



CHIEF EXECUTIVE OFFICER ATTACHMENTS
ORDINARY MEETING OF COUNCIL
WEDNESDAY 11 DECEMBER 2019

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
9.4.1	Register of Policies: Amendments Attachments <ol style="list-style-type: none">1. Register of Policies Timeline2. Administration Policy 1.4 Service Level Complaints Handling3. External Complaint Form4. Administration Policy 1.5 Execution of Documents5. Exert of <i>Local Government Act 1995</i>, Sec 9.49A(4)6. DA5 – Signing of Documents7. Administration Policy 1.10 Recycled Purchasing8. Administration Policy 2.12 Purchasing - “Sustainable Procurement”9. Administration Policy 1.12 Security Cameras and CCTV10. Updated Administration Policy 1.4 Complaints Reporting (showing track changes)	1 – 27
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Policy Details	Review or New	Presented to Council to workshop	Presented to Council to adopt
Administration Policy 1.4 Complaints Handling	Review	Tuesday, 12 November 2019	Wednesday, 11 December 2019
Administration Policy 1.5 Execution of Documents	Review	Tuesday, 12 November 2019	Wednesday, 11 December 2019
Administration Policy 1.7 Communications	Review	Tuesday, 12 November 2019	Wednesday, 11 December 2019
Administration Policy 1.9 Recycled Purchasing	Review	Tuesday, 12 November 2019	Wednesday, 11 December 2019
Administration Policy 1.11 Security Cameras and CCTV	Review	Tuesday, 12 November 2019	Wednesday, 11 December 2019
Administration Policy 1.16 Community Engagement	Review	Tuesday, 12 November 2019	Wednesday, 11 December 2019
Finance Policy 2.1 Budget Preparation	Review	Tuesday, 4 February 2020	Wednesday, 18 March 2020
Finance Policy 2.7 Significant Accounting Policies	Review	Tuesday, 4 February 2020	Wednesday, 18 March 2020
Finance Policy 2.10 Cheque Signatory / EFT Requirements	Review	Tuesday, 4 February 2020	Wednesday, 18 March 2020
Finance Policy 2.11 Credit Cards	Review	Tuesday, 4 February 2020	Wednesday, 18 March 2020
Staff Policy 3.1 Code of Conduct - Staff, Volunteers and Contractors	Review	Tuesday, 12 May 2020	Wednesday 17 June 2020
Staff Policy 3.7 Staff Housing	Review	Tuesday, 12 May 2020	Wednesday 17 June 2020
Staff Policy 3.18 Use of Council Vehicles	Review	Tuesday, 12 May 2020	Wednesday 17 June 2020
Staff Policy 3.19 Social Media	Review	Tuesday, 12 May 2020	Wednesday 17 June 2020
Elected Members Policy 4.1 Code of Conduct	Review	Tuesday 11 August 2020	Wednesday 16 September 2020
Elected Members Policy 4.2 Petitions to Council	Review	Tuesday 11 August 2020	Wednesday 16 September 2020
Elected Members Policy 4.3 Elected Members' Fees, Allowances, Reimbursements and Benefits	Review	Tuesday 11 August 2020	Wednesday 16 September 2020
Elected Members Policy 4.6 Agenda Forums	Review	Tuesday 11 August 2020	Wednesday 16 September 2020
Community Development Policy 6.1 Australia Day Awards	Review	Tuesday 13 October 2020	Wednesday 18 November 2020
Engineering, Construction and Maintenance Policy 7.5 Road Maintenance	Review	Tuesday 13 October 2020	Wednesday 18 November 2020
Engineering, Construction and Maintenance Policy 7.6 Heavy Vehicle Access	Review	Tuesday 13 October 2020	Wednesday 18 November 2020
Town Planning Policy 9.5 Road Names	Review	Tuesday 13 October 2020	Wednesday 18 November 2020
Environment and Health Policy 10.2 Bushfire Control	Review	Tuesday 9 February 2021	Wednesday 17 March 2021
Environment and Health Policy 10.4 Clearing of Land	Review	Tuesday 9 February 2021	Wednesday 17 March 2021
Environment and Health Policy 10.7 Multiple Dogs	Review	Tuesday 9 February 2021	Wednesday 17 March 2021
Environment and Health Policy 10.8 Smoke-Free Outdoor Areas	Review	Tuesday 9 February 2021	Wednesday 17 March 2021



SHIRE OF CHITTERING Register of Policies

1.4 Service Level Complaints Handling

Policy Owner:	Governance
Person Responsible:	Chief Executive Officer
Date of Approval:	15 April 2009
Amended:	<Date approved by Council Resolution>
Integrated Framework Reference:	Strategic Community Plan
Strategic Framework Reference:	Corporate Business Plan
Applies to:	All Staff and Council

The Shire of Chittering is committed to operating in a transparent manner and responding to dissatisfaction from customers relating to the services provided, customer service received and general operation of the Local Government Authority.

A complaint, by definition, is an 'expression of dissatisfaction made to or about an organization, related to its services, staff or the handling of a complaint, where a response is explicitly or implicitly expected or legally required'.

In the event that a complaint or report of dissatisfaction is received the Shire of Chittering will endeavour to provide a response within a reasonable timeframe.

This policy does not apply to Elected Members and/or staff in regards to misconduct. Complaints regarding Elected Members are covered by "Code of Conduct – Council Members" Policy.

Related Documents

- *Code of Conduct Policy*
- *Code of Conduct – Council Members Policy*
- *Complaints Handling Process*
- *Customer Service Charter*

[illegible]

Complainant Signature _____ Date / /

Acknowledgement required	Yes / No
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Date Received		Officer Signature	
Synergy Record		Date Reviewed	
Complaint Resolved		Officer Signature	
File No		Complainant Notified	

- If a formal complaint is lodged, the shire will determine complaints as quickly as possible and will keep the complainant (and if applicable, the person who is the subject of the complaint) advised of the progress, details of the resolution and reasons.
- At a minimum, the following information is to be supplied in order to effectively process the complaint:
 - Name and address.
 - Contact details.
 - Complaint details.
 - Date/s of occurrence of complaint.
- The relevant officers will investigate and may determine to take the following courses of action:-
 - Take no further action and give the complainant reason/s;
 - Resolve the complaint by use of other appropriate strategies such as, but not limited to, mediation, informal discussion or negotiation;
 - Discontinue the assessment in circumstances where it becomes evident that the matter would be referred to another body or person and advise the complainant accordingly.
- Should the complainant not be satisfied with the result, written application to Council is required within 30 days.
- Where external review options are available, the CEO will advise Complainants of the available options.
- Customer correspondence, telephone conversations or interviews which proceed in an inflammatory manner will not be acted on. Where this occurs, the shire has the right to terminate conversations or interviews after warning the customer of that intention.
- The written complaint is to be recorded in the Synergy Record System.
- The written complaint is to be registered in the Complaint Register.

ANONYMOUS COMPLAINTS

An anonymous customer complaint will only be investigated where reasonable and sufficient information is provided and which, in the opinion of a shire employee, constitutes:

- A breach of statutory provisions;
- A breach of an approval, licence or permit;
- A matter for which the shire is obligated to act, prescribed in the Local Government Act 1995, Corruption Crime & Misconduct Act 2003 or under any other written law (i.e. the Public Interest Disclosure (PID) legislation);
- A matter which if not attended to could reasonably constitute a risk to the public health and safety of persons, animals or the environment; and
- A matter which is deemed to be capable of investigation and resolution without assistance from the complainant.

The following will not be registered as complaints due to the fact that each of the below is covered under a separate process or policy:

- A request for council services;
- A request for documents, information or explanation of policies or procedures;
- A request for the council to exercise a regulatory function;
- The lodging of an appeal or objection in accordance with a statutory process, standard procedure or policy;
- A submission relating to the exercise of a regulatory function; and
- A petition.

This policy does not apply to Elected Members and/or staff in regards to misconduct. Complaints regarding Elected Members are covered by "Code of Conduct – Council Members" Policy.



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1.5 Execution of Documents

Policy Owner: Governance
Person Responsible: Executive Assistant
Date of Approval: 15 April 2009
Amended: August 2019

Objective To provide guidelines and expediency for the use of the Shire Common Seal and attestation of legal documents.

Policy Following a specific Council decision, the Shire President and the Chief Executive Officer, or their deputies as prescribed in the **Local Government Act 1995**, shall sign all documentation of a legal or statutory nature with inclusion of the Common Seal.

*This is stipulated by
Local Govt Act Sec 9.49(a)4
See attached copy of
legislation.*



*This is referenced in DA5
"Signing of Documents"
- Copy attached*



The Executive Assistant is to ensure that the "Common Seal Register" booklet is kept up-to-date and completed correctly for statutory compliance.

Notes:

(1) Only those documents legally requiring the Common Seal, or those documents specifically decided by Council, require the Common Seal to be affixed; and

(2) [Section 70A Notifications, Restrictive Covenants and Easement Registrations](#) are provided on new Titles, in order for a subdivision to be endorsed and finalised. In light of the standard procedure of this planning requirement the Shire President and CEO may affix the common seal and sign these documents without the need for a Council resolution.

*This is referring to the
"Transfer of Land Act 1893"*

*Suggest that this be made
the "5th Condition" of DA5*

Division 3 — Documents

9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of —
 - (a) the mayor or president; and
 - (b) the chief executive officer or a senior employee authorised by the chief executive officer,

each of whom is to sign the document to attest that the common seal was so affixed.

- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.



Delegated Authority Register

DA5 SIGNING OF DOCUMENTS

- Objective of Delegation:** To sign Shire documents on behalf of the Shire of Chittering.
- Extent of Delegation:** The authority to sign documents as a part of the day to day operations of the Shire of Chittering.
- Conditions imposed:** Authority is delegated on the provision that one or more of the following provisions apply:
- 1 The Council has authorised the entering into a formal contract/document.
 - 2 A formal contract is authorised under delegated authority of the Council.
 - 3 A formal contract/document is considered necessary by the Chief Executive Officer as part of the day to day operations of the Council.
 - 4 The Chief Executive Officer is to prepare the necessary documentation taking into account any specific policy requirements of Council and to arrange for signing of the contract/documents without further reference to Council.
 - 5 Section 70A Notifications, Restrictive Covenants and Easement Registrations are provided on new Titles, in order for a subdivision to be endorsed and finalised. In light of the standard procedure of this planning requirement the Shire President and CEO may affix the common seal and sign these documents without the need for a Council resolution.

Delegation by Council to:	Chief Executive Officer
Delegation by Chief Executive Officer to:	Not applicable
Formal Record:	Common Seal Register Recorded in central records system



Delegated Authority Register

Heads of Power:	<ul style="list-style-type: none"> Local Government Act 1995 s9.49 A(a) (4) Shire of Chittering Administration Policy 1.5 Execution of Documents
Last Reviewed:	21 June 2017 29 January 2019
Amended:	



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1.10 Recycled Purchasing

Policy Owner:	Corporate Services
Person Responsible:	All staff
Date of Approval:	20 May 2009
Amended:	

Objective	To demonstrate a commitment to the philosophy of recycling by supporting the purchase of recycled products and materials where practicable.
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Policy	Council encourages the purchase of recycled goods wherever possible, particularly in the use of paper products within the office environment. Preference will be given to the purchase of Australian made products which contain recycled material, to further promote the viability of recycling generally.
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2.12 Purchasing

Policy Owner:	Corporate Services
Distribution:	All employees
Person Responsible:	Executive Manager Corporate Services
Date of Approval:	19 August 2009
Amended:	28 October 2015; 26 October 2016; 7 August 2018

- Objective**
- To provide compliance with the **Local Government Act 1995** and the **Local Government (Functions and General) Regulations 1996** as amended in September 2015.
 - To deliver best practice approach and procedures to internal purchasing for the Shire of Chittering.
 - To ensure consistency for all purchasing activities within the Shire of Chittering.

Policy

Why do we need a Purchasing Policy?

The local government is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities.

This policy:

- Provides the local government with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the local government receives value for money in its purchasing.
- Ensures that the local government considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the local government is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the local government's purchasing practices that withstand probity.

**Ethics and Integrity**

All officers and employees of the local government shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the local government.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money.
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the local government policies and Code of Conduct.
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently.
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements.
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed.
- any information provided to the local government by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

Value for Money

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the local government. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with



acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.

- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

Sustainable Procurement

“Sustainable Procurement” is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

The Shire of Chittering is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Chittering's sustainability objectives.

Practically, sustainable procurement means the Shire of Chittering shall endeavour at all times to identify and procure products and services that:

- have been determined as necessary.
- demonstrate environmental best practice in energy efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- demonstrate environmental best practice in water efficiency.
- are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable



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resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage.

- where products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- for motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range.
- for new buildings and refurbishments – where available use renewable energy and technologies.

Supporting local industry

The Shire of Chittering recognises that it has a role in the economic development of the local community and in assisting local industry in accessing opportunities to conduct business with the Shire.

In supporting or encouraging local industry, matters relating to:

- Value for money;
- Environmental performance;
- National Competition Policy; and
- Transparency of decision-making must be addressed.

In order to assist local industry to conduct business with the Shire, the following steps shall be undertaken:

- Procurement shall be undertaken in accordance with the Procurement Management Procedure and within the guidelines for “Purchasing Thresholds” of this policy.
- All tenders and requests for expressions of interest shall be advertised in the **Northern Valleys News** and/or **The Advocate** newspapers, placed on noticeboards in the Shire's libraries and administration centre.
- All tenders and requests for expressions of interest will be available to access and, where applicable, download through the Shire's website.
- A Request for Quotation process shall be investigated that will enable effective communication with the local business community of the Shire's upcoming requests for quotation.

The major considerations in accepting any tender or quotation for provision of goods or service shall be:



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- Capacity to deliver the goods or services according to the Shire's specification and the contract conditions; and
- Value for money.

Any canvassing of the Shire's Elected Members or staff shall disqualify businesses seeking to do business with the Shire.

Purchasing Thresholds

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:

Amount of Purchase	Model Policy
Up to \$ 10,000	Direct purchase from suppliers.
\$10,001 - \$30,000	Obtain at least two verbal or written quotations.
\$30,001 - \$50,000	Obtain at least two written quotations.
\$50,001 - \$149,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$150,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold (excluding GST). If a decision is made to seek public tenders for contracts of less than \$150,000, a "Request for Tender" process that entails all the procedures for tendering outlined in this policy must be followed in full.

Purchasing value not greater than \$10,000

Where the value of procurement of goods or services does not exceed \$10,000, purchase is subject to budget allocation. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.



Purchasing value between \$10,001 and \$30,000

This category is for the procurement of goods or services where the value of such procurement ranges between \$10,001 and \$30,000.

At least two verbal or written quotations are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement/specification is clearly understood by the local government employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies.

Purchasing value between \$30,001 - \$50,000

For the procurement of goods or services where the value of such procurement ranges between \$30,001 and \$50,000, it is required to obtain at least two written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

Purchasing value between \$50,001 and \$149,999

For the procurement of goods or services where the value of such procurement ranges between \$50,001 and \$149,999 it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.



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For this procurement range, the selection should not be based on price alone, and consideration shall be given to qualitative factors such as quality, stock availability, environmental performance, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$150,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$150,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

The general principles for verbal and written quotations shall be followed as noted in this Policy.

General principles for obtaining verbal quotations

- Ensure that the requirement / specification is clearly understood by the Shire of Chittering employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- The responsible officer shall demonstrate due diligence when seeking quotes and shall comply with the Shire's record keeping policies and audit requirements.

All documents relating to the quotation process must be saved in the Shire's Electronic Management System (i.e. SYNERGY).

General principles relating to written quotations

- The request for written quotation should include as a minimum: An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied



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- Price Schedule
- Conditions of responding
- Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

Ordering Thresholds

The following Officers are authorised to sign orders on behalf of Council within the limits stated provided such proposed purchases are contained within the Budget and are within the officer's area of activity:

Position	Amount
Chief Executive Officer	Unlimited
Executive Manager Development Services	\$50,000
Executive Manager Technical Services	\$50,000
Executive Manager Corporate Services	\$50,000
Works Supervisor	\$ 5,000
Building Surveyor	\$ 5,000
Principal Environmental Health Officer	\$ 5,000
Community Emergency Services Manager	\$ 5,000
Economic Development Coordinator	\$ 2,500
Community Development Coordinator	\$ 2,500

Regulatory Compliance

- *Tender Exemption*
In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):
 - An emergency situation as defined by the **Local Government Act 1995**.
 - The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and



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- Finance (permitted Common Use Arrangements), Regional Council, or another local government.
- The purchase is under auction which has been authorised by Council.
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines.
- Any of the other exclusions under Regulation 11 of the ***Local Government (Functions and General) Regulations 1996*** apply.

Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note:

The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

Anti-Avoidance

The Shire of Chittering shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender.

Tender Criteria

The Shire of Chittering shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.



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For requests with a total estimated (excluding GST) price of:

- Between \$40,000 and \$149,999, the panel must contain a minimum of two members.
- \$150,000 and above, the panel must contain a minimum of three members.

Advertising Tenders

Tenders are to be advertised in a state-wide publication, e.g. ***The West Australian*** under the “Local Government Tenders” section, with preference on a Wednesday or Saturday.

The tender must remain open for at least {14} days after the date the tender is advertised. Care must be taken to ensure that {14} **full** days are provided as a minimum.

The notice must include:

- a brief description of the goods or services required
- information as to where and how tenders may be submitted
- the date and time after which tenders cannot be submitted
- particulars identifying a person from who more detailed information as to tendering may be obtained
- detailed information shall include:
 - such information as the local government decides should be disclosed to those interested in submitting a tender
 - detailed specifications of the goods or services required
 - the criteria for deciding which tender should be accepted
 - whether or not the local government has decided to submit a tender
 - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.
- Canvassing of Elected Members and Shire officers will disqualify your tender

**Issuing Tender Documentation**

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addenda or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire of Chittering not to compromise its Duty to be Fair.

Tender Deadline

A tender that is not received in full in the required format by the advertised tender deadline shall be rejected.

Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the tender deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's or one Executive Manager and preferably at least one other Council officer. The details of all tenders received and opened shall be recorded in the 'Tenders Register'.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as "commercial-in-confidence" to the local government. Members of the public are entitled to be present.

The tenderer's offer form, price schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two local government officer's present at the opening of tenders.

**No Tenders Received**

Where the Shire of Chittering has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained
- the process follows the guidelines for seeking quotations between \$40,000 and \$149,999 (listed above)
- the specification for goods and/or services remains unchanged
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Chittering by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

Tender Acceptance

That the Chief Executive Officer be authorised to accept tenders/purchases up to \$99,999.99; and that all tenders/purchases above \$100,000 are to be referred to Council (including all WALGA preferred suppliers).

Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Chittering may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Chittering and tenderer have entered into a contract, a minor variation may be made by the Shire.



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A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation
- Internal documentation
- Evaluation documentation
- Enquiry and response documentation
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation
- Internal documentation
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the ***State Records Act 2000***, and the Shire of Chittering's internal records management policy.

Purchasing from WA Disability Enterprises

Pursuant to State Government policy, Local Governments are encouraged to consider the option of purchasing goods and services from registered WA Disability Enterprises. This is contingent on the provision of fair value and quality.



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Local Governments are encouraged to invite relevant WA Disability Enterprises to respond to a Request for Quotation or Tender for goods or services. Determining the purchasing process to be followed is based on the actual or expected value of each purchase by the Local Government as outlined above in Section 5 (Purchasing Thresholds and Processes) of this Policy. There are seven Disability Enterprises registered in Western Australia.

A complete list of approved organisations is available from the following website: www.wade.org.au.



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1.12 Security Cameras and CCTV

Policy Owner:	Governance
Person Responsible:	Executive Manager Technical Services
Date of Approval:	20 May 2009
Amended:	7 August 2018

Definitions “**Authorised personnel**” to view the security recordings are the Chief Executive Officer, Executive Manager of Technical Services, the Building Coordinator, Technical Support Officer and the Shire Rangers.

Recording Control

- a) The Chief Executive Officer may authorise the copying of original recordings where an incident is the subject of legal proceedings.
- b) Copying of original recordings is to be made only by an officer authorised by the Chief Executive Officer for this purpose.
- c) Any copy is to be marked ‘copy’ and certified as such.
- d) Certified copies of recordings may only be released to the WA Police, lawyers acting on behalf of individuals engaged in legal proceedings related to a recorded incident, or individuals acting as their own legal counsel in relation to a recorded incident.
- e) Certified copies will only be released to the parties named above when permission has been received from the Chief Executive Officer.
- f) At no time shall the security camera be used to provide surveillance of individuals or groups engaging in rallies, protests or other political behaviour unless there is a well-founded belief that an offence against statute law is likely to or is taking place.
- g) All recordings shall be kept in secured storage under the control of the Shire of Chittering.
- h) All original recordings shall be erased after thirty days after the date of the recording unless a request is made in writing for it to be held.
- i) All written requests for access to original recordings shall be addressed to the Chief Executive Officer.



SHIRE OF CHITTERING Register of Policies

Viewing of Recordings

Requests to view a recording shall be responded within three (3) working days.

Release of original recordings or still photographs

- a) Original recordings and still photographs shall not be released to any person or organisation unless requested under the WA Criminal Code, by court summons or by other legal instrument.
- b) At no time shall original or copied recordings or still photographs be released to any media organisations, journalist or other individual or group without the written approval of the Chief Executive Officer of the Shire of Chittering.



SHIRE OF CHITTERING Register of Policies

1.4 Complaints Reporting

Policy Owner:	Governance
Person Responsible:	Chief Executive Officer
Date of Approval:	15 April 2009
Amended:	<Date approved by Council Resolution>
Integrated Framework Reference:	Strategic Community Plan
Strategic Framework Reference:	Corporate Business Plan
Applies to:	All Staff and Council

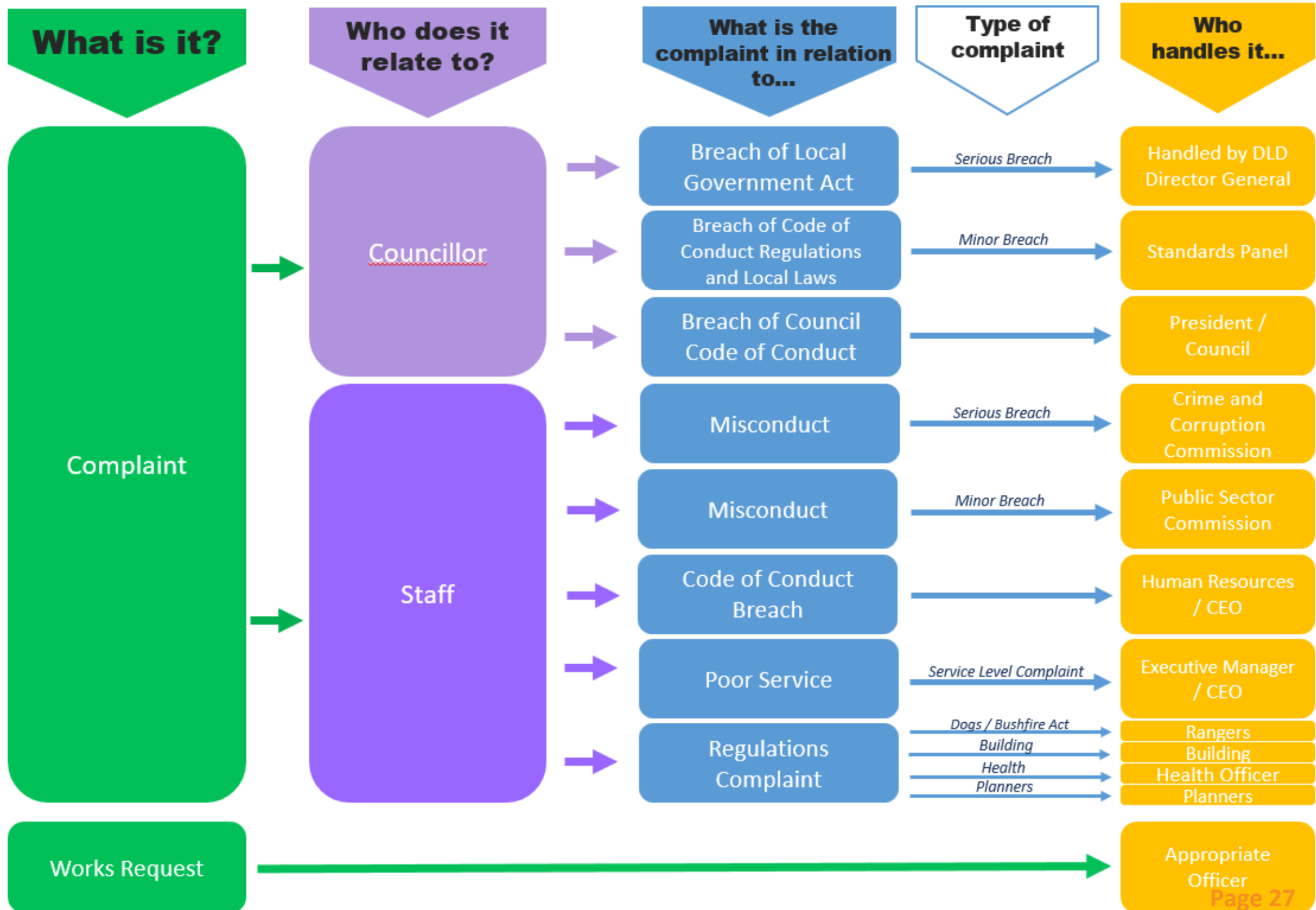
The Shire of Chittering is committed to operating in a transparent manner and responding to dissatisfaction from customers relating to the services provided, customer service received and general operation of the Local Government Authority.

In the event that a complaint or report of dissatisfaction is received the Shire of Chittering will endeavour to provide a response within a reasonable timeframe.

If a complaint is received - and it will potentially be brought to the attention of council, by an outside party - officers will endeavour to make Councillors aware of the issue as soon as practicable.

Through the monthly Information Bulletin, the Council will receive a report, which will contain the number of items outstanding and the number of items resolved; under the following categories:-

- Breach of Council Code of Conduct
- Code of Conduct Breach
- Poor Service
- Regulations Complaint
- Works Request





RURAL WATER COUNCIL OF WA (INC)

RULES

Adopted August 1955

Incorporated 6 January 1956

Amendments

Annual General Meeting - 12 March 1984

Annual General Meeting - 15 July 2011

(Approved as lodged by Department of Commerce with effect from 26 August 2011)

Annual General Meeting - 15 March 2019

(Approved as lodged by Consumer Protection with effect from 9 May 2019)

Rural Water Council of WA (Inc)

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Rural Water Council of WA (Inc)

RULES

1 NAME, OBJECTS AND POWERS**1.1 Name of Association**

The name of the association is the Rural Water Council of WA (Inc).

1.2 Objects of Association

The objects and purposes of the Association are -

- (a) To raise awareness of water supply issues relating to farmland and communities in rural and dryland agricultural areas.
- (b) To endeavour to obtain equitable distribution state wide of funds for water supply improvement to minimise the difficulty caused by the inadequate domestic, spraying and stock water in dryland agricultural areas.
- (c) To work with all relevant Government agencies, water advisory groups and other stakeholders to encourage and support research and development to optimise alternative management and use of water supplies.
- (d) To raise awareness of the need to improve and maintain rural and town water supplies and infrastructure.
- (e) To contribute to regional planning and policies relating to the allocation and use of water resources in rural and dryland agricultural areas.
- (f) To represent the water needs of our member communities.
- (g) To raise awareness of the need to effectively manage water resources.
- (h) To provide input to and seek membership of appropriate water advisory groups and the like.

1.3 Not for Profit

- (1) The property and income of the Association shall be applied solely towards promoting the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in promoting those objects or purposes
- (2) A payment may be made to a member out of the funds of the Association only if it is authorised under Rule 1.3(3).
- (3) A payment to a member out of the funds of the Association is authorised if it is –
 - (a) the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business;
 - (b) the payment of interest, on money borrowed by the Association from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia;
 - (c) the payment of reasonable rent to the member for premises leased by the member to the Association; or
 - (d) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.

Rural Water Council of WA (Inc)

RULES**1.4 Powers of Association**

Subject to the Act, the Association may do all things necessary or convenient for carrying out its objects or purposes in a lawful manner and in particular may –

- (a) acquire, hold, deal with, and dispose of any real or personal property;
- (b) open and operate bank accounts;
- (c) invest its money -
 - (i) in any security in which trust monies may lawfully be invested; or
 - (ii) in any other manner authorised by Association;
- (d) borrow money upon such terms and conditions as the Association thinks fit;
- (e) give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;
- (f) appoint agents to transact any business of the Association on its behalf;
- (g) enter into any other contract it considers necessary or desirable;
- (h) act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene the Act or these Rules.
- (i) engage or employ any person to administer, promote or further the objects of the Association;
- (j) join, partner, cooperate or liaise with any person, association, organisation, body of persons, public body, local government or government department or agency in any act, matter or thing, which may be conducive to the attainment or performance of the objects of the Association.

2 INTERPRETATION**2.1 Terms Used**

In these Rules, unless the contrary intention appears:

Act means the Associations Incorporation Act 2015.

Association means the Rural Water Council of WA (Inc)

Books of the Association means all of the records, books, minute books, documents and securities of the Association.

Delegate means the persons elected or appointed from time to time by a Member Association to act for and on behalf of that Member Association and represent the Member Association at general meetings or otherwise.

Executive Committee means the body responsible for the management of the Association.

Financial Year means the period of 12 months commencing on 1 January in each year.

General Meeting means either the Annual General Meeting or a Special General Meeting of the Association.

Individual Member means a natural person who is recognised as a member of the Association in accordance with these rules.

Member means a delegate appointed by a member association or an individual member.

Member Association means an association, organisation or body of persons (incorporated or unincorporated), public body, local government or regional group of local governments recognised as a member of the Association in accordance with these rules.

Poll means voting conducted in written form (as opposed to general agreement or a show of hands).

Rules means these rules of the Association as amended from time to time.

Rural Water Council of WA (Inc)

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Special General Meeting means a meeting of the Association that is not the Annual General Meeting.

Special Resolution means a resolution at a General Meeting passed in accordance with the Act and requiring a majority of not less than three-fourths of the members who are present and eligible to cast a vote at the meeting.

Working Day means a day that is not a Saturday, Sunday or a public holiday in Western Australia.

2.2 Interpretation

- (1) In these Rules, unless the contrary intention appears:
 - (a) one gender includes the other;
 - (b) the singular includes the plural and the plural includes the singular;
 - (c) where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning;
 - (d) terms defined in the Act have the same meaning when used in these Rules;
 - (e) person includes a body corporate;
 - (f) writing includes typing, printing, lithography, photography and any other mode of representing or reproducing words or figures in a visible form including messages sent by electronic mail;
 - (g) a month is a reference to a calendar month.
 - (h) a reference to a statutory provision includes:
 - (i) the statutory provision as amended or re-enacted;
 - (ii) a statute, regulation or provision enacted in replacement of the statutory provision; and
 - (iii) another regulation or other statutory instrument made or issued under the statutory provision;
 - (i) including and similar expressions are not words of limitation.
- (2) The table of contents and any headings are for convenience only and do not affect the interpretation of these Rules.

2.3 Notices

- (1) Subject to rule 2.3(2), a notice or other communication given under these Rules has no effect unless it is in writing and given as follows:
 - (a) delivered by hand to the nominated address of the addressee;
 - (b) sent by post to the nominated postal address of the addressee;
 - (c) sent by facsimile to the nominated facsimile number of the addressee; or
 - (d) sent by e-mail or any other method of electronic communication to the nominated electronic address of the addressee.
- (2) Any notice given under these Rules will be deemed to have been received:
 - (a) subject to rule 2.3(3), if transmitted by e-mail, facsimile or delivered by hand before 5.00 pm on a working day, at the time of transmission or on the day of delivery (as applicable), or otherwise, at 9.00 am on the next working day; or
 - (b) if sent by mail, on the second working day after posting.

Rural Water Council of WA (Inc)

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- (3) A facsimile or e-mail is not given and received if:
- (a) at the conclusion of the facsimile transmission the sender's facsimile machine issues an error transmission report which indicates that the relevant number of pages comprised in the notice has not been sent; or
 - (b) at the conclusion of the e-mail the sender receives an automated message stating that the e-mail was undeliverable.

3 MEMBERS**3.1 Eligibility for Membership**

Membership of the Association is open to any natural person, association, organisation or body of persons (incorporated or unincorporated), public body, local government or regional group of local governments, subject to any requirements that the Association may decide from time to time.

3.2 Category of Members

- (1) The Members of the Association shall consist of:
- (a) Member Associations, which subject to these rules, shall be represented by their delegates who shall have the right to attend, debate and vote at general meetings; and
 - (b) Individual Members.
- (2) A Member Association may appoint two delegates for such term as is deemed appropriate by the Member Association. The delegates must:
- (a) be appropriately empowered by the appointing Member Association to consider, make decisions and vote at general meetings;
 - (b) not be a delegate for more than one Member Association.
- (3) Each Member Association shall advise the Association in writing of its delegates, including the name, address and contact details of the delegates.
- (4) A delegate appointed under rule 3.2(2) to represent a Member Association is deemed for all purposes to be a member until the appointment is revoked by the Member Association and notice is given to the Secretary or, in the case of an appointment in respect of a particular general meeting, the conclusion of that general meeting.

3.3 Application for Membership

An application for new membership must be:

- (a) in writing; and
- (b) accompanied by the appropriate fee.

3.4 Deciding Applications for Membership

- (1) The Association may accept or reject an application for membership.
- (2) Where the Association accepts an application, the applicant shall become a member. Membership shall be deemed to commence upon acceptance of the application by the Association. The Secretary shall ensure that the register of members is amended accordingly as soon as practicable.
- (3) Where the Association rejects an application for membership the Association shall refund any fees forwarded with the application.

Rural Water Council of WA (Inc)

RULES

- (4) As soon as is practicable after the Association has made a decision under rule 3.4(1), the Association shall notify the applicant of the outcome of their application for membership.

3.5 Liability of Members

- (1) A member is only liable for their outstanding membership fess payable under these Rules.
- (2) A member is not liable, by reason of their membership, for the liabilities of the Association or the cost of winding up the Association.

3.6 Register of Members

- (1) The Secretary shall keep and maintain in an up-to-date condition a register of the members of the Association and their postal or e-mail addresses.
- (2) Any member is able to inspect, without charge, the register of members at such time and place as is mutually convenient to the Association and the member, and the member may make a copy of or take an extract from the register of members but shall have no right to remove the register for that purpose.
- (3) The Secretary shall delete from the register of members the name of a person who ceases to be a member under rule 5.1.
- (4) A member may apply in writing for a copy of the register of members. The Executive Committee may charge a reasonable charge for providing a copy of the register.
- (5) The Executive Committee may require the member wishing to make a copy of, or take an extract from, the register of members or requesting a copy of the register of members to provide a statutory declaration setting out the purpose of the request and declaring that the purpose is connected with the affairs of the Association.

3.7 Deeming Provisions

All persons who were members of the Association immediately prior to the approval of these Rules shall be deemed members and will be entitled to such benefits as are conferred on them by the Association.

4 MEMBERSHIP FEES

- (1) The annual membership fee payable by members or each class of members shall be determined from time to time by the Annual General Meeting.
- (2) Each member must pay the annual membership fee determined under rule 4(1) to the Secretary, or such other person authorised by the Executive Committee, by such date as the Executive Committee from time to time determines.
- (3) If a member's annual membership fee is paid within 3 months after the date prescribed for payment under rule 4(2) the member may exercise all the rights and privileges of a member for the purposes of these rules.
- (4) If a member's annual membership fee is not paid within 3 months after the date prescribed for payment under rule 4(2), the member ceases to be a member, unless the Executive Committee decides otherwise.
- (5) If a member ceases to be a member under rule 4(4) and subsequently pays to the Association all the member's outstanding fees, the Executive Committee may, if it thinks fit, reinstate the member's rights and privileges including the right to vote.

Rural Water Council of WA (Inc)

RULES**5 CEASING TO BE A MEMBER****5.1 Ending Membership**

A person's membership ends, if the person:

- (a) dies;
- (b) ceases to be a member under rule 4(4);
- (c) resigns as a member under rule 5.2; or
- (d) is expelled from the Association under rule 5.3.

5.2 Resigning Membership

- (1) A member, who has paid all amounts payable to the Association in respect of their membership, may resign from membership by giving written notice of their resignation to the Secretary.
- (2) The member resigns:
 - (a) at the time the Secretary receives the notice; or
 - (b) if a later time is stated in the notice, at that time.
- (3) A member who resigns from the Association remains liable to pay to the Association any outstanding fees which may be recovered as a debt due to the Association by the member.

5.3 Suspending or Expelling Members

- (1) The Executive Committee may, by resolution, suspend or expel a member from membership if:
 - (a) the member refuses or neglects to comply with these Rules; or
 - (b) the member's conduct or behaviour is detrimental to the interests of the Association.
- (2) The Executive Committee shall hold a meeting to decide whether to suspend or expel a member.
- (3) The Secretary shall, not less than 28 days before the Executive Committee meeting referred to in rule 5.3(2), give written notice to the member:
 - (a) of the proposed suspension or expulsion and the grounds on which it is based;
 - (b) of the date, place and time of the meeting;
 - (c) that the member, or their representative, may attend the meeting; and
 - (d) that the member, or the member's representative, may address the Executive Committee at the meeting and will be given a full and fair opportunity to state the member's case orally or in writing or both.
- (4) At the Executive Committee meeting referred to in rule 5.3(2) the Executive Committee must:
 - (a) give the member, or the member's representative, a full and fair opportunity to state the member's case orally;
 - (b) give due consideration to any written statement submitted by the member; and
 - (c) determine whether or not the member should be:
 - (i) expelled from the Association; or
 - (ii) suspended from membership, and if so, the period that the member should be suspended from membership.

Rural Water Council of WA (Inc)

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- (5) Once the Executive Committee has decided to suspend or expel a member under rule 5.3(4), the member is immediately suspended or expelled from membership.
- (6) The Secretary must inform the member in writing of the decision of the Executive Committee, within seven days of the Executive Committee meeting referred to in rule 5.3(2).

5.4 Right of Appeal against Suspension or Expulsion

- (1) If a member is suspended or expelled under rule 5.3, the member may appeal the Executive Committee's decision by giving written notice to the Secretary within 14 days of receiving notice of the Executive Committee's decision under rule 5.3(6).
- (2) A statement of the reasons for the appeal must accompany the notice of appeal.
- (3) Subject to rule 14.1(3), within 28 days after the Secretary receives notice of an appeal under rule 5.4(1), the Secretary must convene a Special General Meeting to decide the appeal.
- (4) At the Special General Meeting to decide the appeal, both:
 - (a) the member who is suspended or expelled; and
 - (b) the Executive Committee members who made the decision to suspend or expel
 must be given a full and fair opportunity to state their respective cases orally, or in writing, or both.
- (5) The members present and eligible to vote at the Special General Meeting must decide to confirm or revoke the Executive Committee's decision to suspend or expel by a majority vote.
- (6) If a Special General Meeting decides to revoke the Executive Committee's decision to suspend or expel a member, the person is to be reinstated as a member at the close of the Special General Meeting.

5.5 Reinstatement of a Member

If the Executive Committee's decision to suspend or expel a member is revoked under these Rules, any act performed by the Executive Committee or members in General Meeting during the period that the member was suspended or expelled from membership under rule 5.3(5), is deemed to be valid, notwithstanding the member's inability to exercise his or her rights or benefits of membership, including voting rights, during that period.

5.6 Consequences of Suspension

- (1) During the period in which a member's affiliation or membership is suspended, the member:
 - (i) loses any rights (including voting rights) arising as a result of membership; and
 - (ii) is not entitled to a refund, rebate, relief or credit for membership fee paid, or payable to the Association.
- (2) When a member's membership is suspended, the Association must record in the register of members:
 - (i) that the member's membership is suspended;
 - (ii) the date on which the suspension takes effect; and
 - (iii) the period of the suspension.

Rural Water Council of WA (Inc)

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- (3) When the period of the suspension ends, the register of members must be updated to reflect that the member is no longer suspended.

6 DISPUTES**6.1 Disputes Arising under the Rules**

- (1) This rule applies to disputes under or relating to these Rules between:
- (a) members;
 - (b) the Association and one or more members.
- (2) The parties to the dispute must attempt to resolve the dispute within 28 days after the dispute comes to the attention of all parties. In the event of a dispute involving the Association, the President or another Executive Committee member nominated by the President, will represent the Association.
- (3) If the parties are unable to resolve the dispute within the 28 day period specified in Rule 6.1(2), either party may give written notice to the Secretary identifying the parties to the dispute, the subject of the dispute and requesting a meeting of the Executive Committee to hear the dispute.
- (4) The Secretary must convene an Executive Committee meeting within 28 days after the Secretary receives notice of the dispute under rule 6.1(3) for the Executive Committee to determine the dispute.
- (5) At the Executive Committee meeting to determine the dispute, all parties to the dispute must be given a full and fair opportunity to state their respective cases orally, or in writing, or both.
- (6) The Secretary must inform the parties to the dispute of the Executive Committee's decision within seven days after the Executive Committee meeting referred to in rule 6.1(4).
- (7) If any party to the dispute is dissatisfied with the Executive Committee's decision they may appeal the decision by requesting in writing that the Executive Committee meet again to rehear the dispute. Such request to be made within seven days of the date of the notice advising of the Executive Committee's decision.
- (8) The Executive Committee must meet again within 14 days of the request to rehear the dispute. Subject to rule 6.2, at this second meeting the decision of the Executive Committee is final.

6.2 Inability to Resolve Disputes

If a dispute cannot be resolved under the procedures set out in these Rules, any party to the dispute may apply to the State Administrative Tribunal to determine the dispute in accordance with the Act.

7 OFFICE HOLDERS

The office holders of the Association are:

- (a) the President;
- (b) the Deputy President; and
- (c) the Secretary.

Rural Water Council of WA (Inc)

RULES**8 COMMITTEE OF MANAGEMENT****8.1 Powers of the Executive Committee**

- (1) The affairs of the Association shall be managed by the Executive Committee.
- (2) Subject to the Act, these Rules and any resolution passed at a General Meeting, the Executive Committee:
 - (a) may exercise all the powers and functions of the Association, other than those powers and functions that are required by these Rules to be exercised by a General Meeting;
 - (b) has power to perform all acts and do all things as appear to the Executive Committee to be necessary or desirable for the proper management of the business and affairs of the Association; and
 - (c) may make, amend and repeal by-laws for the management of the Association provided that the by-laws are not inconsistent with these Rules or the Act.

8.2 Composition of Executive Committee

- (1) The Executive Committee shall comprise:
 - (a) the office holders of the Association; and
 - (b) two members elected at the Annual General Meeting
 or, in the event that the Secretary's role is undertaken by an Administrator:
 - (a) the President;
 - (b) the Deputy President; and
 - (c) three other members elected at the Annual General Meeting.
- (2) An Executive Committee member must be a member of the Association.

8.3 Obligations of Executive Committee

The Executive Committee shall take all reasonable steps to ensure the Association complies with its obligations under the Act and these Rules.

8.4 Disclosure of Interest

- (1) Subject to the requirements of the Act, a member of the Executive Committee who has a material personal interest in a matter which is or will be considered at an Executive Committee meeting shall:
 - (a) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Executive Committee;
 - (b) disclose the nature and extent of the interest at the next General meeting; and
 - (c) not be present while the matter is being considered at the Executive Committee meeting or vote on the matter.
- (2) Rule 8.4(1) does not apply in respect to a material personal interest that:
 - (a) exists only because the member:
 - (i) is an employee of the Association; or
 - (ii) is a member of a class of persons for whose benefit the Association is established;
 or
 - (b) the member has in common with all, or a substantial proportion of, the members.

Rural Water Council of WA (Inc)

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- (3) The Secretary shall record every disclosure made by an Executive Committee member under rule 8.4(1) in the minutes of the Executive Committee meeting at which the disclosure is made.

8.5 Record of Office Holders

- (1) The Secretary shall keep and maintain in an up-to-date condition a record of the members of the Executive Committee, any other office holders of the Association and any person who is appointed or who acts as trustee on behalf of the Association and their postal or e-mail addresses.
- (2) Any member is able to inspect the record of office holders at such time and place as is mutually convenient to the Association and the member, and the member may make a copy of or take an extract from the register of office holders but shall have no right to remove the register for that purpose.

9 APPOINTING EXECUTIVE COMMITTEE MEMBERS**9.1 Appointment of Executive Committee**

Executive Committee members are appointed to the Executive Committee by:

- (a) election at the Annual General Meeting held following the biennial Western Australian local government elections; or
- (b) appointment to fill a casual vacancy under rule 10.1(1).

9.2 Nominations for Executive Committee

- (1) Nominations for election to the Executive Committee close at least 28 days before the date of the Annual General Meeting.
- (2) The Secretary shall send a notice calling for nominations for election to the Executive Committee to all members at least 14 days before the date for the close of nominations.
- (3) Nominations, other than nominations received under rule 9.3(3), must be:
 - (a) in writing;
 - (b) delivered to the Secretary on or before the date for the close of nominations; and
 - (c) signed by the nominee.
- (4) A member may nominate for more than one position on the Executive Committee prior to the Annual General Meeting.
- (5) In the case where a member nominates for more than one position on the Executive Committee:
 - (a) valid nominations for the successive offices shall be taken in the order the positions are listed in the notice calling for nominations; and
 - (b) once elected to a position all of the members remaining valid nominations (if any) shall be excluded from the elections for the remaining positions.
- (6) A member who is eligible for election or re-election may nominate himself of herself and may vote for himself or herself.

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9.3 Electing Executive Committee Members

- (1) If the number of valid nominations received is equal to the number of vacancies to be filled for the relevant positions on the Executive Committee, the members nominated shall be deemed to be elected at the Annual General Meeting.
- (2) If the number of valid nominations exceeds the number of vacancies to be filled for the relevant position on the Executive Committee, elections for the positions shall be conducted at the Annual General Meeting.
- (3) If there are not enough valid nominations to fill the number of vacancies for the relevant positions on the Executive Committee, the candidates nominated (if any) shall be deemed to be elected at the Annual General Meeting and further nominations may be received from the floor of the Annual General Meeting.
- (4) Where the number of nominations from the floor exceeds the remaining number of vacancies on the Executive Committee, elections for those positions shall be conducted.
- (5) If an insufficient number of nominations are received from the floor for the number of vacancies on the Executive Committee that remain, each relevant position on the Executive Committee shall be declared vacant by the person presiding at the Annual General Meeting and rule 10.1(2) applies.
- (6) The elections for members of the Executive Committee are to be conducted at the Annual General Meeting by secret ballot and in such manner as directed by the Executive Committee.

9.4 Term of Office of Executive Committee Members

- (1) The term of office for Executive Committee members shall be two years.
- (2) An Executive Committee member's term of office shall be from the conclusion of the Annual General Meeting at which they were elected until the conclusion of the Annual General Meeting at which their term of office expires.
- (3) All retiring Executive Committee members are eligible for re-election.

10 CEASING TO BE A MEMBER OF THE EXECUTIVE COMMITTEE**10.1 Vacant Positions on Executive Committee**

- (1) A casual vacancy occurs in the office of an Executive Committee member and that office becomes vacant if the Executive Committee member:
 - (a) dies;
 - (b) ceases to be a member;
 - (c) resigns from office under rule 10.2;
 - (d) is removed from office under rule 10.3;
 - (e) becomes permanently incapacitated by mental or physical ill-health;
 - (f) is convicted of an offence under the Act; or

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- (g) is absent from more than three consecutive Executive Committee meetings
 - (i) without a good reason; or
 - (ii) without tendering an apology to the person presiding at each of those Executive Committee Meetings,
 - of which meetings the member received notice, and the Executive Committee has resolved to declare the office vacant.
- (2) If a position on the Executive Committee is declared vacant under these Rules or there is a casual vacancy, the remaining Executive Committee members may:
 - (a) appoint a member to fill that vacancy for the remaining term of office; and
 - (b) subject to rule 10.1(3); act despite the vacant position on the Executive Committee.
- (3) If the number of Executive Committee members is not sufficient to constitute a quorum for Executive Committee meetings, the remaining Executive Committee members may act only to:
 - (a) increase the number of members on the Executive Committee to the number required for a quorum; or
 - (b) convene a General Meeting.

10.2 Resigning from Executive Committee

- (1) An Executive Committee member may resign from the Executive Committee by giving written notice of resignation to the Secretary, or if the Executive Committee member is the Secretary, to the President.
- (2) The Executive Committee member resigns:
 - (a) at the time the notice is received by the Secretary or the President, as appropriate; or
 - (b) if a later time is stated in the notice, at the later time.

10.3 Removal from Executive Committee

- (1) An Executive Committee member may be removed from his or her position on the Executive Committee by resolution at a General Meeting if a majority of the members present and eligible to vote at the meeting vote in favour of the removal.
- (2) The Executive Committee member who faces removal from the Executive Committee must be given a full and fair opportunity at the General Meeting to decide the proposed resolution to state his or her case as to why the member should not be removed from his or her position on the Executive Committee.

11 EXECUTIVE COMMITTEE MEETINGS**11.1 Meetings of Executive Committee**

- (1) The Executive Committee shall meet as often as the Executive Committee deems necessary.
- (2) The Executive Committee shall determine the date, time and place of all Executive Committee meetings.

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- (3) Special meetings of the Executive Committee may be convened by:
 - (a) the President; or
 - (b) any three Executive Committee members.
- (4) The Executive Committee may meet using electronic means that allows the active and equal participation of all Executive Committee members.

11.2 Notice of Executive Committee Meetings

The Secretary shall give each Executive Committee member at least 48 hours notice of each Executive Committee meeting.

11.3 Chairing of Executive Committee Meetings

- (1) The President or, in the President's absence, the Deputy President is to preside at each Executive Committee meeting.
- (2) If the President and the Deputy President are absent or unwilling to act, the remaining Executive Committee members shall choose one of their number to preside at the Executive Committee meeting.

11.4 Quorum for Executive Committee Meetings

- (1) Any three Executive Committee members constitute a quorum for the conduct of the business at an Executive Committee meeting.
- (2) The Executive Committee cannot conduct business unless a quorum is present.
- (3) If a quorum is not present within half an hour of the time appointed for the commencement of a meeting, the meeting lapses.

11.5 Procedure of Executive Committee Meetings

- (1) Executive Committee meetings may be held:
 - (a) where Executive Committee members are physically present together; or
 - (b) where one or more Executive Committee members are not physically present at a meeting provided:
 - (i) all members participating in the meeting are able to effectively communicate with each other whether by means of telephone or other form of communication that reasonably allows the member to participate fully in discussions as they happen in the meeting and in making decisions; and
 - (ii) the participation in the meeting of an Executive Committee member not physically present is made known to all other Executive Committee members.
- (2) An Executive Committee member who participates in a meeting as set out in rule 11.5(1)(b):
 - (a) is deemed to be present at the Executive Committee Meeting; and
 - (b) continues to be present at the meeting for the purposes of establishing a quorum,
 until the Executive Committee member notifies the other Executive Committee members that he or she is no longer taking part in the Executive Committee Meeting.

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- (3) Subject to these Rules, the Executive Committee members present at an Executive Committee meeting are to determine the procedure and order of business to be followed at an Executive Committee meeting.
- (4) All Executive Committee members have the right to attend and vote at Executive Committee meetings.
- (5) All members, or other guests, may attend Executive Committee meetings but the person shall not have any right to comment without invitation, or any right to vote, or to be provided with copies of any agenda, minutes of meetings, or documents presented to such meetings.
- (6) The Executive Committee may provide for a time to be set aside at Executive Committee meetings to allow members to ask questions, make statements or present petitions. The time allowed at a meeting shall be determined by the presiding member. All questions are to be directed to the presiding member who may, at his or her discretion, accept the question, refuse to allow the question or invite other Executive Committee members or officers to respond.

11.6 Voting at Executive Committee Meetings

- (1) Each Executive Committee member present at an Executive Committee meeting has a deliberate vote.
- (2) Except as otherwise provided by these Rules, all questions arising at an Executive Committee meeting are to be decided by a majority of votes. If there is an equality of votes, the question shall be decided in the negative.
- (3) Except as otherwise provided by these Rules, decisions may be made by general agreement or a show of hands.
- (4) The President or other person presiding at an Executive Committee Meeting shall have a deliberative vote only.

11.7 Acts not Affected by Defects or Disqualifications

Any act performed by the Executive Committee, a Committee, or a person acting as an Executive Committee member is deemed to be valid even if the act was performed when:

- (a) there was a defect in the appointment of an Executive Committee member or of a Committee; or
- (b) an Executive Committee member or a Committee member was disqualified from being a member.

11.8 Resolutions without Executive Committee Meeting

- (1) A resolution in writing, signed or assented to by facsimile, e-mail or other form of visible or electronic communication by all Executive Committee members entitled to vote shall be as valid and effective as if it had been passed at a duly convened Executive Committee meeting.
- (2) Any such resolution may consist of one or more separate documents each signed or assented to by one or more Executive Committee members provided the wording of the resolution and statement is identical in each copy.
- (3) Any such resolution shall be entered in the minute book.

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RULES**12 COMMITTEES****12.1 Appointment of Committees**

- (1) The Executive Committee may appoint Committees as considered appropriate by the Executive Committee from time to time to assist with the conduct of the Association's operations.
- (2) Committees may comprise (in such numbers as the Executive Committee determines) members and non-members.
- (3) Subject to these Rules, the Committee members present at the Committee meeting are to determine the procedure and order of business to be followed at the Committee meeting.
- (4) The quorum for Committee meetings shall, unless varied by the Executive Committee at the time of appointment of the Committee, be at least 50% of Committee members.
- (5) Minutes of all Committee meetings shall be taken and kept in accordance with rule 16.

12.2 Delegation to Committees

- (1) The Executive Committee may delegate, in writing, to any or all of the Committees, any authority, power or functions (other than the power of delegation) and may cancel any authority, powers or functions, as the Executive Committee sees fit from time to time.
- (2) Despite any delegation under this rule, the Executive Committee may continue to exercise all its functions, including any function that has been delegated to a Committee and remains responsible for the exercise of those functions at all times.

13 ANNUAL GENERAL MEETINGS**13.1 Annual General Meeting**

An Annual General Meeting shall be held each year, within six months after the end of the Association's financial year, at a date, time and place determined by the Executive Committee.

13.2 Business to be Conducted at Annual General Meetings

The business of the Annual General Meeting shall be:

- (a) to confirm the minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting;
- (b) to receive and consider the Executive Committee's annual report on the Association's activities during the preceding financial year;
- (c) to receive and consider the financial statements of the Association for the preceding financial year;
- (d) if required, to receive and consider a copy of the report of the review or auditor's report on the financial statements;
- (e) to elect Executive Committee members;
- (f) if applicable, to appoint or remove a reviewer or auditor;
- (g) to determine annual membership fees;
- (h) to transact any other business.

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14 SPECIAL GENERAL MEETINGS**14.1 Special General Meeting**

- (1) The Executive Committee may at any time convene a Special General Meeting.
- (2) The Executive Committee must cause to be convened a Special General Meeting within 28 days after receiving a written request to do so from at least 20% members.
- (3) If a written request to convene a Special General Meeting is received within 60 days before the Annual General Meeting, the Association may deal with the matters set out in the request at the Annual General Meeting.

14.2 Request for Special General Meeting

A request by members for a Special General Meeting must:

- (a) state the purpose of the meeting;
- (b) be signed by the required number of members; and
- (c) be lodged with the Secretary.

14.3 Failure to Convene Special General Meeting

- (1) If the Executive Committee fails to cause a Special General Meeting to be held within 28 days after the request is received by the Association, the members who made the request may convene a Special General Meeting to be held not later than three months after the date the original request was given.
- (2) A Special General Meeting convened under rule 14.3(1) shall be convened in the same or substantially the same manner as General Meetings are convened by the Executive Committee and the Association shall pay the reasonable expenses of convening and holding the Special General Meeting.

15 PROCEDURE FOR GENERAL MEETINGS**15.1 Notice of General Meetings**

- (1) All members of the Association shall be entitled to receive notice of and attend any General Meeting of the Association.
- (2) The Secretary shall give at least 21 days notice of each General Meeting.
- (3) The notice convening a General Meeting shall specify:
 - (a) the place, date and time of the meeting;
 - (b) indicate the general nature of each item of business to be considered.
 - (c) include particulars of any motions of which notice has been given;
 - (d) if any special resolution is proposed, the wording of the proposed resolution and that the resolution is intended to be proposed as a special resolution; and
 - (e) if the meeting is the Annual General Meeting, include the names of the members who have nominated for election to the Executive Committee.

15.2 Quorum for General Meetings

- (1) No business shall be conducted at any General Meeting unless a quorum of members entitled to vote under these Rules is present in person at the time when the meeting is considering that item.

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- (2) A quorum for General Meetings shall be eight members entitled to vote at a General Meeting.
- (3) If, within half an hour of the time appointed for the commencement of a General Meeting, a quorum is not present:
 - (a) in the case of a Special General Meeting, the meeting lapses; or
 - (b) in the case of the Annual General Meeting, the meeting is adjourned to:
 - (i) the same time and day in the following week; and
 - (ii) the same place unless another place is specified by the presiding member at the time of the adjournment or by written notice to the members given before the day to which the meeting is adjourned.
 - (c) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the commencement of the meeting, the members personally present (being at least five) shall constitute a quorum.

15.3 Presiding Member

- (1) The President or, in the President's absence, the Deputy President is to preside at each General Meeting.
- (2) If the President and the Deputy President are absent or unwilling to act, the members present shall choose one of their number to preside at the General Meeting.

15.4 Adjournment of General Meetings

- (1) The person presiding at a General Meeting, at which a quorum is present, may adjourn the meeting from time to time and place to place with the consent of a majority of members present at the meeting.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) When a General Meeting is adjourned for 14 days or more, the Secretary shall give notice of the adjourned meeting in accordance with these Rules as if that General Meeting was a new General Meeting.

15.5 Voting Procedure

- (1) Subject to these Rules, each member has only one vote at a General Meeting.
- (2) Except as otherwise provided by these Rules, all questions arising at a General Meeting are to be decided by a majority of votes.
- (3) Unless a Poll is demanded or as otherwise provided by these Rules, decisions at any General Meeting shall be made by a show of hands.
- (4) A member casts a vote at a General Meeting by voting at the meeting in person.
- (5) In the case of an equality of votes at a General Meeting the question shall be decided in the negative.
- (6) The President or other person presiding at a General Meeting shall have a deliberative vote only.

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15.6 Manner of Determining Whether Resolution Carried

- (1) Unless a Poll is demanded under rule 15.7, a declaration by the presiding member that a resolution has on a show of hands been:
 - (a) carried unanimously;
 - (b) carried by a particular majority; or
 - (c) lost
 and an entry to that effect in the minute book of the Association shall be evidence of the fact that the resolution has been determined without proof of the number of the votes recorded in favour of or against that resolution.
- (2) If the declaration relates to a Special Resolution the declaration shall state that a Special Resolution has been determined.

15.7 Poll at General Meetings

- (1) At a General Meeting, a Poll on any question may be demanded by:
 - (a) the presiding member of the meeting; or
 - (b) at least three members present in person.
- (2) If a Poll is demanded at a General Meeting, the Poll shall be taken in such manner as the presiding member directs and a declaration by the presiding member of the result of the Poll is evidence of the matter so declared.
- (3) A Poll shall be taken:
 - (a) immediately in the case of a Poll that relates to electing a person to preside over the meeting or relates to adjourning the meeting; or
 - (b) in any other case at such time before the close of the meeting as the presiding member directs.

16 MINUTES OF MEETINGS**16.1 Minutes of Meetings**

- (1) The Secretary shall ensure that minutes of the resolutions and proceedings of all General Meetings, Executive Committee meetings and Committee meetings are kept together with a record of the names of persons present at each meeting.
- (2) The minutes are to be taken and entered within 30 days after the holding of each meeting, into a minute book kept for that purpose.
- (3) The President shall ensure that the minutes of all General Meetings, Executive Committee meetings and Committee meetings are reviewed and signed as correct by:
 - (a) the presiding member of the meeting to which those minutes relate; or
 - (b) the presiding member of the next succeeding meeting.
- (4) When minutes have been entered and signed as correct under this rule, they are, until the contrary is proved, evidence that:
 - (a) the meeting to which they relate was duly convened and held;
 - (b) all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and
 - (c) all appointments or elections purporting to have been made at the meeting have been validly made.

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17 ADMINISTRATOR

- (1) An Administrator may be appointed by the Association for such term and on such conditions as it thinks fit.
- (2) The Administrator shall act as and carry out the duties of Secretary and shall administer the Association in accordance with the Act, these Rules and directions of the Executive Committee.
- (3) The Administrator shall be entitled to attend and participate in debate at all Executive Committee meetings and General Meetings but shall have no entitlement to vote.

18 BY-LAWS**18.1 Executive Committee may make By-laws**

- (1) The Executive Committee may, by a three-fourths majority of members present at an Executive Committee meeting, make, amend or repeal by-laws for the management of the Association.
- (2) Notice of a proposal to make, amend or repeal a by-law shall be given to each Executive Committee member at least 14 days prior to the Executive Committee meeting at which the proposal is to be considered.

18.2 General Meeting may set aside By-laws

By-laws made under rule 18.1 may be set aside by a majority vote of members at a General Meeting.

18.3 By-laws Binding

By-laws made under these Rules shall be binding on the Association and its members.

19 FUNDS AND ACCOUNTS**19.1 Control of Funds**

- (1) The funds of the Association shall be kept in an account in the name of the Association in a financial institution determined by the Executive Committee.
- (2) Subject to any resolution by a General Meeting, the funds of the Association shall be used in pursuance of the objects of the Association in a manner determined by the Executive Committee.
- (3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Association and all electronic payments by the Association must be signed, made or authorised (as applicable) by:
 - (i) any two Executive Committee members; or
 - (ii) one Executive Committee member and the Administrator.
- (4) All expenditure must be approved or ratified at a General Meeting or an Executive Committee meeting.
- (5) The Association shall, as soon as practicable:
 - (a) deposit all money received by the Association, to the credit of the Association's bank account, without deduction; and
 - (b) after receiving any money, issue an appropriate receipt.

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19.2 Source of Funds

The funds of the Association may be derived from annual membership fees payable by members, donations, grants and any other sources as the Executive Committee determines.

19.3 Payments to Executive Committee Members

- (1) Any payments to members of the Executive Committee out of the funds of the Group must be authorised by resolution of the members at a General Meeting.
- (2) Rule 19.3(1) does not apply to payment to a member of the Executive Committee for out-of-pocket expenses for travel and accommodation in connection with the performance of the member's functions.

19.4 Financial Year

The Association's financial year is the period of 12 months commencing on 1 January in each year.

19.5 Accounting Records and Financial Statements

- (1) The Association shall keep and maintain accounting records which:
 - (a) correctly record the transactions, financial position and performance of the Association; and
 - (b) enable true and fair financial statements to be prepared.
- (2) The Executive Committee shall submit to the Annual General Meeting the annual financial statements of the Association.
- (3) The Secretary shall submit to each Executive Committee meeting, and at such other times as the Executive Committee may direct, a report or financial statement.
- (4) The Secretary shall ensure the safe custody of the accounting records and other books and documents of a financial nature of the Association.

20 AUTHORITY REQUIRED TO BIND ASSOCIATION**20.1 Executing Documents**

The Association may execute a document without using a common seal if the document is signed by any two of the President or Deputy President and any one other Executive Committee member.

20.2 Common Seal

The Association shall not have a common seal.

21 THE ASSOCIATION'S BOOKS AND RECORDS**21.1 Custody of the Books of the Association**

Except as otherwise provided in these Rules, the Secretary shall keep in his or her custody or under his or her control all the books of the Association.

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21.2 Inspecting the Books of the Association

- (1) Subject to these Rules, a member is able to inspect the books of the Association free of charge at such time and place as is mutually convenient to the Association and the member.
- (2) A member must contact the Secretary to request to inspect the books of the Association.
- (3) The member may make a copy of or take an extract from the books of the Association but shall have no right to remove the books for that purpose.

22 RULES OF ASSOCIATION**22.1 Binding of Rules**

These Rules bind every member to the same extent as if every member had signed and sealed these Rules and agreed to be bound by all their provisions.

22.2 Alteration of Rules

- (1) The Association may alter, rescind or add to these Rules by Special Resolution at the Annual General Meeting or at a Special General Meeting called for that purpose and not otherwise.
- (2) Notice of the proposal to alter, rescind or add to these Rules shall be given to each member at least 21 days prior to the meeting at which the proposal is to be considered.
- (3) An alteration to the Rules does not take effect until the requirements of the Act have been complied with.

22.3 Rules and By-laws Available to Members

- (1) The Secretary shall keep and maintain in an up-to-date condition the Rules and by-laws of the Association.
- (2) A member is able to inspect the Rules or by-laws of the Association free of charge at such time and place as is mutually convenient to the Association and the member.
- (3) The member may make a copy of or take an extract from the Rules or by-laws of the Association but shall have no right to remove the Rules or by-laws for that purpose.
- (4) The Association shall provide, free of charge, an up-to-date copy of the Rules and by-laws:
 - (a) to a member upon their request; and
 - (b) to each person who becomes a member of the Association.
- (5) A copy of the Rules or by-laws may be provided to a member by electronic transmission or by notifying the member of details of a website where the Rules or by-laws may be downloaded. If a member requests that the copy of the Rules or by-laws be provided in hard copy form the Rules or by-laws shall be provided in that manner.

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RULES**23 INDEMNITY**

- (1) The Association shall, to the extent that the person is not otherwise indemnified, indemnify each Executive Committee member, Committee member and employee of the Association against any loss, cost (including legal costs), expense or liability incurred by reason of any act, deed or omission done in good faith as such Executive Committee member, Committee member or employee.
- (2) No payment may be made to indemnify any Executive Committee member, Committee member or employee of the Association against any loss, cost (including legal costs), expense or liability incurred as a result of conduct that is adjudged by a court to be criminal or fraudulent or involves a lack of good faith.

24 WINDING UP AND DISTRIBUTION OF SURPLUS PROPERTY**24.1 Winding Up of the Association**

The Association may be wound up or cancel its incorporation by a Special Resolution passed at a Special General Meeting called for that purpose.

24.2 Distribution of Surplus Property on Winding Up

- (1) In this Rule **surplus property** means property of the Association remaining after satisfaction of —
 - (a) the debts and liabilities of the Association; and
 - (b) the costs, charges and expenses of winding up or cancelling the incorporation of the Association,
 but does not include books relating to the management of the Association.
- (2) If on the winding-up of the Association or the cancellation of its incorporation there remains any surplus property, such property shall not be paid to or distributed among the members of the Association but shall be distributed to one or more organisations being -
 - (i) an incorporated association; or
 - (ii) other organisation listed in the Act
 having objects similar to those of the Association.
- (3) The incorporated association or other organisation referred to in Rule 24.2(2) shall be determined prior to winding up the Association by a special resolution approving a distribution plan for the distribution of the surplus property of the Association.

25 REPEAL

- (1) The Constitution adopted on 12 March 1984 and subsequent amendments are repealed.
- (2) Any appointment or resolution made under the Constitution repealed by rule 25(1), if in force immediately prior to the approval of these Rules, shall continue in force as far as is practicable as if made or passed under these Rules.



9. REPORTS

9.1 DEVELOPMENT SERVICES

9.1.1 Targa West Rally Event – Maryville Downs, Lower Chittering*

Report date	17 June 2015
Applicant	Targa West
File ref	26/01/5; P104/15
Prepared by	Brendan Jeans, Senior Planning Officer
Supervised by	Bronwyn Southee, Executive Manager Development Services
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none"> 1. Council Minutes Item 9.1.4 25 June 2014 2. Application Letter 3. Stage Plan 4. Risk Management Plan 5. Schedule of Submissions 6. Traffic Management Plan 7. Safety Plan 8. Road Closure Plan 9. Road Closure Form 10. 2014 Post Event Survey

Background

Council's consideration is requested for the proposed Targa West Rally Event in Maryville Downs, Lower Chittering for 2015 and the approval of a Memorandum of Understanding to hold the event for 5 years.

Council previously supported the Targa West Rally Event in Maryville Downs in 2014 at its 25 June 2014 Ordinary Council Meeting:

"That Council grant approval for the proposed Targa West Rally event in Maryville Downs Estate for 2014 subject to the following conditions:

1. *the rally event shall be held on Saturday 16 August 2014 in accordance with the documentation submitted (P105/14);*
2. *the Maryville Stage course roads being as follows:*
 - a. *Maine-Anjou Drive*
 - b. *Dexter Chase*
 - c. *Holstein Loop*
 - d. *Portion of Santa Gertrudis Drive*
 - e. *Sussex Bend*
 - f. *Ayrshire Loop*
 - g. *Murray Grey Circle*
 - h. *Charolais Trail*
 - i. *Limousin Way**are to be closed for a maximum of 3.0 hours, as requested by the Applicant;*



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3. *the Traffic Management Plan and Risk Management Plan shall be assessed and approved by an independent qualified consultant and a copy provided to the Shire of Chittering a minimum fourteen (14) days prior to the event;*
4. *the Applicant indemnifying the Shire of all public liability claims and taking out Public Liability Insurance of \$100 Million for the event, and evidence of such insurance to be provided prior to the event;*
5. *the rally event shall be held in accordance with the approved Traffic Management Plan.*
6. *refuelling shall only occur at a location, other than Lower Chittering Hall, to be agreed upon, to the satisfaction of the Chief Executive Officer;*
7. *no servicing of cars are permitted on the event course;*
8. *toilet facilities shall be provided to the satisfaction of the Principal Environmental Health Officer as per the Guidelines for Concerts, Events and Organised Gatherings 2009 (Department of Health) and any other relevant policy, legislation etc;*
9. *All necessary approvals being obtained by Targa West for the event from the Police and other government departments as necessary, prior to the event being held;*
10. *site inspections to be held prior to and after the event with the event holder/s and Shire Technical Services department staff;*
11. *the Applicant shall be responsible for the repair and cost of any damage to the road infrastructure and private property as a result of the event;*
12. *Targa West provide a letter drop to all effected properties prior to the event no later than one month prior to the event, providing details of the roads to be closed, time and date, and installing electronic advance event warning signs at least 2 weeks before the event at strategic locations as directed by the Shire.*
13. *temporary signage shall be erected no earlier than fourteen (14) days before the event and removed no later than seven (7) days after the event;*
14. *submission of an "Application for an order for a road closure" to the Shire of Chittering.*
15. *That Targa West meet the cost of the Shire undertaking a survey of residents impacted by the road closure after the event.*
16. *that Targa underwrite the \$10,000 donation to the Shire of Chittering for the lower chittering community prior to the event."*



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In January 2015 Targa West submitted a letter of request for approval of the proposed event, including the Memorandum for Understanding for support over a 5 year period (Attachment 2). The Shire Officers requested that an Application for the Targa Rally event proposed in the Maryville Downs Estate be submitted to the Shire with all comprehensive relevant documentation such as a Traffic Management Plan, Emergency Plan, Risk Management Plan, road closure form etc. The Shire receipted the application in April 2015, however, there was still a significant amount of requested information outstanding including the Safety Plan and Traffic Management Plan to which the Risk Management Plan made reference to. The Applicant provided these documents during the assessment process.

This application seeks approval to hold a rally similar to the 2014 event with the only difference being this application is for 2 laps in comparison to last year with 1 lap. As Council would be aware the Targa West Rally event is conducted over the course of the weekend and is split into stages in various locations and local governments, with this application seeking approval for a stage held in Maryville Downs Estate. Targa West has advised no Service or Refuel Parks will be set up for this stage of the rally but is requesting a small refueling area in the Lower Chittering Hall Car Park Area or Lower Chittering Bush Fire Brigade Station property (subject to Council's approval). The difference between the small refueling area and a refuel park purely comes down to size and proposed usage, a refuel park is specifically designed to refuel all competing vehicles whereas the small refueling area (made up of jerry cans and a couple of floor protection mats to avoid contamination of ground from accidental petrol spillage) is only there to be used infrequently. Targa West have and continue to hold annual Targa Rally events in the City of Perth, City of Kalamunda, City of Swan, Shire of Toodyay and Shire of Mundaring. This event has been held in Toodyay for the last nine consecutive years.

If approved, the event would be subject to a number of temporary road closures in Lower Chittering between the hours of 1:00pm to 4:30pm on the Saturday 15th August 2015:

1. Maine-Anjou Drive
2. Dexter Chase
3. Holstein Loop
4. Portion of Santa Gertrudis Drive
5. Sussex Bend
6. Ayrshire Loop
7. Murray Grey Circle
8. Charolais Trail
9. Limousin Way
10. Texon Ridge
11. Shorthorn Pass

As part of the application for the event approval, the Applicant has now submitted the following information including a road closure form required under the *Road Traffic Act 1974*, a Shire event checklist form, a Planning Form, Risk Management Plan, Maryville Downs Stage Plan, Traffic Management Plan and Safety Plan.

Consultation

Local: *Shire of Chittering Community Engagement Plan 2012*

The proposed public event was advertised for a period of 28 days in the following ways:

1. Advertisement in *The Advocate* newspaper 29 April 2015;
2. Advertisement in the *Northern Valley News* May 2015 edition;
3. Public Notice from 28 April to 25 May 2015;
4. Documentation available at Shire Administration and Development Services reception from 28 April to 25 May 2015;



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5. Advertisement on the Shire's website in the 'Have Your Say' section from 28 April to 25 May 2015;
6. Referral letters to likely affected and nearby landowners (Maryville Downs landowners and other landowners in the near vicinity of Maryville Downs Estate); and
7. Referral letters to relevant agencies including:
 - i. Department of Mines and Petroleum
 - ii. WA Police
 - iii. Confederation of Australian Motor Sport
 - iv. Department of Health
 - v. Tourism Council of WA
 - vi. Department of Fire and Emergency Services
 - vii. Main Roads WA
 - viii. St John Ambulance (Chittering-Gingin)
 - ix. LGIS WA

A Schedule of Submissions has been attached (Attachment 5). A total of 23 submissions (20 public) were received. The Applicant was provided with the opportunity to respond to the submissions made.

LGIS were also directly consulted upon receipting the application and provided the following advice in relation to the Risk Management Plan:

"Risk Management Plan"

In relation to the Quit Targa West 13th -16th August 2015 Risk Management Plan, I can confirm that the plan demonstrates a structured approach has been taken and generally aligns with AS/NZS ISO 31000:2009 Risk Management. The following points highlight key components of the plan in relation to the risk management process prescribed in ISO 31000;

- 1) *Establish the Context (aligned to ISO 31000)*
 - *Event context is provided through the event details, schedule, key stakeholders and principle legal references.*
 - *The risk management context is documented through the risk management policy, process, methodology, objectives and the matrices documenting the risk assessment criteria. It is also worth noting that the risk management policy statement has an explicit statement of priority for safety, security, health and well-being for all.*
- 2) *Risk Identification (aligned to ISO 31000)*
 - *Risks / Hazards are identified under risk categories and documented in a risk register.*
- 3) *Risk Analysis (aligned to ISO 31000)*
 - *Risks / Hazards have been analysed in terms of areas of impact, likelihood and severity to determine a risk rating before and after management of the risks.*
- 4) *Risk Evaluation (partially aligned to ISO 31000)*
 - *Multiple risk / hazard owners are assigned to each risk which makes it unclear who owns the risks and individual controls.*
 - *There is no risk acceptance decision made for each risks or guidance on how to make that decision.*



5) Risk Treatment (aligned to ISO 31000)

- Risk treatments are documented for each risk / hazard under 'management of the risk' and supported by Appendices, not sighted, that appear to address key risks in more detail e.g. Traffic Management Plans, Evacuation Plans, Incident Management, Cancellation Plan etc.

6) Monitor & Review (partially aligned to ISO 31000)

- While no specific monitor and review timeframes are stated, there is reference to the plan being active and subject to ongoing change and review.

In addition I would also encourage the Shire to undertake your own assessment of the event with respect to the following to determine if you are comfortable accepting the risks based on your risk tolerance:

- Impacts to local community
- Impacts to Shire assets / infrastructure / services
- Impacts to Shire's reputation
- Impacts to public / participants
- Impacts to ongoing compliance
- Impacts to Shire resources

Please note this advice only comments on the risk management plans alignment with relevant risk management standards providing assurance that the event managers have demonstrated a structured approach to anticipating, understanding and managing event risks. It does not provide assurance that all foreseeable risks are identified and/or risk treatments are appropriate and effective.

It would assist the Shire of Chittering in assessing the event application for Quit Targa West to further demonstrate:

- Evidence to support the commitment to safety at the Lower Chittering stage. This may be through:
 - Safety management plan.
 - More detail and consideration of how specific hazards at the Lower Chittering stage, in particular those impacting public and infrastructure will be identified, assessed and managed e.g. inspection checklists, official/marshal briefings etc.
 - Process of identifying suitable spectator areas and identification and management of non-compliant spectators.
 - Inclusion of vehicle impacting person resulting in injury/death risk and associated controls within risk register.
- Explanation of key differences and risk profiles between a gravel and tarmac rally, to relieve concerns and sensitivities associated with the recent South West rally event tragedy.
- Provide evidence of appendices that have direct impacts to community and infrastructure e.g. Traffic Management Plans, Evacuation Plans, Crowd Control Plan, Parking Management Plan, Cancellation/Delay Plan

Insurance

The level of involvement of the Shire will determine the requirements, however, I would recommend the following as a minimum:



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Quit Targa West to confirm the event is sanctioned by CAMS and relevant CAMS ticket obtained and evidenced.

General Liability

QTW to provide evidence of general liability cover by way of certificate of currency.

The Shire to be named as an additional insured for any liability attaching from this event

Ensure all subrogation rights against the Shire are removed

Policy to be endorsed (if not already contained) for sudden/ accidental pollution

Professional Indemnity

QTW to provide evidence of Professional Indemnity cover by way of certificate of currency / confirm that it has received and confirmed that any professional contractors utilised have appropriate insurance

Motor (this is not for the vehicles participating in the rally)

Comprehensive motor cover, including third party liability cover for \$30M, policy to be endorsed to provide bodily injury gap cover and tools of trade not otherwise insured

Does the Shire have any agreement in place with QTW and does the Shire require such a contract if it restricts itself to 'event application approval' only."

This information has been relayed to the Applicant for action and a detailed officers response to these risks/GAPS identified have been addressed in the Officers Comments section of the report

Statutory Environment

State: *Road Traffic Act 1974*

Health Act 1911

The Act provides the definition of a 'Public Building':

public building means —

- (a) *a building or place or part of a building or place where persons may assemble for—*
 - (i) *civic, theatrical, social, political or religious purposes; and*
 - (ii) *educational purposes; and*
 - (iii) *entertainment, recreational or sporting purposes; and*
 - (iv) *business purposes; and*
- (b) *any building, structure, tent, gallery, enclosure, platform or other place or any part of a building, structure, tent, gallery, enclosure, platform or other place in or on which numbers of persons are usually or occasionally assembled, but does not include a hospital;*

A public event falls under the definition of a 'public building'.

Section 178 of the *Health Act 1911* sets out the requirement for a 'Certificate of Approval' for a public building.

State: *Health (Public Buildings) Regulations 1992*

The Regulations, made under the *Health Act 1911*, sets out regulations for the 'Certificate of Approval' for public buildings.



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Policy Implications

State: Guidelines for Concerts, Events and Organised Gatherings 2009

The *Guidelines for Concerts, Events and Organised Gatherings 2009* was developed by the Department of Health to prescribe requirements in a format that could be used to guide local government in dealing with and applicants in preparing for an event. The Guidelines makes reference to the requirements for local government approval for public buildings and events (as above) and makes specific mention of motor sports.

Local: Register of Policies

The Shire's Register of Policies covers Concerts, Events and Organised Gatherings whereby the Shire's Principal Environmental Health Officer shall be the responsible officer. Given the nature of the proposed event, it was considered appropriate that the planning department deal with the application.

Financial Implications

The costs associated with advertising the planning application have been invoiced to the Applicant.

Strategic Implications

Local: Shire of Chittering Strategic Community Plan 2012-2022

Social: *Building a sense of community*

Outcome: *Strengthened Social Connections*

Strategies: *Facilitate and nurture community interaction*

Key Priorities: *Develop and implement Shire of Chittering Community Development Plan:*

- *Increase in community events held each year.*

Develop and implement Shire of Chittering Economic Development Strategy:

- *Increase in festivals and events held each year.*

Social: *Prosperity for the Future*

Outcome: *Economic Growth*

Strategies: *Facilitate local services growth*

Key Priorities: *Promote local business and events, where possible:*

- *Create a local business web link on the Shire's website.*
- *Number of commercial development applications issued.*

Local: Shire of Chittering Economic Development Strategy 2015-2025

This Plan provides general support for all types of events to help attract visitors and provide economic benefit in the Shire.

Site Inspection

Site inspection undertaken: It is expected, that if the event is approved a further site inspection would be undertaken prior to and post-event by the Shire's Technical Services department and Targa West to assess the roads and any damage.

Triple Bottom Line Assessment

Economic implications

Whilst the direct economic impact of the event on the Shire's community businesses may be limited and very difficult to measure initially; the high profile nature of the event would provide great tourism opportunities for return visitors after the event. That is, the event may expose the area to visitors that may not have been aware of Chittering had the event not been held here.



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The proposed event may provide some economic stimulus (i.e. people coming in to the area to watch/participate) and would provide exposure of the area through national television and media coverage. As mentioned above the event could result in a greater number of visitors to the area throughout the year and possibly increase the interest in property in the area, particularly given the scenery at this time of the year.

Targa West have advised several media coverage and campaign would be undertaken prior to, and during the event including television, YouTube, West Australian newspaper, radio, Targa website and Targa Facebook page.

Social implications

The advertising period resulted in 20 public submissions; 13 objecting to the event and 7 in support of the event. While the 20 submissions represent a small proportion of the 463 letters that were sent to residents in the area and general public population notified of the proposal, the submissions received indicated concerns of public safety and unnecessary inconvenience. The submissions indicating support generally raised comment on the opportunity for family and friends to gather for the event and promotion of the local area.

Environmental implications

Should Council approve a refueling area, it is recommended that a condition be imposed requiring all refueling to be in a sealed area and vehicles are to be stationed on a sealed membrane or material that will absorb or contain all spillage to avoid contamination. It should be noted that the proposed refueling is more the purpose of designating one area for drivers to 'top up' their vehicles with fuel from jerry cans and is vastly different to that of a 'Refuel Park' which involves large fuel storage and associated major servicing.

Comment

Council's previous decisions

As mentioned in the 'Background' of this report, Council approved the 2014 Targa West Rally event to be conducted in Maryville Downs subject to conditions. A condition of the 2014 approval required a post event survey to be undertaken at the cost of the Applicant. The results of this survey are generally positive and supportive of the rally event and are included in Attachment 10.

It is considered the documentation provided for this years proposed event generally meets the requirements of the Guidelines with the preparation and implementation of a Traffic Management Plan and Risk Management Plan and the support from CAMS.

Submissions

As mentioned in the 'Consultation' section of this report, the proposed event was advertised for a period of 28 days in multiple ways in accordance with the *Shire of Chittering Community Engagement Plan 2012*. Within this period a total of 20 public submissions and 3 agency submission were received. Of the 20 public submissions, 7 were in support of the event and 13 objected to the event. It should be noted that the public event was advertised to the Shire population, with specific referral letters to those directly affected in the Maryville Downs Estate area (463 letters). By taking that into consideration the 13 objections received represent a relatively low level of objection to the event given Lower Chittering's total estimated population of over 1,558 people (*ABS 2011- quick stats*). The 3 agency submissions provided advice and did not convey objection.

The Schedule of Submissions (Attachment 5) provides a more detailed account of all the submissions received with a column for the Applicant's response and a column for the Shire's response to each of the points made.



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The public submissions objecting to the event being held raised a number of concerns mostly related to:

- (i) Safety to spectators;
- (ii) Safety for animals;
- (iii) Damage to roads and private property;
- (iv) High speed on roads designed for low speed;
- (v) Risks imposed on residents;
- (vi) Noise;
- (vii) Questioned benefit to the Shire and residents; and
- (viii) Reckless driving following the event.

Responses to the individual concerns raised have been addressed in the Schedule of Submissions (Attachment 5). In relation to the above general concerns, it is considered that what can be reasonably addressed has been included in the Traffic Management Plan and Risk Management Plan and the provision of a Rally Safety Plan on the day. The concerns of damage to infrastructure, whilst acknowledged as a risk, can be addressed through the requirement of a bond and inspections whereby Targa West would be responsible for any costs.

LGIS were also consulted for advice (copy in the 'Consultation' section). Their assessment of the risk management for the event concluded that the Risk Management Plan generally aligned with the relevant International Standard (ISO). The queries made by LGIS only related to the Risk Management Plan. The provision and implementation a Traffic Management Plan, Safety Plan and other listed plans/documents such as public liability insurance etc. are considered to address the concerns of LGIS. The specific actions requested of Targa West by LGIS have been addressed in the following ways:

It would assist the Shire of Chittering in assessing the event application for Quit Targa West to further demonstrate:

- iv) *Evidence to support the commitment to safety at the Lower Chittering stage. This may be through:*
 - *Safety management plan.*

Officer comment: Safety Plan provided (Attachment 7)

- *More detail and consideration of how specific hazards at the Lower Chittering stage, in particular those impacting public and infrastructure will be identified, assessed and managed e.g. inspection checklists, official/marshal briefings etc.*

Officer comment: The Applicant has agreed to undertake pre and post event inspections to assess hazards as per last year's event condition. The Applicant has provided a safety inspection checklist (tagging of gates, hazards) and a Road Book which identifies all road hazards to drivers competing.

- *Process of identifying suitable spectator areas and identification and management of non-compliant spectators.*

Officer comment: The Stage Plan (Attachment 3) identifies spectator areas and the Safety Plan outlines spectator management procedures.

- *Inclusion of vehicle impacting person resulting in injury/death risk and associated controls within risk register.*



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Officer comment: The Applicant has briefed Council to respond to the concerns on the death of a gravel rally event in south west WA and advised the measures put in place for spectator safety. The Safety Plan outlines management and Targa's commitment to spectator safety.

- v) *Explanation of key differences and risk profiles between a gravel and tarmac rally, to relieve concerns and sensitivities associated with the recent South West rally event tragedy.*

Officer comment: At a Council Briefing the Applicant explained the differences between gravel and tarmac rallies. Tarmac surface provides more grip and better sightlines around bends, particularly in the Maryville Stage. Gravel surfaces involve more slide and different driving techniques as well as drivers requiring to heavily rely on tree lines for driving lines of the track. The associated risk on tarmac is much less than gravel for an event of this nature.

- vi) *Provide evidence of appendices that have direct impacts to community and infrastructure e.g. Traffic Management Plans, Evacuation Plans, Crowd Control Plan, Parking Management Plan, Cancellation/Delay Plan.*

Officer comment: Traffic Management Plan (including parking management) and Safety Plan provided to the Shire. The Applicant has advised all relevant public safety and event information documents will be provided (as required by condition of approval) to affected landowners prior to the event.

Quit Targa West to confirm the event is sanctioned by CAMS and relevant CAMS ticket obtained and evidenced.

Officer comment: CAMS submission confirmed Targa West to be governed by CAMS and relevant permit approval submitted for the event (subject to Council approval).

General Liability

QTW to provide evidence of general liability cover by way of certificate of currency.

The Shire to be named as an additional insured for any liability attaching from this event

Ensure all subrogation rights against the Shire are removed

Policy to be endorsed (if not already contained) for sudden/ accidental pollution

Officer comment: Applicant submitted Public Liability Insurance for \$100 million and a recommended condition of approval (as per the 2014 event) requires Targa West to enter into a Deed to indemnify the Shire of any liability claims.

Professional Indemnity

QTW to provide evidence of Professional Indemnity cover by way of certificate of currency / confirm that it has received and confirmed that any professional contractors utilised have appropriate insurance



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Officer comment: All event personnel are covered under CAMS and Targa West insurances. All drivers have their own insurances as mentioned in the Risk Management Plan.

Motor (this is not for the vehicles participating in the rally)

Comprehensive motor cover, including third party liability cover for \$30M, policy to be endorsed to provide bodily injury gap cover and tools of trade not otherwise insured

Officer comment: The applicant has advised that the insurance covered by CAMS and the participants individual vehicle insurance covers this risk.

Does the Shire have any agreement in place with QTW and does the Shire require such a contract if it restricts itself to 'event application approval' only."

Officer comment: The application being considered by Council is for the public event only and the Shire does not take the responsibility or liabilities of the event management; this is covered by Targa West and CAMS.

The Shire's assessment of the risks of the event has taken into consideration the impact on the local community, the public and Council's assets (i.e. road infrastructure). It should be noted the Applicant has since provided further documentation as requested by the Shire following LGIS's early advice (extract in the 'Consultation' section) on the proposed event.

As mentioned earlier CAMS were contacted to confirm the requirements of the rally were met and that they confirm their support of the event as mentioned by Targa West.

Protection of Shire Assets

The event seeks to utilise the following shire owned roads as part of this event:

1. Maine-Anjou Drive
2. Dexter Chase
3. Holstein Loop
4. Portion of Santa Gertrudis Drive
5. Sussex Bend
6. Ayrshire Loop
7. Murray Grey Circle
8. Charolais Trail
9. Limousin Way
10. Texon Ridge
11. Shorthorn Pass

The Shire's Technical Department has assessed the proposal as well as the current condition of the roads and has determined that the roads are of a reasonable standard to be used for this event, however, there is risk of damage.

When evaluating the merits of a commercial event being held in the Shire, various considerations are made including: the location of the event whether it be held on public or private land, proximity to local services, and the event attraction/theme. In the case of Targa West, the event is being held on public roads which are managed by the Shire of Chittering. Although it is considered there is risk to road damage and public infrastructure and safety there is also considerable social capital to be gained from this event.



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Various government authorities are involved to ensure public safety, the Shire of Chittering due to the use of its local roads and approval requirements, the Police, St Johns ensuring ambulance facilities are available in the case of an emergency, other emergency services are on standby as well. In addition to this, the Shire of Chittering's Technical Services Department has undertaken assessment of road impact based on proposed traffic movements, the Traffic Management Plan 2015 supplied by Targa West, current state of the road and the required state of the road to ensure vehicle safety for the number of vehicles proposed.

Based on the above as well as relevant plans submitted, the Shire's Technical Services Department has determined approximate costing to reinstate the road in the case of damage would be approximately \$30,000. Therefore, it is considered that should Council approve this event then it should require the applicant to enter into an agreement to ensure that there is a cash bond, or an irrevocable and unconditional bank guarantee from an institution acceptable to the local government, in the amount of \$30,000 is to be provided by the Applicant to the local government to be used to repair any agreed damage to roads or Shire infrastructure as a result of the event.

Guidelines

The event was assessed with guidance from the *Guidelines for Concerts, Events and Organised Gatherings*. The Guidelines prescribes requirements for various types of events. Guideline 12 relates to motor sports and the recommendation for a motor sports event to be administered by an appropriate authority such as the Confederation of Australian Motor Sports (CAMS). CAMS were notified and their response indicates this to be the case.

It is considered the documentation provided for the proposed event generally meets the requirements of the Guidelines with the preparation and implementation of a Traffic Management Plan and Risk Management Plan and the support from CAMS (governing body of Targa West).

Memorandum of Understanding (MOU)

The Applicant provided a draft MOU in January 2015 for Council's consideration. The MOU would provide Targa West with the security of the Maryville Downs rally event over a 5 year period and negate the need for the full event process of prior advertising and Council consideration each year. The Shire believes that the MOU should be considered separate to this years proposed event to allow for a better assessment of the future of the event. Should this year's proposed event be approved, the MOU would likely be considered at the next available Council Meeting.

Conclusion

It is the Officer's Recommendation that the request to consider the MOU for a 5 year event approval be deferred and that the 2015 rally event be approved subject to conditions.

It is believed that the Officer's Recommendation addresses the concerns of the general public and imposes reasonable conditions on the Applicant by requiring the following, but not limited to:

1. Public safety measure.
2. Event holder to repair and pay for any damage to Shire roads and infrastructure which is secured through a bank guarantee.
3. Event holder obtain Public Liability Insurance cover should any damage occur to private property as advised by LGIS.
4. The approval only be for the period specified in the Traffic Management Plan on the 15 August 2015.
5. Absorbent mats or equivalent for any refueling to ensure contamination is minimised.
6. A Deed of Indemnity to indemnify the Shire of any public liability claims that may arise from the event.
7. Approval from CAMS, the governing body, and an accredited Traffic Management Plan.



9.1.1 OFFICER RECOMMENDATION

Moved Cr Rossouw/ Seconded Cr Douglas

That Council:

1. grant approval for the proposed Targa West Rally event in Maryville Downs Estate for 2015 subject to the following conditions:
 - a. the rally event shall be held on Saturday 15 August 2015 in accordance with the documentation submitted (P104/15);
 - b. the Maryville Stage course roads being as follows:
 - i. Maine-Anjou Drive
 - ii. Dexter Chase
 - iii. Holstein Loop
 - iv. Portion of Santa Gertrudis Drive
 - v. Sussex Bend
 - vi. Ayrshire Loop
 - vii. Murray Grey Circle
 - viii. Charolais Trail
 - ix. Limousin Way

are to be closed for a maximum of 3.5 hours, as requested by the Applicant;
 - c. the Applicant indemnifying the Shire of all public liability claims and taking out Public Liability Insurance of \$100 Million for the event, and evidence of such insurance to be provided prior to the event;
 - d. the rally event shall be held in accordance with the approved Traffic Management Plan;
 - e. refuelling shall only occur at a location, with the provision of appropriate absorbent material to contain all spillage to be agreed upon, to the satisfaction of the Chief Executive Officer;
 - f. no servicing of cars are permitted on the event course;
 - g. toilet facilities shall be provided to the satisfaction of the Principal Environmental Health Officer as per the *Guidelines for Concerts, Events and Organised Gatherings 2009* (Department of Health) and any other relevant policy, legislation etc;
 - h. All necessary approvals being obtained by Targa West for the event from the Police and other government departments as necessary, prior to the event being held;
 - i. site inspections to be held prior to and after the event with the event holder/s and Shire Technical Services department staff;
 - j. A legal agreement being entered into at the cost of the applicant within two weeks of the date of this approval. The legal agreement is to ensure that there is a cash bond, or an irrevocable and unconditional bank guarantee from an institution acceptable to the local government, in the amount of \$30,000.00 (being the estimated cost of repairing a proportionate amount of the roads utilized for the event), is to be provided by the applicant to the local government. The bond/bank guarantee may be drawn on by the local government following notice of the damage to the applicant without notice to the applicant as are deemed necessary by the Shire. After the conclusion of the event, the local government will review the condition of the following roads used for the event including:
 - i. Maine-Anjou Drive
 - ii. Dexter Chase
 - iii. Holstein Loop
 - iv. Portion of Santa Gertrudis Drive
 - v. Sussex Bend
 - vi. Ayrshire Loop
 - vii. Murray Grey Circle
 - viii. Charolais Trail



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- ix. Limousin Way
- x. Texon Ridge
- xi. Shorthorn Pass

and, if necessary, draw on the bond/bank guarantee to pay for any work required to return the road to a satisfactory standard. Any balance of the bond/bank guarantee which thereafter remains is to be refunded to the applicant;

- k. Targa West provide a letter drop to all effected properties prior to the event no later than one month prior to the event, providing details of the roads to be closed, time and date, and installing electronic advance event warning signs at least 2 weeks before the event at strategic locations as directed by the Shire;
 - l. temporary signage shall be erected no earlier than fourteen (14) days before the event and removed no later than seven (7) days after the event;
 - m. submission of an "Application for an order for a road closure" to the Shire of Chittering; and
 - n. the Applicant enter into a Deed with the Shire of Chittering to indemnify the Shire of any public liability claims.
2. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to the Deed of Indemnity.
 3. Defer consideration of the Memorandum for Understanding until after the 2015 Targa West Rally event.

AMENDMENT

Moved Cr Norton / Seconded Cr Clarke

That a contribution of \$3,000 be made towards to the maintenance of the roads utilised for the event.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 4/3

AMENDMENT

Moved Cr Norton / Seconded Cr Gibson

That a donation of \$10,000 be made to be spent in the Lower Chittering community.

THE AMENDMENT WAS PUT AND DECLARED LOST 2/5

AMENDMENT

Moved Cr Norton / Seconded Cr Gibson

That Condition (e) be amended to reflect that refuelling should not be undertaken on Shire property, with the recommendation that contact is made with local businesses.

THE AMENDMENT WAS PUT AND DECLARED LOST 3/4

AMENDMENT

Moved Cr Norton / Seconded Cr Gibson

That there be an additional Condition (o) to read; a community debrief and a local emergency services debrief to take place following the event.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 4/3



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AMENDMENT

Moved Cr Norton / Seconded Cr Rossouw

That Condition (k) be amended to read that the letter drop is to include advice regarding fences – that they should not be sat upon, nor are they considered an adequate barrier from a moving vehicle.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 7/0

AMENDMENT

Moved Cr Norton / Seconded Cr Gibson

That there be an additional Condition (p) to read; Targa to provide temporary safety bollards and / or crash barriers in all the high risk spectator areas.

THE AMENDMENT WAS PUT AND DECLARED LOST 3/4

AMENDMENT

Moved Cr Norton / Seconded Cr Gibson

That there be an additional Condition (p) to read; Targa provide financial assistance to people with health issues on the rally route who might need to seek respite from their homes on the day of the event.

THE AMENDMENT WAS PUT AND DECLARED LOST 3/4

AMENDMENT

Moved Cr Norton / Seconded Cr Gibson

That there be the addition of an advice note: That there is recognition of what some Councillors have received as gifts from Targa following last years event, ie the Gala Ball (\$145 each), drives off course (\$275) and drives on event day.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 6/1

SUBSTANTIVE MOTION / COUNCIL RESOLUTION – 020615

Moved Cr Rossouw/ Seconded Cr Douglas

That Council:

1. grant approval for the proposed Targa West Rally event in Maryville Downs Estate for 2015 subject to the following conditions:
 - a. the rally event shall be held on Saturday 15 August 2015 in accordance with the documentation submitted (P104/15);
 - b. the Maryville Stage course roads being as follows:
 - i. Maine-Anjou Drive
 - ii. Dexter Chase
 - iii. Holstein Loop
 - iv. Portion of Santa Gertrudis Drive
 - v. Sussex Bend
 - vi. Ayrshire Loop
 - vii. Murray Grey Circle
 - viii. Charolais Trail



MINUTES FOR ORDINARY MEETING OF COUNCIL
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- ix. Limousin Way
are to be closed for a maximum of 3.5 hours, as requested by the Applicant;
- c. the Applicant indemnifying the Shire of all public liability claims and taking out Public Liability Insurance of \$100 Million for the event, and evidence of such insurance to be provided prior to the event;
- d. the rally event shall be held in accordance with the approved Traffic Management Plan;
- e. refuelling shall only occur at a location, with the provision of appropriate absorbent material to contain all spillage to be agreed upon, to the satisfaction of the Chief Executive Officer;
- f. no servicing of cars are permitted on the event course;
- g. toilet facilities shall be provided to the satisfaction of the Principal Environmental Health Officer as per the *Guidelines for Concerts, Events and Organised Gatherings 2009* (Department of Health) and any other relevant policy, legislation etc;
- h. All necessary approvals being obtained by Targa West for the event from the Police and other government departments as necessary, prior to the event being held;
- i. site inspections to be held prior to and after the event with the event holder/s and Shire Technical Services department staff;
- j. A legal agreement being entered into at the cost of the applicant within two weeks of the date of this approval. The legal agreement is to ensure that there is a cash bond, or an irrevocable and unconditional bank guarantee from an institution acceptable to the local government, in the amount of \$30,000.00 (being the estimated cost of repairing a proportionate amount of the roads utilized for the event), is to be provided by the applicant to the local government. The bond/bank guarantee may be drawn on by the local government following notice of the damage to the applicant without notice to the applicant as are deemed necessary by the Shire. After the conclusion of the event, the local government will review the condition of the following roads used for the event including;
 - i. Maine-Anjou Drive
 - ii. Dexter Chase
 - iii. Holstein Loop
 - iv. Portion of Santa Gertrudis Drive
 - v. Sussex Bend
 - vi. Ayrshire Loop
 - vii. Murray Grey Circle
 - viii. Charolais Trail
 - ix. Limousin Way
 - x. Texon Ridge
 - xi. Shorthorn Pass
 and, if necessary, draw on the bond/bank guarantee to pay for any work required to return the road to a satisfactory standard. Any balance of the bond/bank guarantee which thereafter remains is to be refunded to the applicant;
- k. Targa West provide a letter drop to all effected properties prior to the event no later than one month prior to the event, providing details of the roads to be closed, time and date, include advice regarding fences – that they should not be sat upon, nor are they considered an adequate barrier from a moving vehicle, and installing electronic advance event warning signs at least 2 weeks before the event at strategic locations as directed by the Shire;
- l. temporary signage shall be erected no earlier than fourteen (14) days before the event and removed no later than seven (7) days after the event;
- m. submission of an “Application for an order for a road closure” to the Shire of Chittering; and
- n. the Applicant enter into a Deed with the Shire of Chittering to indemnify the Shire of any public liability claims.
- o. a community debrief and a local emergency services debrief to take place following the



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- event.
- p. That a contribution of \$3,000 be made towards to the maintenance of the roads utilised for the event.
2. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to the Deed of Indemnity.
 3. Defer consideration of the Memorandum for Understanding until after the 2015 Targa West Rally event.

Advice Note:

There is recognition of what some Councillors have received as gifts from Targa following last years event, ie the Gala Ball (\$145 each), drives off course (\$275) and drives on event day.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 4/3

Cr Clarke, Cr Norton and Cr Gibson requested that their names be recorded as voting against the motion.

Cr Rossouw requested her name be recorded as voting for the motion.

Mr Brendan Jeans left the chamber at 9:27pm and did not return.

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
1	Yes	Community atmosphere and showcases the local beauty	Whinges in the community, doesn't go long enough and I don't get to have a go
2	Yes	Showcasing our great area we live in. Providing a controlled environment for car enthusiasts to race their cars in safe manner and not doing illegal hooning	Needs to be more affordable to encourage club level racers to have a go to build up the numbers.
3	Yes	A day that Brings family and friends together Please continue this rally in Maryville Downs	Nothing
4	Yes	Fun day for all and puts Chittering on the map.	NONE
5.	Yes	Brings an excitement atmosphere to the area, an activity we can watch and be part of. Supports local sporting industry, is rather people race in Targa then hoo[n] around.	
6	Yes		
7	Yes	Raises awareness to our area and promotes tourism.	Small inconvenience of road closures for one day but with planning you can be prepared.
8	Yes	Everything	Nothing
9	Yes	An unique event that brings people together to enjoy the spectacle. Nothing better than to get your mates around for a Barbie and just watch it go past the front gate.	None
10	Yes	Get to view motor sports on our doorstep	Road closures on school bus run times
11	Yes	Entertaining. Something different. Enjoyable. Kids love it.	Nothing
12	Yes	Great event for our community	Nothing
13	Yes	Community engagement, have only lived here for 9 months and I can't believe the animosity between people in this shire displayed on public media. Need some positive engagement.	I don't know of any

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
14	Yes	Shows the great shire of chittering in a positive way. Gets family and friends together.	Should be 2 stages in lower Chittering. So that more streets are involved.
15	Yes	Great to see positive events in the area	None
16		The sound of the cars, the excitement of the competition.	
17	Yes	Brings excitement too the area, and puts Chittering in the map. Great spectacle that you do t need too leave home for	It was better when it was on both Saturday and Sunday , and 2 runs on one of those days.
18	Yes		
19	Yes	Bringing motor sport to the area	None
20	Yes	Positive community activity. Well organised	None
21	Yes	Tourism and money spent. Increased community profile as a peak destination.	They should be carbon neutral if they can - plant trees etc?
22	Yes	Fun to watch	It's the same weekend every year which falls on my son and my nieces bdays, meaning the family gathering has to be done and dusted early if we all want to get home at a decent time before the roads shut. Would be great if the date could be alternated every other year!
23	Yes	Community activity. Tourism	None
24	Yes	Good family viewing around a fire	Noise for old fuddy duddies
25	Yes	Brings family and friends together in our beautiful area, and allows us to just stop and enjoy some racing	None

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
26	Yes	Spend money in the region on Many weekends leading up the actual week buying food and petrol because need to get familiar. Spend money in the region on Many weekends leading up the actual week buying food and petrol because need to get familiar. Get to see more of WA	Brings more people and traffic
27	Yes	Bringing tourists to the area, having an event in Chittering, the kids love seeing the cars, it's enjoyable for all ages.	Not coming up my street.
28	Yes	Our family sat out the front yard, same as our neighbours and watched it together. It was lovely seeing the community support it. The information booklet was good to receive being first time residents.	It's only for a few hours. I work Saturday's, I just needed to be mindful when to come home before road closures. But it wasn't a big inconvenience - it wasn't that much of a problem. It would've been nice to see more cars.. but it was enjoyable.
29	Yes	Community is brought together, many out of area people visit and become aware of the beauty of our area, tourism	Antisocial Hoon activity before and after event from idiots thinking they know how to rally drive
30	Yes	It's become an institution at my place, for a gathering of motorsport enthusiasts to cheer on the drivers, plus it brings people to the area who inevitably inject some money back into the community as well as exposure as so many in Perth don't have a clue where Chittering is .	I can't think of any negatives apart from it only Being on for one day
31	Yes	It's a great day for the community to have an event on our doorstep that brings in visitors and therefore revenue to the shire.	None
32	Yes	It brings outside people & their money to our community	That we no longer have Chinkabee Oval as the staging ground, like we did the 1st year it came
33	Yes	Family and community get together. Love the Rally and it brings a lot of visitors to the area.	Not long enough
34	Yes	It's good to have something in our area, we don't have to leave the house	
35	Yes	It is a fantastic event, with the Community coming together with friends, family and neighbours to celebrate. This is particularly evident in Lower Chittering, with the Maryville Stage, which has overwhelming local Community support!	There are none, but there will be hell to pay if it is taken away!
36	Yes	A chance to get the neighbours over to watch the cars go by our front fence. Everyone enjoyed it.	I don't believe there are any.

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
37	Yes	[B]Rings the community together and is the only event in Maryville	None
38	Yes	Community engagement. Other communities visiting Shire (we often have many family & friends come to stay & celebrate the excitement)	Not long enough. Broadcast on a radio station. Consider a community vote - best performance, fastest? Also better road surface checks (new gravel laid around us & we did have rocks flying around)
39	Yes	Catching up with family, friends and neighbours	It's only one day now, not two
40	Yes	Chance to get together with friends and watch an event for free. The extra money spent at local businesses	Being locked in from early in the day.
41	Yes	It puts Lower Chittering on the map, and a great way to get friends and family up for the day to see our beautiful estate. It also makes money and helps support our local businesses. We buy our meat and veg locally for the bbq we have ever year.	The shire trying to stop it every year, so disappointing
42	Yes	Social gathering opportunity, tourism, feel good community event & just love watching & hearing the cars.	I can't think of any but I am sure other general "moaners" will have plenty. Long live Targa West in Chittering!
43	Yes		
44	Yes	Brings new people to the area. We need to support tourism. Encourages community spirit.	Nil
45	Yes	A different event bringing people into our community, rather than the standard country events.	Don't see any negatives for me
46	Yes	Seeing the rally cars	None
47	Yes	It brings the community together	N/A
48	Yes	Family day at home with friends	Hoons afterwards
49	Yes	It's a great way to invite people into our community and showcase what it has to offer. It's also great for local businesses!	None

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
50	Yes	Supporting local sporting events. Some choice horses, football, tennis, soccer, basketball and many others. Would you cancel or not show support at a community?	Speed could come down, this can be achieved by adding sections of slow zones or "S" with witches hats.
51	Yes	People coming out to our shire and our home. Gives a great sense of community in our street.	None, as long as you are organised with the closes road signs. This has always been communicated very well
52	Yes	Its a great day out for the family. It brings much needed income to local businesses and show cases the fantastic area we live in.	Sure, it brings some idiots in who behave irresponsibly, but that can be dealt with through information in the event brochures that I am sure Ross Tapper would be happy to help with, as well as advertising by the Council.
53	Yes	Promotes our area, it's a great day to have friends out and watch the rally. Has very minimal impact on us as it just for a few hours.	The local whingers who like to divide our community.
54	Yes	The community gets behind it, it is so great to see people set up ready to cheer on the cars. Great for the community.	None
55	Yes	It generates a lot if interest in our area from our non-local friends	All the people who complain about the rally.
56	Yes	We have family & friends for the whole weekend & we visit local wineries & restaurants	None
57	Yes	Great community event	All the negativity about a great community event
58	Yes	It brings the community together. The children and locals are able to par take in a lap of honour.	The Rally is too short
59	Yes	Brings friends together to enjoy the race in the comfort of most of our homes, not to mention the exposure our lovely area has during the televised shows	Can't think of any, apart from people complaining they have a locked gate
60	Yes	It puts the town on the map	The presentation of the area could be better. It's a bit short in time.
61	Yes	The excitement and professional display of cars drivers and the volunteers that run event. The way the locals set up in there yards to watch the cars go past. Plus spectators coming out to enjoy the lovely area we call home	The very few locals who complain to officials about the road closures. But have witnessed this being very well handled by the officials and directing the locals to a alternative route

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
62	Yes	Brings people to the shire and promotes the shire	If road closures are considered negative then this needs to be co-ordinated well. But from my involvement most if not all residents seem to support the rally and make a day of it with friends.
63	Yes	I think it's an excellent day and very enjoyable.	People being negative about a great community event.
64	Yes	Great event bringing people into our community and promoting the region to the rest of Perth and beyond	Damage to roads and clean up after event not done well.
65	Yes	Puts our shire on the tourist map.	Minor disruption to residents of Lower Chittering mainly.
66	Yes	Tourism to the area, love that it goes past our house we have people from the area come to our house to watch.	Doesn't go for long enough past our house. Needs more cars entered.
67	Yes	Bringing some entertainment	Not long enough
68	Yes	Brings money and good people to the area and gives people a safe place to drive their cars to the fullest potential.	
69	Yes	Brings money into the shire not only on rally days be before-hand when competitors and officials do recce. People having parties and BBQ and get to know their neighbours.	Could encourage hoons be rally has good re-poor with police and also have some officers that are officials. Most people now are responsible now are like seeing the cars.
70	Yes	Brings a great vibe to the town.	None.
71	Yes	Good community feel and spirit	
72	Yes	Showcase the area.	Haters.
73	Yes	Brings the community together for something that not everyone can afford but most people enjoy and allows motorsports enthusiasts to get right on in on the action.	████████ snowflake, boomers get but hurt and try ruining it for the rest of us.
74	Yes	Love the cars and the noise. Love the fact it is free for everyone to watch.	Some impact from road closures but outweighed by the fact that so many people get to watch the action and enjoy time with friends.

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
75	Yes	Income for the city as well as entertainment for the community.	Roads have to be shut for the morning or afternoon.
76	Yes	It's close to home and believes it brings a lot of new people to our area. Love the sound of the engines echoing through the area.	It doesn't go past our house on Morley Road.
77	Yes	Great community event, promotes the area, promotes responsible racing and is fun to watch!	Would love for them to do a Morley Road, Citron, Ellendale circuit too!
78	Yes	Amazing community engagement and extremely professional organisation.	None.
79	Yes	Great cars, teamwork.	Temporary disruption.
80	Yes	Brings people to showcase the area and potential future revenue to local businesses. Any major sporting event is good for the shire.	None. Everyone is given enough warning of when the event is to prepare for a few hours.
81	Yes	Great for the community and local businesses.	None.
82	Yes	Community	Road closure but notifications are well organised.
83	Yes	Vibrancy within our community exposes potential tourists to our Shire, potential income to local businesses.	Brings out negative people and their attitudes. I'm personally not a car racing fan but I can appreciate that for a few days many other can enjoy! Negative was the loss of the stage through Bindoon.
84	Yes	Being able to see them on local roads and not in crowded venues.	Access around rally. Eg. Is it that hard to update google maps with road closures. No it isn't I did it for sections of track last year.
85	Yes	Puts the spotlight on Chittering, it's fun to watch and it's local.	It doesn't really benefit many businesses, especially in Lower Chittering but maybe permissions could be given to food vendors to have vans/stalls there for the day?
86	Yes	Brings people into the shire and they tend to spend money at local businesses.	None.

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
87	Yes	Brings an awesome event into the community.	The idiots who don't understand that a closed road for a motorsports event is a "CLOSED ROAD" for their and the competitors safety and certain members/residents of the proposed track deciding to have burn offs before and during the race that impede the drivers and residents not listening to the officials about the dangers they are causing with reduced visibility because of smoke.
88	Yes	It is day were family and friends can get together and have a BBQ and a couple of drinks while watching the rally from your front yard.	For me I don't have any negative parts, but I understand some people might be frustrated about the road closures. Having said that there is plenty of notification that the roads will be closed.
89	Yes	Great entertainment.	
90	Yes	Letting people know we're here in Chittering, and the area being cleaned beforehand.	None.
91	Yes	Something exciting to look forward to in our backyard	None. It's once a year.
92	Yes	It's a great day to have friends around and a BBQ and watch some great racing.	Whinging negative people who don't support it!!!
93	Yes	Good free day out to spend with family and friends.	It doesn't go through Bindoon anymore.
94	Yes	Fun day with friends.	None.
95	Yes	We love the rally we have about 20 family members come up and after we go to the local winery's or in to Bindoon for meal etc.	There is none.
96	Yes	Seeing all the cars and competitors.	None.
97	Yes	Good for local community and tourism to the area.	Only goes for 1 day not 2.
98	Yes	It brings most of the community together. It encourages neighbours to catch up and socialise and family and friends to visit the local area for a fun weekend/day.	The people that whinge!

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
99	Yes	The community parties and enjoyment of the day. Watching all the cars at the start line up. It is very well supported not only in Lower Chittering but also Bullsbrook with many bbqs and get togethers to watch.	None really. Well organised and efficient
100	Yes	It is great having this local to us... especially being able to walk down to the event with the family.	No negatives.
101	Yes	Brings people out of their houses and others from far away to watch.	None.
102	Yes	Attracts visitors and good promotion for Area. Enjoyed by many residents.	None.
103	Yes	Enjoyment for the community.	Can't think of any.
104	Yes	Great excuse for a family get together to watch the cars.	
105	Yes	Fun and enjoyment of the community	Nil
106	Yes	Great community event. Showcases the shire. Gets family and friends together.	None. Please don't pander to the minority
107	Yes	Tourism	
108	Yes	It brings a spectacular event to a quiet area. It creates an opportunity to host a safe bbq/celebration within your property. It puts us on the map. My husband loves the cars....	Personally, there are none... unless I were able to change the minds of the people who complain about access to and from their properties for the half day.
109	Yes	Family and friend come to watch the even at or home. It a good way of engaging more interest to the area. The kids love it!	Road closure... but! It's one day. Everyone can manage. Leave earlier and come home later if you're going out
110	Yes	It's something different and brings people to the shire	Old codgers waving their fists at clouds.
111	Yes	Fun day	None
112	Yes	A great spectacle for families, and a great opportunity to watch them come past.	Road closures and wild life

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
113	Yes	Increased tourism in the area - I don't live in the area, but I still travel out, watch the Targa stages in Chittering and get something to eat.	Road closures - I guess if I live there, I would have to deal with this slight inconvenience, but as it has been a yearly event, I would get used to these road closures.
114	Yes	Brings lots of people to the Shire for the day. Draws media attention to the area.	No direct financial benefit to the Shire or local areas the rally is run in. Roads and property gates closed longer than necessary for the 2 runs of the Maryville Stage. Change to 3 yearly review. 5 years is far too long
115	Yes	This event is great, it brings the community out and provides an opportunity for the community to watch an event which is free. it is rare to see free Motorsport events these days	Road closures can be frustrating but I have always found those involved in the event to be very accommodating if you communicate with them.
116	Yes	Attracts attention to your shire with the advantages that can bring. It is a popular sport that provides opportunities for people to see a world class event.	There are certain groups that try to emulate the skills of the skilful. That happens now anyway. Perhaps some traffic inconvenience for road closures to host the event, with possible inconvenience for some residents wishing to move about their areas.
117	Yes	It's a great family event, for locals and others following the rally in its entirety.	Some roads being blocked for a short period of time.
118	Yes	Allows the community to come together and enjoy a motoring event that is 'free' to watch.	None
119	Yes	Brings the area to life for a day.	None
120	Yes	Great family day and brings enthusiasts out to our Eden.	The final flag
121	Yes	Great day with family & friends	None
122	Yes	It's a fun day and the Kids love it as much as the Adults	There are none at all
123	Yes	Great opportunity to highlight and showcase Chittering	
124	Yes	Community comes together	
125	Yes	Exposing lower chittering to the wider perth community and getting kids out of the house!	Nil, it's all great.

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
126	Yes	To be honest, I just enjoyed it. I was a part of the support crew tagging gates and helping out. As a car racing enthusiast, watching one car go past in intervals is pretty boring but to be part of the event was enjoyable and satisfying and I believed, helped promote the Chittering community	If you want to believe the knockers, it promoted hoon behaviour and kept people "trapped" in their houses for 16 of 8760 hours a year. I experienced 1 year when an oil leak caused a disruption to the road to my house for a couple of extra hours but as my road is a loop road and could be accessed from a different direction, I didn't see a major issue. I see no intelligent arguments to this proposal however do see you coming up against a brick wall with illogical, emotion objections. Good Luck
127	Yes	The children get to watch vintage & high def cars	None
127	Yes	Seeing the cars race around which is a change from the norm here. The old car rally which has been incorporated into a stage. Money it brings into the Shire.	Has sometimes gone over allotted times. The idiots that try to emulate what the professionals do
128	Yes	Community engagement, it is an opportunity to tap into a social day in Lower. Showcases Maryville and the SoC	Needs to become an iconic event with the rally as the main attraction of course. Engage the volunteer groups but it needs visitors to come into the stage not just locals. It would be good to do food and drinks or something so the Firey's or Ambo's could be seen participating.
129	Yes	Roads are damaged, & there is significant risk to spectators. Rallies should be held on properly constructed circuits , NOT on a residential estate.	Can't think of any
130	Yes	It provides an event that is exciting to watch	
131	Yes	Positive community event	No negatives
132	Yes	Excellent family fun day	No real negatives, a real boost for our community
133	Yes	Event literally on our doorstep	Nothing negative about it. Would be better over 2 days
134	Yes	Great community event and a car rally on our doorstep, love it	Not enough cars and could be faster

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
135	Yes	Family atmosphere, well organised. Fantastic opportunity to let the public see some machines being used how they should be in a safe environment	Need to add extra stages of the Maryville Downs Estate, as it's that good
136	Yes	Bringing people out onto the area and seeing the rally but the shire area as well	Road closures

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
1	No	Money spent on our local businesses and promotion of what the Shire has to offer.	Noise pollution- the potential to scare people and animals. Dangers and damage due to accidents. Lack of access to and from streets.
2	No	None	It's boring and the local idiots copy it
3	No	the word Chittering sits alongside other destinations in their advertising	Locking in/out of people to their homes. Damage to our shire owned roads. Pre hoon gatherings - some pretend to rally prior. Assumed promotion of parties to drink alcohol. The exclusiveness of entry to participate in the rally. Participators pack up and go back to the city when the 'stage is run' and that's where they appear to spend their money on accommodation and meals.
4	No	None. Not interested	My driveway and road is closed. Noise. You just see a car go past every few minutes. Boring.
5	No	There are none.	That it is held in the shire of Chittering
6	No	None.	Noise, road closures, damage to roads.
7	No		Noise, no road access while going.

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
8	No	Some Councillors may get kickbacks and freebies from Targa West like last time! Petrol heads get to indulge in their hobby.	Increased wear and tear on local roads by non-residents. Unwelcome publicity when crashes/fatalities happen. Inconvenience to local residents over road closures. Wannabe drivers practicing on public roads after watching the event. Possibility of spectators being injured/killed due to lack of appropriate safety barriers (council voted against requiring safety bollards in 2015...) No benefits to local community (council voted against a \$10,000 donation to the community from Targa West in 2015). Continuing the Memorandum of Understanding locks the Shire in for another 5 years. Remember the Donnelly River fatal crash-I believe someone 'forgot' to fill the safety barriers with water.....
9	No	Nothing	It's boring. Same stuff every year.
10	No	There are no positives	As a resident who has been gridlocked by closed roads - it is intimidating, loud, intrusive and disruptive. Affected residents whom live on the roads utilised are expected to disrupt and rearrange their lives so that a group with a specific interest (loud cars & speed) can be given exclusive use of public roads to indulge in an illegal and aggressive hobby. My objections are multifaceted: <ol style="list-style-type: none"> 1. Why can't they use a racetrack? – for those who enjoy watching cars go round and round in circles they can do so in a specifically designed and more appropriate venue without forcing their interest onto others that don't like or aren't interested in an inappropriate location. 2. Financial – they pay nothing – a commercial company is given everything free of charge. It incurs high involvement of Council staff, time and resources whereas any other users of facilities within the Shire are charged for usage. 3. Social impacts - speeding on our public roads is illegal – what is being proposed is the promotion and marketing of an aggressive and illegal behaviour. We learn much by watching – this normalises this behaviour.

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
			<p>4. International studies into speeding indicate watching speeding behaviour increases speeding behaviour. Road deaths on Toodyay and Gidgegannup have increased over the last 10 years – around the same period this has been in these areas. Antodotally, I understand hoon behaviour has increased in Maryville over the last few years, again the same period this has been in that area.</p> <p>Certainly the hoon activity increases in Muchea from about the month prior and for about six weeks after in previous years. Promoting speeding on our public roads undermines / mocks every road safety message on speeding from “Speed Kills” to “Slow down and Enjoy the Ride”. According, I see no positives to this happening and feel allowing it to continue is negligent.</p>
11	No	None	Being locked into our own properties, the noise, the pollution and then after its finished the idiots who speed round pretending they are part of it.
12	No	I cannot think of any positive parts. If residents need a car rally to be sociable, invite friends etc., it is a sad reflection of their lives. It is claimed the rally benefits local businesses- what local businesses are there in Lower Chittering?	Roads are damaged, & there is significant risk to spectators. Rallies should be held on properly constructed circuits , NOT on a residential estate.
13	No	It is profitable to the organisers, however they don't even live in the area. It is claimed that there is benefit to local business but there is little or no evidence that this outweighs the serious risk factors that I list in "negative aspects" below.	<p>The official RMP (Risk Management Plan) for the Maryville Downs Targa Rally has been Assessed Risk A5 (EXTREME risk of death/serious injury/property damage). It is irresponsible for any Public Authority to allow or even sponsor any event which poses this level of risk.</p> <p>There is no evidence of effective measures to reduce this level (EXTREME) down to a level that is acceptable in a residential setting.</p> <p>When I last looked into the statistics, just to quote two examples: in Australia, up to 2015, closed road tarmac racing had claimed 7 lives with an average annual incidence of 1.5 or more. In Scotland (2015) 3 Spectators were killed by an errant car and a total of 7</p>

No	Do you support the rally?	What are the positive parts of the rally?	What are the negative parts of the rally?
			<p>Spectators suffered injuries, two being critical, in this and another incident during the same race.</p> <p>As an inevitable result of wheel spinning, hard acceleration and braking, Targa West in Maryville Downs has caused serious damage to our roads in the form of "seal stripping" and kerb damage.</p> <p>Targa West in Maryville Downs increases hooning.</p>
14	No	None	Private estate, not a race track