



**CHIEF EXECUTIVE OFFICER ATTACHMENTS
ORDINARY MEETING OF COUNCIL
WEDNESDAY 13 DECEMBER 2023**

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WORK HEALTH SAFETY REPORTING – NOVEMBER 2023

COUNCIL KPI'S – MONTHLY REPORT – WORK, HEALTH AND SAFETY
 2ND Quarter – November 2023

Reporting month	Drug tests performed	Alcohol tests performed	Positive drug test and bac exceedance	Workers compensation claims	Current workers compensation claims	Near misses and incident	Medically treated injuries	Restricted work injuries	Lost time injuries
November	10	0	0	1	2	4	1	0	1

NEAR MISS, INCIDENT AND DAMAGE REPORT

Date	Incident	Location	Department	Type of Injury / Incident / Near Miss	Response
30/10/2023	167	Chittering	Technical Services	Locked brakes on Truck	Truck needs to be serviced and inspected
31/10/2023	168	Chittering	Technical Services	Roller slipped off edge while working	Lack of knowledge and experience on roller
22/11/2023	172	Offsite	Corporate Services	Injured Lower Back	Workers comp form filled in
27/11/2023	173	Bindoon	Corporate Services	Fire Prevention	Fire Risk

WHS TRAINING AND DEVELOPMENT

Date	Training	Training Organisation
November	WHS Induction Training (1 Indoor staff)	WHS Officer, Jon Barrett
November	WHS Refresher Training (1 Outside Crew)	WHS Officer, Jon Barrett
November	VOC on Roller (1 Outside Crew)	Dean Moyes, Works Supervisor
November	Introduction to Local Government (19 Inside Crew, 4 Outside Crew)	Onsite delivered by LG Professionals
November	Traffic Management (1 Ranger)	Kelyn Training

SITE INSPECITONS

Date	Areas
27/11/2023	Shire Works Depot (Yard)
27/11/2023	Parks and Gardens Workshop

SAFETY OBSERVATIONS

Date	Areas
27/11/2023	Ventilated Cupboard needed in Rangers office
01/11/2023	Seat for Loader needs to be replaced

1.2.26 Disposing of Property

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> (a) the highest bidder at public auction [s.3.58(2)(a)]. (b) the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$75,000 or less. c. When determining the method of disposal: <ul style="list-style-type: none"> • Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> ○ Reserve price has been set giving due regard for current market values and trends. ○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. • Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. • Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> ○ Negotiate the sale of the property up to a -10% variance on the valuation; and ○ Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.

	<p>d. Where the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75,000 (F&G r.30(3) excluded disposal) may be undertaken:</p> <ul style="list-style-type: none"> • Without reference to Council for resolution. <p>e. Where the market value of the property is determined as being less than \$20,000 (F&G r.30(3a) excluded disposal) may be undertaken:</p> <ul style="list-style-type: none"> • Without reference to Council for resolution; and • In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

Sub-Delegate/s: <i>Appointed by CEO</i>	<p>Executive Manager Technical Services Executive Manager Development Services Deputy Chief Executive Officer</p>
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>1. Sub-delegates are only provided with delegation to execute disposal of property in relation to trades of plant and equipment in accordance with budget provisions.</p>

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995 – s.3.58 Disposal of Property</p> <p>Local Government (Functions and General) Regulations 1995 – r.30 Dispositions of property excluded from Act s. 3.58</p>
Record Keeping:	<p>Items disposed of under this delegation are to be recorded in the Monthly Statement of Financial Activity.</p>

Version Control:

1	
2	
3	

Chittering Tourism Advisory Group Terms of Reference

NAME

The name of the Committee shall be the Chittering Tourism Advisory Group (CTAG)

VISION

To develop Chittering as a thriving, sustainable and diverse tourism destination. (Interpreted from Chittering's Strategic Community Plan 2016)

OBJECTIVES OF THE TOURISM ADVISORY GROUP

- To make recommendations and advise Council on select matters relating to tourism;
 - To make recommendations on economic development strategies related to tourism
 - To suggest targets and track the progress made by the Shire in undertaking tourism development activities.

- The Advisory Group will advise Council all matters in tourism relating to:
 - Stakeholder engagement
 - Marketing
 - Business support & development
 - Investment attraction & infrastructure implementation
 - Visitor satisfaction
 - Undertaking major projects
 - Shire-led tourism-focused events coordination

RESPONSIBLE OFFICER

The Responsible Officer shall be the Economic Development Coordinator who will ensure agendas and minutes are produced and forwarded to the Advisory Group, and report any recommendations from the Advisory Group to Council.

MEMBERSHIP

Membership

- a) One Shire of Chittering Councillor as member and one Councillor as proxy
- b) One Chittering Tourism Association representative as a member
- c) Five tourism industry personnel from the Chittering local government area

Tenure of Membership

At each Ordinary Council Election, all positions will be declared vacant and; expressions of interest for committee positions will be advertised every two years in line with Council Elections, at the first meeting following the Elections.

Though the inaugural Advisory group will be recommended by Shire Officers, ongoing recruitment will be advertised via the Shire community engagement processes. The Advisory Group has the power to co-opt people with relevant expertise, or where there is a gap in representation.

Interested parties will be invited to complete an application form and send to the Chair of CTAG who will consult with existing membership to consider the application.

The inaugural Advisory Group members with the exception of Council and CTA Representatives shall be selected by Shire Officers. The tenure of these members shall be until the first Ordinary Council Elections following the formation of the Advisory Group.

DELEGATED AUTHORITY

Nil

ADVISORY GROUP

Chairperson

The Council member will act as Chairperson of the Advisory Group, unless the Council member chooses to delegate another member as Chair.

Secretary

A Shire staff officer will fulfil the role of Secretary.

Standing Ex-Officio Members

Nil

MEETINGS

Advisory Group meetings

Meetings of the Advisory Group shall be as determined by the Group. Meetings for the next calendar year are to be determined at the final meeting of the year.

Quorum

The quorum at any meeting shall be a Shire Councillor Representative plus three other voting members.

Voting

When making recommendations to Council, voting on the motion is required with outcomes to be based on a simple majority.

Notes

1. Any notes from an advisory group are to be forwarded to Council via a council report.
2. A report is to be prepared by the responsible officer of the Advisory Group of any recommendations made by the Advisory Group to be presented to Council at the next ordinary meeting of the council, for consideration.

Meetings

Meetings shall be closed to the public and are not required to have questions from the public as there are no Council delegations.

Members interests to be disclosed

Members of the Advisory group are bound by the provisions of the *Local Government Act 1995*, Section 5.65 with respect to disclosure of financial, impartiality or proximity interests.

Code of Conduct

Members must comply with the Shire's [Staff Policy 3.1 Code of Conduct – Staff, Volunteers and Contractors](#)



MUCHEA RECREATION CENTRE CONSTRUCTION

MONTHLY PROGRESS, OH&S AND BUDGET REPORT

REPORT MONTH	SEPTEMBER 2023
PROJECT DESCRIPTION (SP = Separable Portion)	Multipurpose Room SP1, Unisex Change Rooms SP1, Netball Courts SP2, Demolition of Muchea Hall, Landscaping and Parking area SP2.

PROJECT DETAILS	STATUS
Demolition of netball courts and site preparation. SP1	Completed
Construction of Unisex Change rooms. SP1	Completed
Construction of Multi-Purpose Function Centre. SP1	Completed
Demolition of Hall and site preparation. SP2	Commenced
Construction of Netball Courts , landscaping and modifications to parking area. SP2	Commenced

PROGRESS SP1	
% Complete	100%
Delays	38 days
Reason for Delay to Progress	Changes is Western Power Regulations for Electrical Connection. Plus various minor delays due to delays in supply of goods and trades.
Will Delay affect schedule.	Yes
Project Delay so far	38 Days
Expected Date of Completion.SP1	8 September 2023
Original Date of Completion. SP1	1 August 2023
Original Date of Completion. SP2	27 October 2023
Expected Date of Completion.SP2	10 December 2023
PROGRESS SP2	
% Complete	10%
Delays	4 days
Reason for Delay to Progress	See Issues/Problems Below
Will Delay affect schedule.	Yes
Project Delay so far SP1 + SP2	42 Days
Original Date of Completion. SP2	27 October 2023
Expected Date of Completion.SP2	10 December 2023



FINANCIAL		COST (EX GST)
Original Contract cost	Geared Construction	\$4,964,388.00
Current Contract Cost	Geared Construction	\$5,347,728.37
Head Contract Progress Claims	Geared Construction	\$4,069,844.32
Payments Made	Geared Construction	\$3,692,573.26

COST VARIATIONS		COST (EX GST)
Geared Building Contract Variations to date.	See Attached List	\$381,064.52
OTHER COSTS		
Total of other costs to date (Not part of Geared Building Contract)	See Attached List	\$135,122.66
TOTAL		\$516,187.18

OH&S	
Any Incidents On site	None
Accident description	N/A
Hospitalization	N/A
Days Lost	N/A
Will Delay affect schedule?	N/A
TOTAL ACCIDENTS	1
TOTAL DAYS LOST	3

ACTION/CONSTRUCTION THIS MONTH

Kitchen Install.
 Painting continuing.
 Mechanical, Plumbing and Electrical 2nd fix continuing.
 Cleaning
 Commissioning of Mechanical, Electrical, Security, Kitchen and Plumbing services
 Occupancy Permit
 Kitchen Permit
 Install of lighting to existing netball courts.
 Security Install.
 Phone/Data Connection.
 Improved access from Philmore Street



Temporary Western Power Connection
Separable Portion 1 Completed

ACTION/CONSTRUCTION SCHEDULED FOR *NEXT* MONTH

Separable Portion 2 Commenced
Demolition of Muchea Hall.
Excavation of Multi-Purpose Courts site.

ISSUES/PROBLEMS?

- Western Power has instructed that the existing Power Cabinet be removed and is to be replaced closer to the Western Power Transformer on Archibald Street. This was unforeseen by the Electrical Consultant. Western Power will now treat the connection as a new connection. Temporary electrical connection has been established and permanent connection will take place on the 5th October 2023
- The extent of asbestos contamination is greater than was anticipated in the old Muchea Hall. Investigation is taking place as to the actions required for the removal of the Asbestos.
- Excavation of the existing Multi Purpose Court site has revealed rock to the surface in some areas and clay in other areas. This variation of the substrate seems to be the cause of the cracking in the surface of the courts. Engineering advice is to excavate the clay and fill with compacted fill. This is now being carried out.

Project Manager and Author

Nathan Gough





Lower Chittering Community Centre

(previously LOWER CHITTERING HALL REPLACEMENT)

Reference Group - Terms of Reference

1. OBJECTIVES

The Reference Group is to contribute to the task of overseeing the Lower Chittering Community Centre project design and where required, make recommendations to the project manager as per the Roles and Responsibilities outlined below.

During deliberations, consideration should always be given to the future uses of the facility and all requirements for such uses should be incorporated, where reasonable, in the overall design.

2. ORGANISATIONAL SUPPORT

The Shire Community Development Coordinator is the appointed project manager for this project and will attend meetings to provide administrative support and advice.

One of the Elected Members appointed to the Reference Group will be the presiding person at all meetings.

3. ROLES AND RESPONSIBILITIES

Reference Group members will meet (as determined by the Project Manager) throughout the project to make recommendations on:

- a) Designs and reports regarding estimated cost, risk, and deliverables for a new facility;
- b) Final documented architectural designs before presentation to Council for endorsement;
- c) *An Agreement of Operational Use and Costs Responsibility* for the various Stakeholder Groups and for the various parts of the new Facility;
- d) The development of a *Facility Management Framework* outlining how the various users will utilise the new Facility.

Members will be required to:

- a) Seek to understand the historical, and current use of the existing Lower Chittering Hall, and take this into consideration as part of decisions made in regard to the Lower Chittering Community Centre Project;
- b) Seek to understand how the project will be constructed and how the new Facility will need to co-operatively operate as a community/recreation facility in the future;
- c) Provide valuable input in to considerations in regard to the new Facility's construction/operational activities;
- d) Be courteous, constructive and receptive to the views of others;
- e) Appreciate and understand that all decisions have impacts, and demonstrate a measured approach to promoting views and contributing to discussions;
- f) Be an advocate for the Group and work co-operatively and constructively with all members of the Group;
- g) Be committed to the Objectives of the Group, and work diligently towards completing its Roles and Responsibilities and;
- h) Ensure that any private or confidential information shared during the project is protected and remains confidential.



4. MEMBERSHIP

Membership of the Reference Group shall consist of:

- Two Elected Members/Council Delegates of the Shire of Chittering (one of whom is to be the Presiding Person). Council Delegates may be re-appointed following biennial Local Government Councillor Elections.
- Up to 6 independent Community representatives, with preference for 2 positions going to representatives of the current users of the existing Lower Chittering Hall facility and;
- Other intermittent stakeholders as determined and invited by the Project Manager.

5. DELEGATED AUTHORITY

The Group has no delegated authority, but may make recommendations to the Chief Executive Officer and/or Council on matters outlined in the Roles and Responsibilities.

6. TERM

The term of membership for reference group members shall commence upon appointment, and continue for the duration of the development of architectural design plans for the new facility. Once architectural design plans have been finalised and endorsed by council the reference group will be disbanded.

7. MEETING FREQUENCY

To be held as required and advised by the Project Manager.