



# MINUTES

## **Annual General Meeting of Electors**

**7.00pm, Thursday 6 May 2021**

**Chinkabee Complex, 6166 Great Northern Hwy, Bindoon**

## PREFACE

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

The "Confirmed" minutes are then signed off by the Presiding Member.

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

## UNCONFIRMED MINUTES

These minutes were approved for distribution on 20 May 2021.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

**Matthew Gilfellon**  
**Chief Executive Officer**

## CONFIRMED MINUTES

These minutes were confirmed at the Annual Meeting of Electors held on:

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

*NOTE: The Presiding Member at the meeting at which these minutes are confirmed is the person who signs above.*

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## **ACKNOWLEDGEMENT OF COUNTRY**

*Good evening Councillors, staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Yued people. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.*

## **ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS**

The Presiding Member declared the meeting open at 7.00pm.

## **ITEM 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE / ANNOUNCEMENTS**

### **Attendance**

The following Elected Members were in attendance:

Cr Kylie Hughes	President
Cr Carmel Ross	Deputy President
Cr Peter Osborn	
Cr John Curtis	
Cr Mary Angus	
Cr Mark Campbell	

The following Shire staff were in attendance:

Matthew Gilfellon	Chief Executive Officer
Melinda Prinsloo	Executive Manager Corporate Services
Peter Stuart	Executive Manager Development Services
Jim Garrett	Executive Manager Technical Services
Michelle Nagel	(Minute Secretary)

Members of the General Public: 29

Media: 0

### **Apologies**

Carl and Jan Peterson  
Cr Rebecca Foulkes-Taylor

Approved leave of absence

**ITEM 3. CONFIRMATION OF MINUTES**

Annual General Meeting of Electors: 6 February 2020

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

Moved Cr Ross / Seconded Cr Osborne

That the minutes of the Annual General Meeting of Electors held on Thursday 6 February 2020 be confirmed as a true and correct record of proceedings.

**CARRIED 6 / 0**

**ITEM 4. REPORTS**

**AGM01 – 05/21      Annual Report for the Shire of Chittering**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	GOV.CM.2021
<b>Prepared by</b>	Executive Assistant
<b>Supervised by</b>	Chief Executive Officer
<b>Voting requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	1. 2019-2020 Annual Report

**Executive Summary**

The 2019-2020 Annual Report for the Shire of Chittering is presented to the Annual Meeting of Electors.

**Background**

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

The Annual Electors Meeting 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 by the Office of the Auditor General and signed off by the Shire's auditor Ms Renuka Venkatraman on 23 March 2021.

The draft Annual Report was considered at the same time as the Audited Financial Statements at the Ordinary Council Meeting held 21 April 2021 along with the 2019-2020 Annual Report which is inclusive of the concise audited financial report.

**Consultation/Communication Implications**

Local

Chief Executive Officer  
Audit and Risk Committee

State

Moore Stephens

**Legislative Implications**

State

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

Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

Nil

### Strategic Implications

#### State

Nil

#### Local

- Strategic Community Plan 2017-2027

Focus area: Strong leadership

Objective: S5.1 An engaged community

Strategy: S5.1.1 Encourage and promote community engagement

### 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 2019 to 30 June 2020. In particular, the Annual Report also details progress made against the projects and actions as listed in the four year *Corporate Business Plan 2017-2021*. The financials have been assessed and meet the approval of the Shire's external auditors.

#### **OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

**Moved Cr Angus / Seconded Cr Ross**

**That the 2019-2020 Annual Report be presented to the electors of the Shire of Chittering.**

**CARRIED BY ABSOLUTE MAJORITY 6 / 0**

## ITEM 5. GENERAL BUSINESS

### GB01 – 05/21 Don Gibson, Bindoon

When was the former Bakery was advertised and where was it advertised?

*The President advised that it was still within that round from the advertisement.*

Mr Gibson said you can't keep the process going for 6 months, when you close the Tender you can't receive offers after that date.

*The Chief Executive Officer advised that we are in the process of making the sale under Section 3.58(c) of the Local Government Act which is not the Tender process it is to do with a sale to the individual. It is now being advertised to the public.*

Who recommended the sale of this public building at a loss of \$30,000?

*The Chief Executive Officer advised that he was the one who recommended that the Shire sell this property, however, it came after great discussion with Council. There are a multitude of factors that go into a decision like this. Yes we advertised it for \$30,000 above what the recommended sale is but last year we ran a Tender process in which we only received one Tender and that was well below what the new offer is. We have to think about what is the market value of the building and the market value is what you can sell it for, that is one factor to consider. You need to think about the use of the building. The current offer are running a successful business in the building and are looking at expanding on that which is creating employment within the area. The type of business in their fits in well with the Shire's Strategic Plan which encourages local businesses. Also need to think about opportunity costs, we have a business in there, as a Shire how much do we want to be in the business of running commercial properties. With an older building there are extra maintenance costs and also having capital tied up in this property can stop the Shire from investing into something that may better suit the community.*

How long will it be advertised for public comment?

*The Chief Executive Officer advised that it was a minimum of 28 days.*

What is the estimated cost in salary and wages for the 2020/21 financial year?

*The Chief Executive Officer advised that total employment cost for the 2019/20, which is not just salary and wages it is everything on top of that, was \$3,774,530.*

As Council are responsible for the Budget, are you going to seriously consider reducing costs or just accept whatever is put in front of you?

*The President advised that there are extensive discussion prior to the Budget being set so there will be a number of changes, there are wish lists that can be carefully examined, road maintenance, we look at all of those things and of course in this current economic climate we are going to be looking at that quite conservatively.*

Mr Gibson asked if Council thought the Maintain Bike Park was more important than independent housing for the aged.

*The President advised that Council wouldn't say it is more important, we are actually working on plans for both of them at the concurrently. The Mountain Bike Park has gone out for a grant application and if that application is not successful then we will seek alternate funding down the track but we had to wait for the royal commissions to aged care findings and recommendations and for any of those changes to flow through but staff have been working on it in the meantime.*

Mr Gibson asked if Council had been given the information they had received from Cunderdin on the housing they have done there at the cost of \$160,000 a house?

*The Chief Executive Officer advised that he has spoken to the CEO at the Shire of Cunderdin and our staff have also spoken to their staff in the process of gathering information and it ended up costing them \$300,000 per unit and that was including the units themselves which were \$210,000.*

## **GB02 – 05/21 Neva Harris, Bindoon**

Neva Harris said firstly she would have thought that Council would have got at least 3 Market Appraisals for the old Bindoon Bakery Property before it sold.



Has the Council bought any land to put independent living houses on?

*The President advised that Council had allocated some land in the Bindoon townsite that was already Shire owned which is behind where the current Shire houses are.*

What sort of sewerage are they going to have?

*The Chief Executive Officer advised that it would be an ATU system as we don't have a sewerage system in Bindoon.*

I am always pushing for a swimming pool and if we could do whatever we could to have one, possibly where the bike track is I think that would be a great thing for the community.

**GB03 – 05/21 John Nagel, Bindoon (on behalf of Chittering Residents & Ratepayers Ass.)**

The idea of a street party to know your neighbours is a good idea, however, the Shire staff to say there is money from the Shire to hold such an event is out of order as I believe the Councillors were unaware of this event when the CEO announced it. I would like to move a motion as follows:

**Moved John Nagel, seconded Don Gibson**

**That the Councillors address neighbourhood street parties at the next Council Meeting.**

**CARRIED BY MAJORITY**

Has the CEO or any staff members from the Shire made contact with Liz or the leading aged care services department from the 11 February 2020 up until tonight?

*The Chief Executive Officer advised that yes contact had been made.*

Why has the Shire pushed the Aged Care Committee aside and decided to employ a consultant to do the work that the leading aged care services offered to do with the Committee at no cost to compile the necessary information on the demands of aged care in this district. This included workshops at Bindoon, Lower Chittering, Muchea and Wannamal.

*The Chief Executive Officer advised that it was because when the Shire talked to Leading Aged Care Services Australia they said that they never made that commitment.*

Mr Nagel advised that the CEO had attended all these meetings and that they are disappointed that no one had asked the Ratepayers Association as they have all the paperwork including a letter from Leading Aged Care Services Australia.

*The Chief Executive Officer advised that he did attend the meetings and from his understanding they never made any representations that they would help to undertake a feasibility study. Last year we invited the Ratepayers Association to an aged forum and asked what your ideas were on aged care and you said that you didn't have any and you were awaiting the royal commission into aged care.*

Mr Nagel expressed that they thought they were continuing on with the Aged Care Services and the Shire were moving forward with the Independent Living and they now feel they have been pushed aside.

*The Chief Executive Officer advised that they are welcome to put in a Request for Quote. The Shire has carried on doing the Independent Living and there is a Council Decision that*

*needs to be implemented and a Request for Quote has been put out for in-home and residential aged care services and we are waiting on the quotes to come back to see what we can do with that. It is an area that requires quite a bit of expertise, it is not an easy area to navigate.*

The Residents and Ratepayers Association believe the costing of the Independent Living Units at \$430,000 quoted by the CEO is far too expensive for the seniors to pay. The Seniors were asked at the meeting last night if they had completed the Shire survey on expressions of interest in Independent Living and a large number had said that they had however now they have heard the cost of it all, they have said that they are not interested. Why is our quote so expensive and out of reach of our residents? Has the CEO tabled or showed the Councillors the file that was handed to him from Cunderdin?

*The Chief Executive Officer advised that he has never received a file of what was done at Cunderdin. He has spoken to the Cunderdin CEO and talked about their unit project and talked to them around 5 years ago as well as they said theirs came out to be approx. \$300,000 per unit. When at others Shires I have built Independent Living Units, the cost came out to be about \$330,000 per unit. We had an officer undertake a study based on one piece of land, when I look at the base cost those units in Cunderdin were \$210,000 and when I talked to Landcorp 10 years ago and they used to budget on a piece of residential land being developed for approx. \$100,000. We worked out our costings at \$410,000. We needed to work out three things, there is desirability, feasibility and viability. Desirability was expressed, viability was looked into and yes we can achieve it and now we are looking at feasibility. We put a survey out there to say, when do you need them, where do you need them and do you want to rent or buy and what is your price point. So if the price point is \$300,000 and it comes back too much then we can look at the price and figure out how we can get it down to that price point. We need to develop a plan that meets everyone's needs and not just a small portion of the community.*

Is the survey complete yet and how many do you think you have received so far?

*No we will keep it open for a few more weeks. A week or two ago we had only received nine responses, which indicates a lack of demand.*

I would like to move a motion as below:

**Moved John Nagel, seconded Lee Martin**

**That the Shire revisit the costing of the Independent Living Units and release the findings of the Business Plan to the public.**

**CARRIED BY MAJORITY**

#### **GB04 – 05/21 Steve Anderson, Mooliabeenee**

What is the cost of the Muchea Sporting Complex and where are the funds coming from?

*The Chief Executive Officer advised that the Budget for the whole project was \$2.7 million. \$400,000 of that was grant and fundraising from the local sporting groups in the area. There has been \$300,000 from the Sport and Recreation Funding, \$150,000 as an election promise from the Labour Government that they have committed to. The remainder will be municipal funds from the Shire.*

That is going to impact on our rates surely, as there is only funding available for a very small portion of the project cost. Have we had actual pricing on the Complex or is that an estimate?

*The Chief Executive Officer advised that it was an estimate at this stage. You never really know until it goes out to tender and the first part of that is getting an architect in to design and then going out to tender and that's when you get your true costing.*

Has a Business Plan been done for the Mountain Bike Adventure Park?

*The Chief Executive Officer advised that a Business Case has been done. The difference between a Business Plan and a Business Case is the Plan is for the whole organisation and a Case is for a specific part of what an organization does. That has been done as part of the grant application that we put in as well as the cost benefit analysis for the project.*

Is that available to rate payers?

*The Chief Executive Officer advised that he didn't have an issue with releasing it, it just depends on if it is already out there in the minutes or not.*

At the last meeting that you spoke at Matthew, I was fairly sure that you said the fee for using the Park was \$30 but I am hearing a figure of \$15 now. Which is correct or are neither correct?

*The Chief Executive Officer advised that neither were correct. No fee has been decided. In the first instance a feasibility study is carried out, as part of that feasibility study they look at a range of different options, balancing out how many people would come verse what fee would be charged. Then when looking further into the Business Case it goes into if you are looking to maximise income and what is the best opportunity for that, is it that you waive the entry to the Park and have other businesses or leases for businesses that operate in there and could that be more income at less risk. If we have entry fee then we need to employ someone to do the entry fee. These are all options listed in the Business Case.*

Has the purchase of property that is in the process of happening, has that now happened?

*All the paper work is in order and it has just been sent off to get the final signatures.*

Are you able to disclose the figure?

*Once the purchase is finalised I am happy to disclose the purchase price.*

#### **GB05 – 05/21 Neva Harris, Bindoon**

Does that mean you can still get out of the purchase of the land?

*Even if we don't use that land for the Mountain Bike Park itself it is still a really strategic piece of land as it overlooks the town site and has a lot of environmental significance as well. This will be a great asset for the Bindoon Community whether or not it is for a Mountain Bike Park.*

My worry is as a ratepayer we have to pay for it.

*We are using funding from the sale of another block of land and a loan for approximately half. That loan will be paid off over a short 4 year term.*

How long has the Council owned the land that the Aged Care housing will be built on?

**3 – 5 Years**

Is there any way we can increase the scheme water allocation for this development?

*The CEO has spoken to Water Corp and it will just depend on what estimates they use as to household consumption in the town site. Department of Water are in charge of the water allocations, Water Corp indicated that there might be the potential but they didn't say how.*

**GB06 – 05/21 Ruth Sprague, Chittering**

Does the Shire have a communications employee, where does the buck stop?

*Chief Executive Officer.*

My issue is that the CEO is saying the Shire has not received a lot of surveys, if you are not on the Shire website or talking to someone who knows you would have no idea. I signed up for chatter when I moved here 3 years ago and have only received one newsletter in that time so there doesn't seem to be any communication.

*There are a couple of pages allocated to the Shire of Chittering and Gingin in the Northern Valley News when that is published monthly.*

Communications is an issue and something we don't do very well.

*It is something we have been working on and you hear from a lot of people and they push to not have employees and they ask questions about salaries and the like but over the last 10 years there really hasn't been increases in the overall staff but there has been a great increase in the roads that we look after, the parks that we look after the population so that comes with more enquiries and all the other services that are required. We have been focusing on communications and trying to increase it but then we don't have a communications officer so the workload is spread out amongst staff where they can get it done in amongst the rest of their workload. I don't disagree that we need a permanent communications officer.*

**GB07 – 05/21 Julie Dusavich, Bindoon**

Regarding Bell Hill Reserve. In the development approval there was to be planting of shrubs and trees. It was done last winter and within 2 weeks 90 percent had all died off. We were told by the planters that someone was supposed to go up and water them every week but we never saw any trucks go up there. Are they going to be replanted? Can someone please follow it up.

*We will be able to get someone to follow it up as it was a part of the development approval.*

**GB08 – 05/21 Bill Nobes, Bindoon**

On the purchase of the Mountain Bike Track, was that land purchased to create the Mountain Bike Track?

*It is a strategically located block, our ultimate goal is to have it as the Mountain Bike Park but that might not happen immediately if we are not successful in grant funding. It may take a number of grant applications to get there.*

It has been 18 months since the Boat has been sitting in Bindoon with nothing being done about it. When the negotiations were in play, before the boat arrived, it was agreed that if the boat should come, it would be put on a Lot, where it is now, and that I would have approval to actually sell coffee and perhaps create a radio station there. Everything at the beginning was going to be part funded from Linda Reynolds office, then she came back and said that couldn't happen but she said

the CEO could handle it because the reasons it was intended to be used the money should be quite easy to obtain.

Bill continued to speak on the lack of aged care within Bindoon.

**GB09 – 05/21 Barni Norton, Bindoon**

Back in 2016 and 2017 I raised the issue at Electors Meeting about recognition of the original inhabitants of this land in particular the Shire of Chittering area and asked that the Council please determine a strategy to recognise the original inhabitants of this land and it be added to the interpretative signage within the Shire. Has that been done?

*Cr Ross advised that the entrance sign at the post office has been updated to reflect this more than two years ago. More recently the Council passed a resolution that we would begin working on a Reconciliation Action Plan for the Shire. That will take time because to do that we must engage with local indigenous people and that itself will take time to locate who the people are that we can speak with to have fruitful conversations with them, however a commitment has been made by Council that there will be a Reconciliation Action Plan for this Shire.*

I would like to raise the following motion:

**Moved Barni Norton, seconded Josie Fern  
That the Council considers dual naming of sites and places within the Shire of Chittering to include the original inhabitant's language.**

**CARRIED BY MAJORITY**

I would also like to say thank you for purchasing the hill top and working towards preserving that piece of bush, I can see that it will have multiple uses, not just a bike park, and for someone that lives in the town of Bindoon I think we need to always remember that people need things to do in their homes and outside of their homes and if we put them on too small of a block in the town we will create social problems if we do not give them something to do.

I would like to know how much it costs for the PA System to be here tonight all the way from Fremantle? And can the response be given to BEAT as they are able to provide the PA System and record the meeting as well and that would be money going back into our community.

*The President advised that would be taken on notice.*

**GB10 – 05/21 John Nagel, Bindoon**

What was the reason for changing the date of the Wannamal Information Session?

*The President advised that because their meeting that they normally have was postponed a week and to save everyone having to come out two weeks in a row we scheduled them in on the same night.*

Where do the Chittering Aged Care Committee stand at this stage?

*The President advised that it was her understanding that you were working on Residential Aged Care and the Shire was looking at the Independent Living Units. The Shire itself isn't in the financial position to build and run a residential aged care facility, that is beyond the scope of what we can do which is why we are focusing on the Independent Living Units.*

So what is this application that is in the local paper?

*The President advised that the Shire is also looking at Aged Care Services, bringing those services into the Shire.*

I would just like some direction, maybe it can be discussed and reported back.

**GB11 – 05/21 Neva Harris, Bindoon**

I would just like to say thank you very much to the CEO and Councillors for putting this meeting on tonight, it has been very helpful to me.

**GB12 – 05/21 Lee Martin, Bindoon**

I support what John has said, we feel pretty let down as we put in a lot of work and it has left us in a bit of a mess in whether we should proceed or carry on. One of my biggest concerns is why is this meeting being held so late, the end of the financial year was nearly 11 months ago?

*The President advised that regulations were changed to have the Auditor General take over auditing which caused a substantial delay across all of the Shire's in Western Australia.*

*The Chief Executive Officer advised, just to clarify the Shire now comes under the Auditor General so our Auditor reports to them but the Department of Local Government changed a financial management regulation in November last year which meant that we had to go back and redo all our Annual Report so that affected every Local Government in the State. Apart from that the Auditor General takes a lot longer so even by February this year two thirds of the local governments still hadn't had their Annual Reports signed off because of the change to the financial management regulations. We have two level of Auditors to go through so it takes a lot longer to get things signed off.*

**GB13 – 05/21 Sue Banford, Bindoon**

I know Jan Stagbow really wanted to be here tonight however was unable to make it. She has been driving people 5 days a week to Joondalup Hospital because there is no one else to do it. I have only been living here 3 or 4 months and I have been stunned with the lack of services available for aged people. I qualified in other suburbs and I don't qualify here or even if I qualify the Silver Chain is stretched to the point where they can't help. I am young enough to be able to make do but for people who are out on farming properties, I have no idea how they survive, and then someone asked about if they can assist with driving which they said they couldn't because they needed to have some sort of insurance to be able to assist with driving people to hospital so people in the community who want to help feel like they can't or that they are compromising themselves. I think there should be some sort of roster system where people are supported without having incredible stress placed on them. This place in far of services is really really backward.

*The President advised that this is one of the problems of being in the peri-urban area that we find ourselves. It is really hard to get service providers out here unfortunately but it is certainly something that we are looking at improving.*

*The Chief Executive Officer added that that was the purpose of putting out the Request for Quote, to try and get someone to come out and have a look to see if there was some sort of feasibility for services that can be brought in.*

## **ITEM 6. CLOSURE**

The President closed the meeting at 8.47pm.