

**MINUTES FOR  
ANNUAL GENERAL MEETING OF ELECTORS**

**WEDNESDAY, 4 FEBRUARY 2015**

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

**Commencement: 7.00pm  
Closure: 8:37pm**



**These minutes will be confirmed at the Ordinary Meeting of Council to be held on Wednesday, 18 March 2015.**

**SIGNED BY**

\_\_\_\_\_  
Person presiding at meeting which minutes were confirmed

**DATE**

\_\_\_\_\_

**Disclaimer**

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 I, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Electors meeting.

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\* indicates separate attachments

## 1. ATTENDANCE

The Presiding Member declared the meeting open at 7.00pm.

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

### 2.1 Attendance

The following Elected Members were in attendance:

Cr Robert Hawes	President
Cr Michelle Rossouw	Deputy President
Cr Don Gibson	
Cr Barni Norton	
Cr Alex Douglas	
Cr Doreen Mackie	

The following Shire staff were in attendance:

Mr Gary Tuffin	Chief Executive Officer
Ms Jean Sutherland	Executive Manager Corporate Services
Mr Azhar Awang	Executive Manager Development Services
Mr Jim Garrett	Executive Manager Technical Services
Ms Karen Dore	Economic Development / Communications Officer (Minute secretary)

The following members of the general public were in attendance:

1.	Ruth Gibson	Bindoon
2.	Lois Jones	Bindoon
3.	Jane Righton	Bindoon
4.	Ruth Loudon	Wannamal
5.	Jeff Loudon	Wannamal
6.	Philip Surtees	Lower Chittering
7.	Sarah Lanman	Chittering
8.	Emily Lanman	Chittering
9.	Julie Duzevich	Bindoon
10.	Richard Frew	Bindoon
11.	Anne Irvin	Bindoon
12.	Laurie Bush	Lower Chittering
13.	Graham Belgrove	Lower Chittering
14.	Peter Scott	Lower Chittering
15.	David Barnard	Lower Chittering
16.	John Curtis	Bindoon
17.	Philip Martin	Bindoon
18.	Rhonda Walsh	Bindoon
19.	Lynn Borg	Bindoon
20.	Ed Walsh	Bindoon
21.	Bob Rogers	Muchea
22.	Silvio Borg	Bindoon

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23.	John Riolfo	Bindoon
24.	Steve Vallance	Muchea
25.	Colin Mattingly	Muchea
26.	T Fean	Bindoon
27.	Peter Chick	Mooliabeenee
28.	Josephine Chick	Mooliabeenee
29.	Dennis Badcock	Bindoon
30.	Lance Stagbouer	Mooliabeenee
31.	Jan Stagbouer	Mooliabeenee
32.	R Noble	Bindoon
33.	W Noble	Bindoon
34.	Natalie Vallance	Muchea
35.	Nina Foulkes-Taylor	Bindoon
36.	Anthony Foulkes-Taylor	Bindoon
37.	Vivian duPlessis	Bindoon
38.	Lee Martin	Bindoon
39.	Bill Nobes	Bindoon

## 2.2 Apologies

Cr Sandra Clarke  
Mrs Karen Parker                      Manager Human Resources

## 2.3 Approved leave of absence

Nil

## 3. OFFICER'S REPORTS

### 3.1 Presentation of the 2013/14 Audited Financial Statements for the Shire of Chittering\*

The Officer's Recommendation was moved by Jeff Loudon and seconded by Lois Jones. The 2013/14 Audited Financial Statements were then open to debate from the floor.

John Curtis of Bindoon asked several questions which were referred to General Business.

#### **3.1 OFFICER RECOMMENDATION**

**Moved Jeff Loudon / Seconded Lois Jones**

**That the 2013/14 Audited Financial Statements for the Shire of Chittering be received.**

**THE MOTION WAS PUT AND DECLARED CARRIED**

### 3.2 Presentation of the 2013/14 Annual Report for the Shire of Chittering\*

The Officer's Recommendation was moved by Ruth Loudon and seconded by Rhonda Walsh. The 2013/14 Annual Report for the Shire of Chittering was then open to debate from the floor.

Nina Foulkes-Taylor (Bindoon) requested that the President's Message be read aloud.

*The Shire President read aloud his message, as shown on Page 1 of the 2013/14 Annual Report for the Shire of Chittering and asked if there were any questions in relation to his report.*

David Barnard (Lower Chittering) referred to waste disposal costs and the relevant measurable results. He asked whether the cost for the Muchea Waste Facility (\$450,000) a year was a decrease?

*The Chief Executive Officer advised that the cost trend was downward, from \$342,000 in 2012/13, as compared to around \$300,000 (2013/14), a reduction of approximately \$42,000 in operating costs. He further advised that the Waste Working Group had met to review operations following the introduction of kerbside services, and processes will be continually reviewed to see how we can improve.*

David Barnard (Lower Chittering) queried what the costs had been when "Steve was running it".

*The Chief Executive Officer advised that it was his understanding the Shire has always operated the landfill sites. Steve was originally put on as a contractor under the direction of the shire, his status was later challenged, and it was determined that he was in fact a shire employee.*

David Barnard (Lower Chittering) quoted figures of \$10,000 (retainer), \$40,000 (staff) and \$85,000 (equipment). He asked what the extra money [up to \$342,000] was being spent on.

*The Chief Executive Officer advised of other overheads associated with the operation, for example, DER licensing requirements, maintenance and monitoring. There are a lot of other additional costs than just having someone man the gate.*

David Barnard (Lower Chittering) requested measurable figures.

*In recent times it has been a Shire employee*

A question from the floor referenced green waste fees at the tip.

*The Chief Executive Officer advised that green waste fees had been reviewed with a Report to be presented to the February Ordinary Meeting of Council recommending it be removed.*

Steve Vallance (Muchea) stated that he felt that residents were being triple-charged for waste (paying for bins, paying in rates and paying at the tip). He asked how much our two bins were per year.

*The Chief Executive Officer advised \$310 pa for the two bin service (General & recyclables).*

Steve Vallance (Muchea) referenced a \$307 fee in Bayswater for a three-bin system. He stated that Council should just be about rates, recreation and rubbish, currently we are paying too much for little in return.

Bill Nobes (Bindoon) raised a question from the floor about Avon Waste. Who is the owner, is it Local Government or private? Was the business given to them without tender? The questioner advised that there was no need to reply, he just wanted it stated in the records.

*The Chief Executive Officer confirmed that there was a tender process and that it was his understanding that Avon Waste was a private, family owned business based in York. He further advised that the previous contractor had been invited to tender however (possibly due to the scale of the operation) and costs involved he elected not to tender for the services.*

Graham Belgrove (Lower Chittering) advised that when he attempted to take four (4) fridges to the local facility he had been quoted \$60 each, however Tamala Park had accepted them for free.

*The Chief Executive Officer advised that the \$60 was the cost price of having the fridges degassed and certified. He further advised that he could not comment regarding Tamala Park, however would surmise that it related to economies of scale.*

Collin Mattingly (Muchea) questioned how the Shire could anticipate the \$60 charge per fridge.

*The Chief Executive Officer advised that the certification tag (degassed) cost \$60 per item. Jim Garrett, Executive Manager Technical Services further advised that degassed fridges (with a tag) would be accepted free of charge.*

*The President reminded the meeting that questions at this stage should relate to the 2013/14 Annual Report.*

### **3.2 OFFICER RECOMMENDATION**

**Moved Ruth Loudon / Seconded Rhonda Walsh**

**That the 2013/14 Annual Report for the Shire of Chittering be received.**

**THE MOTION WAS PUT AND DECLARED CARRIED**

#### 4. GENERAL BUSINESS

##### 4.1 John Curtis, Bindoon

Does the Council receive any money from the sale of recycled cans and newspapers? How much?

*The Chief Executive Officer confirmed that monies were received and advised that with regards to the amount, the question would be taken on notice.*

How many residents were charged extra rates by using the instalment options 2 and 3?

*The Chief Executive Officer advised that the question would be taken on notice.*

Who leases the caravan park? When was the lease signed? How much is the cost of this lease? How many caravans have used it in the last year?

*Cr Alex Douglas advised that the site has six (6) 'transit' bays, that there was no lease, the bays are managed by the Chittering Tourist Association and the fees charged (\$20) basically covers the costs of power and water (showers). He further advised that on average two (2) to four (4) bays would be utilised each night.*

##### 4.2 Bill Nobes, Bindoon

With reference to the Confidential Item (Independent Living Units) presented at the Ordinary Council Meeting held on 20 August 2014. (Mr Nobes gave general background information regarding the report). Is the Council working for us, for the government or doesn't it know what it is doing? How many units will be built and how much will they cost?

*The Shire President advised that the land had been sold to Retirees WA, with five (5) properties expected in the first stage of development. He indicated that the number of sales and demand would dictate future numbers. The President further advised that the development will be undertaken at no cost to Council as it is a private development.*

General discussion ensued regarding the alternative proposal previously made by Mr Nobes.

*The Shire President advised that the Shire administration would be asked to provide contact details for WA Retirees so that Mr Nobes can contact them directly.*

##### 4.3 Lee Martin, Bindoon

Mr Martin referred to previous proposals by Council regarding retirement properties and the recently sold land. Will money from the land sale go into trust for a sporting facility in Bindoon?

*The Shire President advised that the money received from the sale of the land was earmarked for the infrastructure required to complete the development (subdivision) of the rest of the block (Lot 62, Great Northern Highway, Bindoon).*



Is that a guarantee that all that money will be used for this purpose only?

*The Shire President advised that it was the intent of the Council.*

#### 4.4 Julie Duzevich, Bindoon – on behalf of the Friends of Bell Hill Reserve

Why didn't Council not advise NBN Co initially that the Reserve is not available because the proposal would contravene the following:

1. Western Australian Planning Commission Statement of Planning Policy 5.2 Telecommunications Infrastructure Regulations.
2. Shire of Chittering Town Planning Scheme Number 6 District Zone Scheme.
3. Planning and Development Act 2005 Section 1.52 of Reserves
4. Local Diversity Strategy as of April 2010
5. Management Plan for the Reserves which was endorsed by Council in 2003

Why was NBN not told to find another site? Why can't they use optic fibre, copper or satellite?

*The Chief Executive Officer advised that other sites had been investigated by NBN and that until an application is received Council could not refuse the application. The application needs to be received and then dealt with through the normal process.*

*Azhar Awang (Executive Manager Development Services) provided a more detailed explanation of the planning process that needs to be followed.*

If we put in a proposal that is against all the rules we would be rejected outright. Why do they get the opportunity to apply for this and we don't?

*The Shire President advised that no priority had been given to NBN or any another provider. He took the opportunity to remind the attendees of the meeting that Council had been put under a lot of pressure to provide better mobile coverage and internet services. He further advised that there should be a report to the March meeting which would present further opportunity for the community to share their views on this matter.*

#### 4.5 Steve Vallance, Muchea

Has the Shire made any submission with regards to the proposed toll charge (for any vehicle over 3.5m) on the new Northlink Road?

*The Shire President advised that Council did have the opportunity to talk to the relevant staff within Main Roads, but was unsure as to what extent the toll concept was actually an accepted proposal. He confirmed that Council would use all avenues available in order to register the views of the community on the proposal.*

Communication does not consist of the Shire telling ratepayers what Council wants them to hear. Officers need to be replying to queries. We are not getting timely answers and I have examples of this which I will share with the Chief Executive Officer after the meeting.

*The Chief Executive Officer advised that following a review of the Customer Service Charter and Communication Plan, two staff workshops had been held to ensure that all employees had an understanding of communication processes and expectations within the organisation. He further advised that this would be revisited again, if necessary*

What does a Business Development Department do?

*The Chief Executive Officer clarified that there was no Business Development Department within the Shire of Chittering, surmising that Mr Vallance was referring to the position of Economic Development Officer.*

In what way are economics being developed?

*The Chief Executive Officer advised Mr Vallance to review Council's latest Economic Development Strategy.*

Mr Vallance stated that it was not the Shire's job, it is the businesses.

*The Chief Executive Officer explained that the Shire was only facilitating on behalf of local businesses and agreed the main contributor to economic development is the private sector, the Shire is trying to assist only, help things move a little faster. For example "Taste of Chittering" was an opportunity offered to local businesses to be involved in an event that showcases them and the area to the wider community.*

*It's about doing our homework, developing plans/actions so that when funding becomes available, we have a prepared plan rather than a blank piece of paper with no direction/consideration.*

Mr Vallance stated that he did not think that the shire should be involved in these various areas (Economic & Community Development, Aged Care & Youth Services), he stated that pensioners should not fund these positions.

*The Chief Executive Officer said that is a perfect example (Aged Care), what do we do for the aged in our community at the moment? We are about to deliver an Age Care Friendly Community Audit which when completed will allow us to potentially have access to the WDC Aged Care funding of \$2.5million dollars for improvements to the community.*

*Council has the second largest youth population in the Wheatbelt (Northam is the largest) and what do we currently provide in the way of youth services?*

*These are all issues that were raised in the Strategic Community Plan by the Community that they believe need to be addressed by Council.*

Nina Foulkes-Taylor, from the floor, stated that the Shire was getting confused between Social Services, and Planning and Development; it is not Council's job to supply social services. Council should be planning for small blocks; it's not your position to start providing social services.

*The Chief Executive Officer reiterated that all we are talking about at the moment is the planning, we are not talking about providing these services, and further stated unless you have a plan (action plan) how can we go to Government and sell the concept to someone if its not on paper.*

#### **4.6 Anne Irvin, Bindoon – on behalf of the Wildlife Carers**

Would you consider getting an outside body, for example Penny Hussey of DPAW, to do a survey of the land at Bell Hill? We would like someone to look at the land objectively, what is there and what has been there.

*The Shire President referred the question to Azhar Awang, Executive Manager Development Services. Mr. Awang advised that an environmental impact assessment would be part of the process in order for the planners to be able to properly consider the proposal.*

*A copy of the proposal has been sent to Department of Parks and Wildlife and the Department Environment Regulatory as well as Chittering Landcare for comments. As part of the public submission, letters have also been sent to adjoining and affected landowners within approximately 2.5km of the proposed site. All submissions will be assessed and presented to Council for its consideration.*

Ms Irvin stated that it was not just roos in the area, it was all chudditch (woylies) which are an endangered species they have released some in Julimar and some other country towns. It is used as a roosting area for Carnaby's Cockatoos which are endangered.

#### **4.7 David Barnard, Lower Chittering**

When I requested information regarding Targa I was advised that I could only receive it through a "Freedom of Information" (FOI) application. Can you give me a cost, an example and an explanation of why I have to pay for information that the Shire communicates to other outside organisations on our behalf because we are ratepayers?

*The Chief Executive Officer advised that the cost was \$30 and that the Shire did not have intellectual ownership of third party literature. Under the legislation it wouldn't be proper for the Shire to release that information unless a proper process was followed.*

#### **4.8 Lee Martin, Bindoon**

Mr Martin made several observations about the Department for Fire and Emergency Services. He finished by stating that whilst it 'wasn't bad around here' it was 'not good enough at a State level'.

A lot of time and money is spent on litigation by the Shire. Where is Council going wrong?

*The Shire President advised that in recent times the amount of legal fees and the number of appeals to the State Administration Tribunal (SAT) in recent times of which*

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*we have been involved has decreased, to what extent that is a measure of improved performance by the planning department, he was not sure.*

**4.9 Vivienne du Plessis, Bindoon**

Has Council ever asked a volunteer whether they want an acknowledgement or accolade for being a volunteer? I feel that the Shire doesn't need to issue certificates and have parties for volunteers.

*No reply was given as Mrs du Plessis continued with her next question.*

Why has the Kurrajong tree in Clune Park been removed? It looked fine yesterday and was not under powerlines. For all the trees that have been removed or over-pruned there have been no trees planted.

*No response was given.*

**4.10 Anthony Foulkes-Taylor, Bindoon**

You have committees. Who is responsible for parks and gardens? It isn't the employees it's Council who should answer the questions.

*The Shire President advised that there was not a parks and gardens committee of Council.*

The Chief Executive Officer directs the staff, what gives you (Chief Executive Officer) the right to cut down trees?

*The Chief Executive Officer advised, firstly I do not instruct staff to cut down trees, we are not environmental vandals, generally the only time a tree should be cut down is if there is a threat to public safety.*

We had committees when I was on Council. What do you think about these trees Barni? You are getting paid now, give us input.

*Cr Barni Norton responded that the Council needed to initiate a tree planting policy. When one (1) was cut down two (2) should be planted in its place. Don (Cr Gibson) says six (6)*

*Cr Norton also provided clarification in regards to the meeting format in relation to the Shire President responding on behalf of Council.*

*Cr Don Gibson stated that more shade trees were required.*

**4.11 Nina Foulkes-Taylor, Bindoon**

Mrs Foulkes-Taylor shared the history of Clune Park 30 years ago; trees were planted by the local school children. Why has the Kurrajong tree been removed?

*Cr Alex Douglas advised that the Council were unaware of the removal of the tree until they had received the email advice. He confirmed that the matter was being looked into further.*

**4.12 Bill Nobes, Bindoon**

Will Council dedicate land for businesses that are no longer allowed to operate on their properties. No need to answer as this has been recorded but this is a problem with a lot of people.

*The Chief Executive Officer advised this issue has been identified by Council and it needs to be addressed. He further advised that he had a meeting with Landcorp just this week to look at potential sites. Furthermore, that Landgate have kindly offered to fund a prefeasibility study on Council's behalf. Once the feasibility study is completed we will be better placed to look at the costs involved, then we will potentially look at progressing a business plan from there.*

Mr Nobes asked to be informed of any updates.

**4.13 Graham Belgrove, Lower Chittering**

Mr Belgrove made a statement regarding rate increases being in the vicinity of ten (10) percent on an annual basis, way above the Consumer Price Index (CPI). Where is all the [rates] money going, what services and infrastructure are being provided to justify the increase? What has been provided to Lower Chittering?

*The Shire President advised that the rates had not been going up by ten (10) percent per annum, and that, for example, the recent rate increase was below seven (7) percent and was less than neighbouring Shires...*

Mr Belgrove interrupted the reply to state that the seven (7) percent could be argued if you removed the collection rubbish charge (introduced 2014/15). He further gave the example that his rates in 2004 were \$800 and are now \$1,800 (including new waste collection charge). Mr Belgrove felt that rates were becoming unaffordable. He suggested that Council find out what the people want and not just give what they think people want.

*The Shire President advised that the rate increase for this current year was (6) six percent, the year before (7.5) seven point five percent, the year before that (7) seven percent, and then read out the rate increases back to 2007. The other side to consider with rates is the increase in property values over this time, the value of your property has probably increased in that time as determined by the Valuer General.*

Mr Belgrove voiced his concern as to when will these rate rises stop.

*The Shire President advised the public meetings have made that point long and hard, Councillors as individuals and collectively have taken note of what has been said. The rates will not change during any one year. The Shire will be doing what it can to reduce the notional rates.*

**4.14 Bob Rogers, Muchea**

Mr Rogers stated that if Council can't keep the rates rise at CPI or below they should you should all resign, he felt that the Shire should live within its means and that being better than other Council's was no recommendation.

**4.15 Colin Mattingly, Muchea**

Mr Mattingly made a statement regarding the twenty-two (22) percent rise in his rates over the past year. Why is the new lawnmower for Ovals sitting in someone's back garden?

*The Shire President advised that the question would be taken on notice.*

**4.16 Jeff Loudon, Wannamal**

Mr Loudon addressed the public present regarding his experience of the Shire and rates over the fifty (50) years since he had first bought property in the Shire. Reference was made to rates also being dictated by land values.

**5. CLOSURE**

The Presiding Member thanked the electors for their attendance and contribution, and then declared the meeting closed at 8.37pm.



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