mr Wharton also thanked the following Shire Officers – Mr Garrett, Mrs Kay and Mr Choules for all their assistance with building maintenance and the organisation of grants to install new cricket nets and the resurfacing of courts.

4.1.16 Dennis Boyanich, Bindoon

Dennis Boyanich stated that his earlier comments were not a reflection on Shire staff as they do a marvelous job; and maybe there should be a review of Council performance.

4.1.17 Barni Norton, Bindoon

Barni Norton raised her point from the last Annual General Meeting with regard to the signage in the Chittering Tourist Centre and that it still is not fixed.

Mr Sheridan stated that the wording on the sign was a direct quote out of a local history book however the sign is located within the area which is leased by the Chittering Tourist Association. The Association has been requested to review the appropriateness of the wording.

4.1.18 Colleen Osborn, Bindoon

Colleen Osborn responded to Barni Norton's statement, that the sign was not intended to reflect negatively on the first people of Australia. The quote from Mr Buchanan's book stated who the first "visitor" to Chittering was, and that there has been many visitors since. The Association will discuss the sign at the their next meeting and action accordingly.

4.1.19 Robert Pizzino, Bindoon

Robert Pizzino enquired into the signage on Casaurina Close and if it was going to be removed.

Cr Osborn advised that the local community groups use this for their signage, however the Shire will look at how to improve it so that it doesn't look so bad.

4.1.20 Alan Barnes, Bindoon

Alan Barnes enquired if the Shire could make some pram bays on Binda Place, or change the disable bays to dual use (i.e. disable and pram).

Cr Osborn took Mr Barnes question on notice.

5. CLOSURE

The Presiding Member declared the meeting closed at 8:20pm.



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