

MINUTES FOR ORDINARY MEETING OF COUNCIL

WEDNESDAY 16 MAY 2018

**Council Chambers
6177 Great Northern Highway
Bindoon**

Commencement: 7.03pm

Closure: 8.28pm



Preface

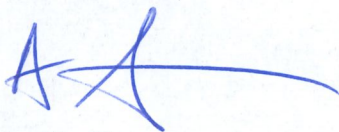
When the Chief Executive Officer approves these Minutes for distribution they are in essence "*Unconfirmed*" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

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

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

Unconfirmed Minutes

These minutes were approved for distribution on 25 May 2018.



Alan Sheridan
Chief Executive Officer
Shire of Chittering

Confirmed Minutes

These minutes were confirmed at a meeting held on 20 June 2018.

Signed



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

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the *Local Government Act 1995* (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Chittering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

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* indicates separate attachments

1. DECLARATION OF OPENING OF MEETING/ANNOUNCEMENTS OF VISITORS

The Presiding Member declared the meeting open at 7:03PM.

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

2.1 Attendance

The following Members were in attendance:

Member:	Cr Gordon Houston	President (Presiding Member)
	Cr Peter Osborn	Deputy President
	Cr Aaron King	
	Cr George Tilbury	
	Cr Carmel Ross	
	Cr Mary Angus	
	Cr Don Gibson	

Quorum – 4 members

The following Shire staff were in attendance:

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

Members of
the public 10

Media 0

2.2 Apologies

Nil

2.3 Approved leave of absence

Nil

2.4 Announcements

Councillors are requested to advise of their attendance, in their role as an Elected Member, at community activities and meetings. As the CEO's Office looks after some (not all) appointments for the President and Deputy President, the Agenda includes only those meetings. Councillors are therefore requested to provide additional information at the OCM for inclusion in the Council Minutes.

Cr Houston

- Bindoon ANZAC Day service on 25 April 2018.
- Official opening of the Telstra Tower on 29 April 2018.
- Weekly catchup meeting with the Chief Executive Officer on 4 May 2018 and 11 May 2018.
- Meeting with CEO / Staff re: Bindoon Sewerage on 14 May 2018.

Cr Osborn

- Avon Midland Country Zone meeting on 20 April 2018.
- Bindoon ANZAC Day service on 25 April 2018.
- Chittering Valley Land Conservation District Committee on 2 May 2018.
- Weekly catchup meeting with the Chief Executive Officer on 4 May 2018 and 11 May 2018.

Cr Ross

- Bindoon ANZAC Day service on 25 April 2018.
- Official opening of the Telstra Tower on 29 April 2018.
- Brockman Centre Swagfest on 29 April 2018.
- Chittering Tourist Association Inc. meeting on 1 May 2018.
- Briefing by the Minister for Economic Development, Hon Alannah McTiernan on 2 May 2018.
- Bindoon Historical Society Meeting on 8 May 2018.

Cr Gibson

- Bindoon Singers on 23 April 2018.
- Bindoon ANZAC Day service on 25 April 2018.
- Meeting with Federal and State Government representatives to discuss health matters on 29 April 2018.
- Chittering Veteran Car Club meeting on 6 May 2018.
- Bindoon Historical Society meeting on 8 May 2018.
- Chittering Ratepayers Association meeting on 10 May 2018.

3. DISCLOSURE OF INTEREST

Councillors must declare to the President any potential conflict of interest they have in a matter before the Shire Council as soon as they become aware of it.

3.1 Item 9.3.2 "Memorandum of Understanding: Chittering Tourist Association Inc.

Cr Osborn has declared an Impartiality Interest as he is the Council appointed Delegate on the Chittering Tourist Association Inc. He has also declared a Financial Interest as he is the part-owner of Wootra Farm Bed and Breakfast, he is also a member of the Chittering Tourist Association and his business appears in the annual Planner. Wootra Farm Bed and Breakfast sells preservatives through the Chittering Tourist Association.

Cr Ross has declared an impartiality Interest in that she is a member of the Executive of the Chittering Tourist Association and was involved in the drafting of the Memorandum of Understanding.

4. PUBLIC QUESTION TIME

4.1 Response to previous public questions taken on notice

Nil

4.2 Public question time

The following questions were submitted prior to the Council meeting and responses are provided:

4.2.1 John Curtis, Bindoon

(as supplied)

Question 1 Since the Governments wise dec[e]sion to cancel the STED program for Bindoon how much has the Shire spent on consultants for the new system?

Answer 1 *At the Ordinary Council Meeting held on 13 December 2017 Council resolved to release \$10,000 from the "Wastewater Treatment Reserve" to engage a consultant to develop an alternative and affordable proposal for the wastewater treatment in the town of Bindoon. The consultants have undertaken the work and provided their report to Council on 21 February 2018. The final cost to the Shire was \$9,949.50 (excluding GST).*

The decision to cancel the STED program is not considered "wise" as has been suggested. Aside from recognised issues associated with poor draining soils and associated environmental impacts of that, the future of Bindoon depends, to a large extent, on the infrastructure which is available to support growth and economic development. The population of the town (at around 800) is insufficient to secure a sustainable future for its residents. The Bindoon Bypass will impact on

the town, and a range of strategies will be necessary to secure the town's future, including the provision of infrastructure. While some may not see the need for change, without positive intervention there is a very real possibility that the town could stagnate or go backwards in terms its local economy; with a direct impact on local jobs and services. No one would really want to see that happen in the future. A number of options are available for securing a long term future for the town including the following:

- *Growing the town to provide for a more sustainable population base.*
- *Providing a mix of housing choice which is more suited to an aging population.*
- *Providing for a range of overnight options in and around the town.*
- *Making better use of existing recreation and sporting facilities within the town.*
- *Expanding existing sporting and recreation facilities in a planned and coordinated way.*
- *Creating local attractions which grab the imagination and which inspire a new generation.*
- *Promoting responsible and sustainable development which creates opportunities and which provides for a robust local economy.*

Council's Strategic Community Plan, which was developed in consultation with the community, includes a range of strategies associated with growing the local economy, providing jobs for current and future generations, enhancing and building on existing social and sporting infrastructure and preserving the biodiversity and natural assets of the region. The options as outlined above are consistent with the Community Strategic Plan and have been the subject of previous discussions with Council.

Question 2 **How much has been spent on the property at 6138 GNH since being purchased and the price paid?**

Answer 2 *The question was taken on notice.*

4.2.2 Michelle Rossouw, Lower Chittering

(as supplied)

In February, I submitted at QoN requesting the president's attendance to committee meetings and invitations etc for 2017, I was advised this was possible but wasn't supplied the information. In March I again requested the information along with a copy of the claim forms for the same period. On the 2nd of May, I received a list of meetings the president attended, however I can see this wasn't responded to in May's agenda. The purpose of this QoN was for to increase transparency, and for community to see how the president is representing the community. I was also advised that the claim forms needed to be a requested under FOI. I sent an email on the 7th querying the reason for an FOI, and that the \$ amounts could be excluded if necessary. To date I haven't received a response. Can the CEO please advise;

Question 1 **Why hasn't the response been included in this month's agenda/minutes?**

Answer 1 *The question that was asked at the April Ordinary Council Meeting was answered at the time: "Shire staff are currently compiling the information and this will be provided to you as soon as it is completed". As the question was not taken on notice, it is not required to be included in the following meeting's agenda. The*

resident has acknowledged that the information has been received via formal correspondence from the Shire.

However, in the interests of full disclosure, a copy of that information is provided below:

DESCRIPTION	DATE	MEETING ATTENDED (YES OR NO)
Committees and External Organisations		
Shire of Chittering Council Meetings (includes Ordinary, Special and Annual Electors)	13/12/17	Yes
	11/12/17	Yes
	15/11/17	Yes
	25/10/17	No
	18/10/17	Yes
	20/9/17	Yes
	6/9/17	No
	16/8/17	Yes
	19/7/17	Yes
	18/7/17	Yes
	21/6/17	Yes
	17/5/17	Yes
	19/4/17	Yes
	15/3/17	Yes
Elected Member Information Sessions	3/2/18	No
	13/12/17	No
	15/11/17	Yes
	1/11/17	Yes
	18/10/17	Yes
	27/9/17	Yes
	20/9/17	Yes
	6/9/17	No
	23/8/17	No
	16/8/17	Yes
	25/7/17	Yes
	19/7/17	Yes
	21/6/17	Yes
	17/5/17	Yes
	19/4/17	No
	5/4/17	No
	22/3/17	Yes
	15/3/17	Yes
	8/3/17	Yes
	7/3/17	No
	1/3/17	Yes
	22/2/17	Yes

DESCRIPTION	DATE	MEETING ATTENDED (YES OR NO)
Committees and External Organisations		
Agenda Forums	13/2/18	No
	6/12/17	Yes
	5/12/17	Yes
	7/11/17	Yes
	10/10/17	Yes
	12/9/17	No
	11/7/17	Yes
	13/6/17	Yes
	9/5/17	Yes
	11/4/17	Yes
	7/3/17	No
Avon Midland Country Zone http://walga.asn.au/About-WALGA/Structure/Zones/Avon-Midland-Country-Zone.aspx	23/11/17	No
	23/6/17	No
	28/4/17	Yes
	17/2/17	No
Avon Regional Organisation of Councils (AROC) (Shire of Chittering ceased membership on 31 December 2017)	4/12/17	No
	2/10/17	No
	12/6/17	Yes
	3/4/17	Yes
Northern Growth Alliance	26/6/17	Yes
	20/3/17	Yes
Local Emergency Management Committee	28/2/18	No
	22/11/17	No
	13/9/17 Exercise	No
	23/8/17	No
	24/5/17	No
Audit Committee	22/3/17	Yes
	20/9/17	Yes
Chittering Valley Land Conservation District Committee	15/3/17	Yes
	29/11/17	Yes
	25/10/17	Yes
	23/8/17	Yes
	28/6/17	Yes
	22/2/17	Yes

DESCRIPTION	DATE	MEETING ATTENDED (YES OR NO)
Meetings and Invitations to events/ceremonies		
Hon Martin Aldridge "Official Opening Binda Place Office"	16/2/18	No
CCC "12 step business plan workshop"	9/2/18	No
Wannamal Community Centre "Long Table Dinner"	3/2/18	No
Australia Day Breakfast 2018 – Clune Park	26/1/18	Yes
Meeting with Minister for Regional Development (Hon Alannah MacTiernan)	17/1/18	Yes
Water Ponyz Swim School Official Opening	30/12/17	No
Councillor Training (presented by Darrell Forrest)	20/12/17	Yes
Chittering Shire's Christmas Party (Council & staff only)	15/12/17	Yes
Gingin District High School "Awards Ceremony"	14/12/17	No
Year 6 Graduation Ceremony – Bindoon Primary School	11/12/17	Yes
Year 6 Graduation Ceremony & Dinner – Immaculate Heart College	1/12/17	Yes
Local Government Act review – Toodyay	23/11/17	No
Australian Citizenship Ceremony	15/11/17	Yes
Westport Freight Forum – Kwinana	15/11/17	No
Chittering Health Services Advisory Group	24/10/17	No
2017 WALGA Special Breakfast with Hon Rita Saffioti MLA	5/10/17	No
Meeting with Jupiter Medical Centre	31/8/17	Yes
Taste of Chittering	27/8/17	Yes
LG Candidate Information Session	22/8/17	No
Shire of Chittering - Health Services Roundtable	22/8/17	No
Meeting with Minister Saffioti and Shane Love MLA	15/8/17	Yes
Targa West Gala Dinner	13/8/17	No
CCC & NVN "Collaboration, Cooperation & Planning are on Season"	10/8/17	No
WALGA LG WEEK: Annual General Meeting	2/8/17	Yes
WALGA LG WEEK: State & Local Government Forums	2/8/17	Yes
WALGA Mayor and Presidents Forum and Reception	1/8/17	Yes
INFORMATION SESSION "Related Party Disclosure" – Shire of Gingin	1/8/17	No
Meeting with Senator Nash	31/7/17	No
Toodyay CCI regional forum	28/7/17	Yes
Binda Place "Official Opening"	23/7/17	Yes
Gingin/Chittering Lions Club "Change Over Dinner"	15/7/17	No
Understanding Your Freight and Transport Needs – City of Kwinana	7/7/17	No
2017/18 Budget Workshop	5/7/17	Yes
2017/18 Budget Workshop	28/6/17	Yes
Meeting with Hon Christian Porter MP	26/6/17	Yes
CCC Annual General Meeting	16/6/17	No
2017/18 Budget Workshop	6/6/17	Yes
2017/18 Budget Workshop	30/5/17	Yes

DESCRIPTION	DATE	MEETING ATTENDED (YES OR NO)
Meetings and Invitations to events/ceremonies		
Wear Ya Wellies	28/5/17	Yes
CEO Performance Appraisals Review	24/5/17	Yes
2017/18 Budget Session	9/5/17	Yes
Presentation by Main Roads	9/5/17	Yes
CEO Performance Appraisal Interview	3/5/17	Yes
Official Opening of the Wheatbelt Heritage Rail Project	30/4/17	No
Holy Trinity Church "Wine and Cheese Evening"	29/4/17	No
Bindoon Dirt Drags	29/4/17	Yes
CWA Opening Ceremony "CWA Commemorative Bench"	28/4/17	No
'Western Bypass Alignment' – Wannamal residents	27/4/17	No
Australian Citizenship Ceremony	11/4/17	Yes
Gingin District High School "ANZAC Day Service"	7/4/17	Yes
Pre-mediation meeting with applicant and proponents	8/3/17	No
Western Corridor A – affected residents meeting	7/3/17	No

Question 2 Why is it necessary for an FOI, after I was advised that it was possible to be provided the information requested?

Answer 2 *Shire officers have examined the Council Minutes and outgoing correspondence to ascertain the precise nature of the requests and the information which was subsequently provided. That information is summarised as follows:*

- *The resident raised a question to the Ordinary Meeting of Council on 21 February 2018 requesting information on meetings attended by the Shire President. There was no request for access to travel claims made as part of this question. The Question was answered on 21 February as per the Council Minutes.*
- *The resident raised a further question to the Ordinary Meeting of Council on 21 March 2018 indicating that the previous question (above) had not been answered to the satisfaction of the resident. The question asked that information be compiled, as accurately as possible and further, that a copy of travel claims for the same period also be provided.*
- *In regard to the travel claims, advice was sought from the Western Australian Local Government Association (WALGA) regarding the release of such information. The advice provided from WALGA was that a resident at Public Question Time could validly ask for information on travel claims i.e. quantum of claims in a given period, however requesting a copy of information relating to travel claims requires an FOI application. Council is therefore acting on that advice.*

- *The Chief Executive Officer provided formal written advice to the resident on 2 May 2018 including information regarding the Shire President's attendance at meetings for the 12 month period as requested. That information was compiled based on information available to the Shire; it does not necessary reflect all the activities that the Shire President attended (i.e. it was compiled as accurately as possible as per the residents request).*
- *On 7 May 2018 the resident sent an email to the Shire requesting information as to why an FOI was required to access travel claims. The resident advised that when the original enquiry was made, she was advised that an FOI was not required. However, the original enquiry was concerned with information on meetings attended by the Shire President, not travel claims. While a formal response to the 7 May email is yet to be provided, the information is provided above.*

4.2.3 Clint O'Neil, Chittering

(as supplied)

Question agenda Item 9.4.2

As an alternative to the name suggested and taking into consideration the Landgate naming rules, is 'Northern Gateway Industrial Park – Muchea' a viable name?

- **The name encompasses and reflects the Tonkin freeway start point into the MRS planning area**
- **The locality will be a significant break / assembly point for freight servicing to the north of the State**
- **Describes the specific unique characteristics of the locality and builds on Sirona's proactive estate descriptor**
- **Does not constrain other estate descriptors being used within the industrial park special control area**

Answer Through the Presiding Member, the Chief Executive Officer explained that the name "Northern Gateway" is the name that Sirona are using for their development and it is a name that is already being used by a commercial entity. Council could contact Sirona to discuss use of the name, but to date no discussions have been held with Sirona. With reference to the use of the "Muchea Employment Node", nobody knows what this is and what it is referring to, so using a name that describes the use of the area is more appropriate.

4.2.4 Josephine Fern, Bindoon

Question 1 In previous years enquiries were made regarding construction on blocks and were told by a Shire employee that that block was never to be built on; does this mean that what I am told can't be trusted?

Answer 1 The Presiding Member advised that the use of Reserves can be amended through due process.

Question 2 Have Councillors been to Bell Hill and looked at the Hill, its location and the fragility of the Hill?

Answer 2 The Presiding Member advised that he and other Councillors have been to the site.

4.2.5 John Nagel, Bindoon

(as supplied)

Mr President as you are aware I've been elected as President of the Chittering Residents and Ratepayers Association and at our last public meeting on the 10th May 2018 we had a white board exercise on issues and solutions for concerned ratepayers. Topics where: Cars and Fuel Cards, Rubbish and Recycling, NBN Tower, 11% interest rate for outstanding rates. Mr President my question is are all the councillors and CEO prepared to have a round table discussion with the Chittering Residents and Ratepayers Association committee in the next 10 days to work through the solutions that the ratepayers put forward.

Answer The Presiding Member advised that to arrange a meeting with all councillors in 10 days would be difficult; mostly due to availability of councillors. The Presiding Member stated that there were significant discussions held with Association last week (8 May 2018); and that the matters pointed out will be discussed during Councils budget process. The Presiding Member informed the meeting that any resident/ratepayer can be raised with Council at any time. There were two Councillors who attended the meeting on the 10 May (Cr's Gibson and King); and if the Association would like formal representation at future meetings then please send a request to the office.

Through the Presiding Member, the Chief Executive Officer advised that the Associations office bearers are invited to contact him to meet to clarify the information required.

The Presiding Member applauded the Association as he believes that Council and the Association can work together to benefit the entire Shire.

5. PRESENTATIONS/PETITIONS/DEPUTATIONS

5.1 Petitions

Nil

5.2 Presentations

Nil

5.3 Deputations

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES

7.1 Ordinary Council Meeting: 18 April 2018

7.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 010518

Moved Cr Tilbury / Seconded Cr Gibson

That the minutes of the Ordinary meeting of Council held on Wednesday 18 April 2018 be confirmed as a true and correct record of proceedings.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 7/0
7:29PM

8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

Nil

9. REPORTS

9.1 DEVELOPMENT SERVICES

Nil

9.2 TECHNICAL SERVICES

Nil

9.3 CORPORATE SERVICES

9.3.1 2017-18 Budget Review to 31 March 2018*

Report Date	18 May 2018
Applicant	Shire of Chittering
File ref	12/07/4
Prepared by	Executive Manager Corporate Services
Supervised by	Executive Manager Corporate Services
Voting requirements	Absolute Majority
Attachments	1. Statement of Financial Activity and Capital Acquisitions

Executive Summary

Council is requested to consider adopting the review of the 2017/18 Annual Budget.

Background

The *Local Government (Financial Management) Regulations 1996, Regulation 33A* requires that between 1 January and 31 March in each financial year a local government is to carry out a review of its Annual Budget for that year. Within 30 days after the review of the Annual Budget of a local government is carried out, it is to be submitted to Council. The Council is to consider the review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendation made in the review. Within 30 days after Council has made a determination, a copy of the Budget Review and determination is to be provided to the Department.

A Statement of Financial Activity for the period ended 31 March 2018 incorporating forecast actual budget variations to 30 June 2018 is presented with this report.

Consultation/Communication Implications

Local

Chief Executive Officer
Executive Manager Technical Services
Executive Manager Development Services
Human Resources Coordinator
Community Emergency Services Manager
Building Coordinator

State

Nil

Legislative Implications

State

- *Local Government (Financial Management) Regulations 1996*

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

- *Strategic Community Plan 2017-2027*

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

The Budget Review has been based on the Shire's 31 March 2018 actual financial balances and was completed on 27 April 2018.

In a snap shot, the overall operating costs have increased by \$50,416 and the capital program has decreased by \$426,117. The changes result in a forecast surplus closing position of \$340,448 in the 2017/18 Annual Budget Review document prepared for the Ordinary Council Meeting to be held in May 2018.

The Executive Management Team has discussed the findings of the Review compared to what was adopted in the Budget for 2017/18 and note the majority of the surplus relates to deferred capital works. A summary of the major changes and action taken is listed below:

- The Opening Balance for 2017/18 as per the Audited Annual Statements was \$2,433,123 whereas the figure adopted in the Annual Budget was \$2,471,033 - a decrease of \$37,910 in the opening position. NB: It is generally expected to see a variance between the budgeted closing position and the actual opening position.
- Financial Assistance Grants of \$615,988 were budgeted whereas we have been advised that we shall receive \$564,096 - a decrease of \$51,892.
- Main Roads WA Direct Grant funding \$104,228 was budgeted for; however we were advised post budget that it would be reduced to \$60,026 - a decrease of \$44,202.
- Withdrawal from the Avon Regional Organisation of Councils saw a return of funds held of \$16,554, which was not included in the original budget.
- Insurance adjustments for good claims history and the general pool surplus dividends were higher than anticipated, providing an increase in revenue of \$21,683.
- Defibrillators were purchased for distribution across the Shire at a cost of \$25,047 which was offset by a Grant received of \$19,847 - a decrease of \$5,200 in funds available.
- The BRMP program was increased to 30 June 2018 and the Community Emergency Services Manager program taken over by the Department of Fire and Emergency Services – this has resulted in an overall decrease in funds available of \$19,920.
- Governance consultancy fees have increased by \$22,000; some of these costs were primarily as a result of staff vacancies in the finance area. Planning consultancy has decreased by \$40,000 resulting in an overall increase in funds available of \$18,000.
- Staff termination payouts and recruitment costs were not anticipated at the time of adopting the original budget and have resulted in a decrease in funds available of \$55,515.
- Units 1 and 3 assigned to staff housing remain vacant and result in a decrease in funds available of \$20,279.
- Income received for rubbish collection, recycling and royalties are higher than budgeted resulting in an increase in funds of \$10,033.
- Legal fees for town planning have increased by \$75,000 mainly attributable to two SAT hearings Council was required to defend; in addition the Development Services Unit has been operating for 12 months without a Compliance Officer. This Officer would normally have been involved in preparing cases for SAT.
- Planned maintenance for parks and ovals has not been required in accordance with the budget resulting in a decrease in funds required of \$110,636; however this has been offset by slightly higher than expected road maintenance works of \$19,115.
- Grant funds available for Regional Road Group Chittering Road and Black Spot Julimar Road are greater than expected, providing an increase in revenue of \$84,775.
- The contribution towards the Northern Growth Alliance Tourism Strategy was not included in the original budget resulting in a decrease of funds available of \$7,152.
- Vehicle changeovers for the Chief Executive Officer and Community Emergency Services Manager have been deferred until 2018/19 resulting in a net savings of \$61,636.
- The purchase of a smaller model loader than that which was included in the adopted budget has resulted in an increase in funds available of \$126,960.
- The Admin Server/IT Upgrade has been compounded by issues not known at the time of preparing the adopted budget and has led to a decrease in funds available of \$30,000.
- The new Records Storage Room has incurred extra costs due to increased pad works not allowed for in the original budget - a decrease in \$7,380.

- Depot Upgrade expenditure is less than anticipated and provides an increase of \$23,348.
- The Capital Road Program has an overall savings of \$133,843.
- The Transfer from Reserve for the Community Bus has been deferred and results in an increase in funds of \$65,062.

SUMMARY OF MAJOR MATTERS REPORTED FROM BUDGET REVIEW

	Decrease in funds available	▼
	Increase in funds available	▲
Opening Position	-\$37,910.00	▼
Financial Assistance Grants	-\$51,892.00	▼
Withdrawal from AROC	\$16,554.00	▲
Insurance		
Adjustments/Rebate/Reimbursement	\$21,683.00	▲
Remote Water Monitoring Grant	\$0.00	
Fire Mitigation Grant	\$0.00	▲
Defibrillators	-\$5,200.00	▼
Emergency Management CESM/BRMP	-\$17,192.00	▼
BRMP Program extended to 30 June	\$121,503.00	▲
Governance consultancy increased	-\$47,500.00	▼
Housing income decreased	-\$20,279.00	▼
Rubbish collection, recycling and royalties	\$10,033.00	▲
Waste Water Management consultancy	-\$8,611.00	▼
Town Planning legal expenses	-\$75,000.00	▼
Parks and ovals maintenance	\$110,636.00	▲
MRWA Direct Roads Grant	-\$44,492.00	▼
Road Maintenance	-\$19,115.00	▼
NGA Tourism Strategy	-\$7,152.00	▼
Building Surveyor shared services	-\$9,866.00	▼
Binda Place lease	\$10,000.00	▲
Binda Place building operations/maintenance	-\$9,532.00	▼
21 & 168 Binda Place rent	-\$6,838.00	▼
Staff termination payouts/recruitment	-\$55,515.00	▼
Decrease in Plant Operations Costs	\$18,860.00	▲
Cash Contribution from Polocrosse Club	\$5,500.00	▲
Blackboy Ridge Grant	\$0.00	▲
RRG Chittering Road, BS Julimar Road	\$84,775.00	▲
Visitor Centre Door Grant	\$0.00	▲
Proceeds from Disposal of Vehicles	-\$16,546.00	▼
Depot Upgrade	\$23,348.00	▲
Stamp Duty Lot 168 Binda Place	-\$30,544.00	▼
Records Storage Room	-\$7,380.00	▼
CEO Vehicle	\$40,000.00	▲
CESM Vehicle	\$38,182.00	▲
Loader	\$126,960.00	▲
Admin Server Upgrade	-\$30,000.00	▼
Roads program	\$133,843.00	▲

SUMMARY OF MAJOR MATTERS REPORTED FROM BUDGET REVIEW

	Decrease in funds available	▼
	Increase in funds available	▲
Bindoon Courts	\$7,200.00	▲
Consultancy Strategic	-\$22,000.00	▼
Consultancy Planning	\$40,000.00	▲
Numerous other small movements	-\$11,127.00	▼
Transfers from Reserves	\$65,062.00	▲
	<u>\$340,448.00</u>	▲

OFFICER RECOMMENDATION

Moved Cr King / Seconded Cr Ross

That Council:

1. Adopts the Budget Review as presented in the Statement of Financial Activity for the period ended 31 March 2018 and amend the 2017-18 Annual Budget accordingly; and
2. Forwards a copy of the Budget Review to the Department of Local Government and Communities within 30 days.

AMENDMENT

Moved Cr King / seconded Cr Ross

That the following Condition 3 be added to the Officer Recommendation:

3. Workshop the format of the financial information presented to Council as part of the next Audit Committee agenda.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 7/0
AND FORMED PART OF THE SUBSTANTIVE MOTION

7:46PM

9.3.1 SUBSTANTIVE MOTION / COUNCIL RESOLUTION 020518

That Council:

1. Adopts the Budget Review as presented in the Statement of Financial Activity for the period ended 31 March 2018 and amend the 2017-18 Annual Budget accordingly; and
2. Forwards a copy of the Budget Review to the Department of Local Government and Communities within 30 days.
3. Workshop the format of the financial information presented to Council as part of the next Audit Committee agenda.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 6/1
CR GIBSON VOTED AGAINST THE MOTION

7:46PM

Cr Osborn has declared an Impartiality Interest as he is the Council appointed Delegate on the Chittering Tourist Association Inc. He has also declared a Financial Interest as he is the part-owner of Wootra Farm Bed and Breakfast, he is also a member of the Chittering Tourist Association and his business appears in the annual Planner. Wootra Farm Bed and Breakfast sells preserves through the Chittering Tourist Association. Cr Osborn did not partake in discussions or vote on the item.

Cr Ross has declared an Impartiality Interest in that she is a member of the Executive of the Chittering Tourist Association and was involved in the drafting of the Memorandum of Understanding. Cr Ross did partake in discussions and voted on the item.

9.3.2 Memorandum of Understanding: Chittering Tourist Association Inc.*

Report date	16 May 2018
Applicant	Chittering Tourist Association
File ref	04/18/98
Prepared by	Economic Development Officer
Supervised by	Executive Manager Corporate Services
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	1. Draft Memorandum of Understanding 2. OCM Minutes 19 July 2017

Executive Summary

Council's is requested to authorise the Shire President and Chief Executive Officer to extend the current lease with the Chittering Tourist Association from 23 May 2018 until 30 November 2018.

Background

At the Ordinary Council Meeting held on 19 July 2017 Council resolved:

2. *That the Chief Executive Officer draft a Memorandum of Understanding with the Chittering Tourist Association for Council consideration.*

Further to the above, the Shire has been in negotiations with the Chittering Tourist Association (CTA) to develop an MOU which outlines the Shire's relationship with the not-for-profit organisation. Details of the Draft MOU can be found in **Attachment 1**, which outlines aspects relating to the history of the organisation, its activities and Council's support accountability.

Consultation/Communication Implications

Local

Chittering Tourist Association Inc
Chief Executive Officer

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

- *Administration Policy 1.5 Execution of Documents*

Financial Implications

Nil

Strategic Implications

Local

- *Strategic Community Plan 2017-2027*

Focus area: Our community

Objective: S1.2 Strong sense of community

Strategy: S1.2.1 Actively support community, volunteer groups and networks
S1.2.2 Strengthen and grow social events and festivals
S1.2.3 Activate our local centres and towns

Focus area: Economic growth

Objective: S4.2 Local business growth

Strategy: S4.2.1 Encourage and support local businesses and new investments for the future

Objective: S4.3 Increased visitors

Strategy: S4.3.2 Support and grow events to attract visitation
S4.3.3 Facilitate, promote and support ecotourism

Focus area: Strong Leadership

Objective: S5.3 Accountable governance

Strategy: S5.3.1 Good governance which supports efficient and effective service delivery

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

The promotion of a vibrant and dynamic tourism sector is vital to the economy of the Chittering region and to the creation of local jobs and employment.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

Following the Ordinary Council Meeting in July 2017 Shire officers have been in negotiations with representatives from the CTA to develop and agree to the terms of the MOU.

Both the CTA and the Shire have drafted an agreement regarding the objectives, acknowledgements and undertakings of both parties in the MOU. This has taken into consideration the tourism services provided by the CTA and the expected results, which are also attached in the MOU Appendix document "Tourism Services and Outcomes", alongside an updated "Tourism Promotion Funding Quarterly Report" document. These documents have been designed for the Tourism Promotions Officer to accurately and effectively show the contribution that the CTA provides to tourism in the Chittering region.

Council will also be aware of recent consulting work undertaken by John Ravlic (Ravim RBC) regarding the review and standardisation of Council's community leasing arrangements. Council was briefed by Mr Ravlic prior to the Ordinary Council Meeting on 21 March 2018. At that briefing, Council indicated its support for continuing with this work. An allocation will be included in the 2018/19 Annual Budget to continue with this work.

On a related matter, it should also be noted that the Lease with the CTA expires on 28 May 2018. Given the proposed consulting work to be undertaken in 2018/19 (as highlighted above) it is not considered prudent to renegotiate a new lease at this time; that work should be undertaken in the new financial year. Accordingly, it is recommended that Council grant an extension to the current lease for a period of six months to enable a new lease document to be prepared.

In the interest of avoiding any conflict between the terms of the Draft MOU and the new lease, it is further proposed that the Draft MOU not be finalised at this time and that its adoption by Council be timed to coincide with the new lease. As a result, the Draft MOU is provided for information purposes only at this time.

OFFICER RECOMMENDATION

Moved Cr Tilbury / Seconded Cr Ross

That Council:

1. Authorise the Shire President and Chief Executive Officer to extend the current lease with the Chittering Tourist Association from 28 May 2018 to 30 November 2018.
2. Note that Shire staff will provide a Draft Memorandum of Understanding and Lease Document for endorsement by Council prior to the expiry of the extended lease.

AMENDMENT

Moved Cr King / Seconded Cr Gibson

That Condition 2 be deleted from the Officer Recommendation and the Recommendation be renumbered accordingly.

THE AMENDMENT WAS PUT AND DECLARED LOST 3/4
ON THE CASTING VOTE OF THE PRESIDING MEMBER

7:59PM

AMENDMENT

Moved Cr Houston / Seconded Cr Tilbury

That Condition 2 be amended by deleting the word "endorsement" and replacing with the word "consideration".

THE AMENDMENT WAS PUT AND DECLARED CARRIED 4/2
AND FORMED PART OF THE SUBSTANTIVE MOTION

8:02PM

9.3.2 SUBSTANTIVE MOTION / COUNCIL RESOLUTION 030518

That Council:

1. Authorise the Shire President and Chief Executive Officer to extend the current lease with the Chittering Tourist Association from 28 May 2018 to 30 November 2018.
2. Note that Shire staff will provide a Draft Memorandum of Understanding and Lease Document for consideration by Council prior to the expiry of the extended lease.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 4/2

8:03PM

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 WALGA Annual General Meeting 2018 Voting Delegates

Report date	18 May 2018
Applicant	Western Australian Local Government Association (WALGA)
File ref	14/01/0004
Prepared by	Executive Support Officer
Supervised by	Chief Executive Officer
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council's consideration is requested to determine the voting delegates for the 2018 Annual General Meeting for the Western Australian Local Government Association (WALGA). The Annual General Meeting will be held on Wednesday, 1 August 2018 during the Local Government Convention at the Perth Convention and Exhibition Centre in Perth.

Member local governments are also invited to submit any motions for inclusion on the Agenda for consideration at the 2018 Annual General Meeting. Motions should be submitted in writing to the Chief Executive Officer of WALGA. The closing date for submissions of motions is close of business on Tuesday 5 June 2018.

Background

Pursuant to the WALGA Constitution, all member councils are entitled to be represented by two voting delegates. Voting delegates may be either Elected Members or serving officers. In the event that a voting delegate is unable to attend, provision is made for proxy delegates to be registered.

The Shire of Chittering must notify WALGA of its voting delegates by Monday, 2 July 2018.

Consultation

State

Nil

Local

Nil

Statutory Environment

State

- *Local Government Act 1995, s9.58*

Local

Nil

Policy Implications

State

Nil

Local

- Elected Member Policy 4.3 – Elected Members’ Fees, Allowances, Reimbursements and Benefits

Professional conferences

To enable Elected Members to develop and maintain skills and knowledge relevant to their role as a representative of the Shire, the Chief Executive Officer is authorised to arrange, at the Shire’s cost, and at the request of an Elected Member:

- a) registration at professional conferences which are:
 - i) considered by the Chief Executive Officer to be directly relevant to the Shire’s affairs;
 - ii) convened by the Western Australian Local Government Association (WALGA).
- b) *accommodation for an Elected Member in a standard room at a reasonably priced hotel near the conference venue for the duration of the conference;
- c) registration for the conference dinner for the Elected Member; and
- d) one return economy airfare to the conference if the venue is interstate.

Subject to the above, a maximum amount (per Elected Member) is set annually for attendance at conferences in accordance with the Shire of Chittering Annual Budget.

For the purpose of Regulation 32(1)(a), the express authority by resolution of the Council is given to Elected Members to perform the following function – the attendance by an Elected Member at a professional conference, the registration for which is arranged by the Chief Executive Officer.

The following expenses incurred by an Elected Member in performing a function referred to in paragraph (a) are approved for reimbursement:

- i) food and beverages consumed by the Elected Member during the conference*.
- ii) taxi fares incurred by the Elected Member during the conference.
- iii) costs associated with the attendance of the Elected Member at any meetings or forums with other government bodies or associations, at the discretion of the Chief Executive Officer.

The extent to which the costs referred to above is to be reimbursed at the actual cost.

Actual amounts and actual costs are to be verified by sufficient information under Regulation 31.

Booking arrangements

All booking arrangements of airline travel for representatives of the Shire of Chittering are to be coordinated through the Chief Executive Officer’s office.

Airline travel for Elected Members is to be booked at economy level and booking arrangements are to be reviewed upon any improved discount offer being identified.

Other than to amend departure times, tickets provided to representatives of the Shire are not to be exchanged, downgraded or rebated for any reason. Tickets or bookings may not be altered to include personal travel that is not part of the scheduled conference itinerary.

The proposed duration of the conference attendance together with travel time and planned supplementary pre or post conference activities relevant to the Shire of Chittering, will be notified to Council or the Chief Executive Officer for confirmation and/or amendment prior to the delegate’s departure for the conference.

Elected Members wishing to attend the 2018 Local Government Convention have been asked to advise the Chief Executive Officer by Monday 29 June 2018.

Where Council is represented by a person requiring assistance for the reason of disability, the accompanying person shall be given the same privileges as the representative regarding the travel, accommodation and reasonable expenses incurred.

Reports of conference attendance are to be provided in writing to the next ordinary Council meeting briefing session.

The type of conference that Elected Members attend will be related to a particular function or activity in which Council is involved rather than individual or personal development type conference/seminars.

In recognising the contribution of elected members to the community and period of time spent away from an elected member's principal residence, for elected member development Council authorises payment of associated expenses of Elected Members' spouses/partners to attend one conference annually in Western Australia.

If a partner or spouse wishes to attend a second or other conference (including conference dinner) all costs will be at their own expense.

Financial Implications

Attendance at the WALGA Annual General Meeting is free of charge to all member local governments; lunch is not provided. All Convention delegates must register their attendance in advance. Registration for the Opening Welcome Reception that evening must also be notified in advance and will incur a cost for those not registered as a Full Delegate.

Elected Members are allocated an individual amount in the Shire's Annual Budget that is used for their professional development (i.e. training, conferences, seminars, etc.).

Strategic Implications

State

Nil

Local

- Strategic Community Plan 2017-2027

Focus area: Strong leadership

Objective: S5.1 Strong partnerships and relationships

Strategy: S5.1.1 Build effective partnerships with stakeholders

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Comment

It is recommended that Council appoint two voting delegates and two proxy voting delegates for the 2018 Annual General Meeting of WALGA.

9.4.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040518

Moved Cr Tilbury / Seconded Cr Ross

That Council advise the Western Australian Local Government Association that the voting delegates and proxy voting delegates for the 2018 Annual General Meeting are:

VOTING DELEGATES		PROXY VOTING DELGATES	
1.	Cr Gordon Houston	1.	Cr Mary Angus
2.	Cr Don Gibson	2.	Cr Carmel Ross

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 7/0

8:04PM

9.4.2 Promotional name for the Muchea Employment Node Special Control Area

Report date	16 May 2018
Applicant	Shire of Chittering
File ref	18/01/3
Prepared by	Strategic Project Manager
Supervised by	Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council's consideration is requested to consider an alternate reference name for the "Muchea Employment Node" (MEN) for the purposes of marketing and promotion. Administration is of the view that it may be appropriate to refer to the area of land as having an "industrial/business" land use context.

Background

The MEN vicinity was identified in the *North East Corridor Extension Strategy* (WAPC, 2003) as having potential as an industrial area. Anecdotal evidence from staff at the Department Planning, Lands and Heritage (DPLH) suggest that the term "MEN" was introduced by the Shire in 2004/05 and prior to that it was referred to as the "Muchea Industrial Site Study".

In 2007 the *Muchea Employment Node Demand Assessment* by Connell Wagner (2007) confirmed that 596ha of industrial land would be required by 2030 with 294ha of that being required to meet local demand, spillover demand from the metropolitan area and industries seeking a strategic location in the north-west corridor. Further planning studies have since been undertaken which resulted in the Muchea Employment Node Structure Plan Final Report (WAPC 2011) and subsequently amendment to the Shire's *Local Planning Scheme No.6* (LPS6) has occurred to provide scheme provisions for industrial land uses and development in the MEN.

In 2016 construction of the NorthLink WA project commenced that provides a transport link between Morley and Muchea with the northern section ending at Muchea. NorthLink WA is projected to be completed mid-2019.

The Shire understands the importance of the MEN which will deliver significant productivity benefits to the economy, industry, transport and the local community. Whilst the majority of the land is yet to be rezoned, Council has initiated three Scheme Amendments to rezone land in the precinct for industrial land uses. The MEN area, whilst considered suitable for industrial development, would not be suitable for industrial land uses that would cause harm to the environment.

The site includes 27 separate lots with a total land area of 1,113ha. The name change will reflect this broader region when making future reference to the area. It is most likely that individual developers will chose alternate names for marketing and promotional purposes, for instance the Sirona development is referred to as "Northern Gateway".

Consultation/Communication ImplicationsLocal

It is not necessary to provide community consultation to amend reference to the area name for the purpose of marketing, subdivision and planning documents. Council could however refer the matter to community for consideration of alternate names if it so wished or may do so in the future should it wish to amend the locality name of the site which is currently "Muchea".

Public Notice is provided to the local community in accordance with the provision of the *Planning and Development (Local Planning Schemes) Regulations 2015* for scheme amendments and development applications which require public notice under LPS6.

State

DPLH staff has no objection to the Proposal.

Legislative ImplicationsState

Nil

Local

Nil

Policy ImplicationsState

- *Policies and Standards for Geographical Naming in Western Australia*

The *Policies and Standards for Geographical Naming in Western Australia* is a Landgate Policy that includes a number of fundamental requirements for the naming of roads, administrative boundaries, cultural and topographical features.

The following clause is applicable:

1.6.6 Estate, promotional, neighbourhood and regional names

Estate, subdivisional or promotional (vanity) names of a subdivision or development used for the marketing of real estate shall not be accepted as a substitute for an official locality name. Such names undermine the correct use of property street addressing and create potential for confusion to emergency service responders and future residents. They shall not have any official recognition within Western Australia.

Such names shall only be used by developers in marketing documents in the early stages of a development and must be used in conjunction with the official locality name. They cannot be used without the official locality name being used (for example, Ranford Estate, Canning Vale or Brighton Estate, Butler) when advertising houses or land for sale and in general correspondence.

The new title would appear on the revised WAPC Structure Plan.

Local

The title will be referred to in future advertising, communications and on relevant Local Planning Policies.

Financial Implications

Nil

Strategic Implications

Local

- Strategic Community Plan 2017-2027

Focus area: Economic Growth

Objective: S4.1 Economic Growth

Strategy: S4.1.1 Support private investment which stimulates significant and sustainable jobs growth.
S4.1.2 actively pursue development of the Muchea Employment Node

State

- WAPC Muchea Employment Node Structure Plan 2011

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

This proposal would provide greater clarity in respect of the land uses considered suitable at the site and would assist in marketing and promotion of the land.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

Research conducted suggests that it is most common to include the term “industrial” in industrial land use estates. Further it appears contemporary to use the term “Park” also. Recent Scheme Amendments to the Shire’s LPS6 to rezone land to Industrial Zone suggests that reference to the land as the “Muchea Industrial Park” or similar is an appropriate term for the future use. Optional end words could include Park/Estate/Development/Site/Area however “Park” inters that the local environs will be given due consideration for retention in the future.

9.4.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050518

Moved Cr Osborn / Seconded Cr Gibson

That Council, for the purposes planning and promotion, refer to the Muchea Employment Node Special Control Area in the *Shire of Chittering Local Planning Scheme No.6* as the “Muchea Industrial Park”.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 7/0
8:05PM

9.4.3 Disposal of Property: Lot 121 (RN 6169) Great Northern Highway, Bindoon

Report date	18 May 2018
Applicant	Shire of Chittering
File ref	A9543
Prepared by	Executive Support Officer
Supervised by	Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council is requested to authorise the Chief Executive Officer to commence the process of the disposal of Lot 121 (RN 6169) Great Northern Highway, Bindoon in accordance with the requirements of s3.58 of the *Local Government Act 1995*.

Background

The building located at Lot 121 Great Northern Highway, Bindoon (zoned “Residential”) was previously leased to Western Health Services (between 2002 and 2016). On completion of the Chittering Health Centre, WA Country Health vacated the building and moved into the new Centre. On vacating the property, the decision was made to return the building to a ‘residential’ building; which was subsequently leased to private tenants from 2016-2018.

The lease has now expired and the building is again vacant.

IMAGE 1: Locality Plan



Council has been previously briefed on the disposal of its surplus land holdings. Specifically, at the briefing session on 19 October 2016, Council was briefed on all Council owned properties which are considered surplus to needs. The subject property was included in that briefing.

Consultation/Communication Implications

Local

Councillors
Executive Managers

State

WALGA

Legislative Implications

State

- Local Government Act 1995

- 3.58 *Disposing of property*

- (1) *In this section —*

- dispose* includes to sell, lease, or otherwise dispose of, whether absolutely or not;
 - property* includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) *Except as stated in this section, a local government can only dispose of property to —*

- (a) *the highest bidder at public auction; or*

- (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

- (a) *it gives local public notice of the proposed disposition —*

- (i) *describing the property concerned; and*

- (ii) *giving details of the proposed disposition; and*

- (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

- and*

- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

- (a) *the names of all other parties concerned; and*

- (b) *the consideration to be received by the local government for the disposition; and*

- (c) *the market value of the disposition —*

- (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*

- (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

Policy Implications

Nil

Financial Implications

In the 2017/18 budget Council approved the purchase of Lot 215 Great Northern Highway to facilitate the expansion of recreation facilities adjacent to the existing oval and the purchase of Lot 168 Binda Place to enable continued vehicle access and car parking at the Norther end of Binda Place. The sale of the subject property is intended to retire some of the debt associated with the procurement of those properties. Council has been previously briefed regarding these matters.

The most advantageous method for disposing of a residential property is via “direct negotiation”. While there will be costs involved (valuation, public notice and real estate agent fees), theses are normal costs associated with the disposal of residential property. Public tender or auction is not considered viable in this case.

Strategic Implications

Local

- Strategic Community Plan 2017-2027
Focus area: Our Build Environment
Objective: S3.1 Development of Local Hubs

State

Nil

Site Inspection

Site inspection undertaken: Yes

The Chief Executive Officer and Building Coordinator have inspected the property to ensure that the condition of the property is ready for sale.

Triple Bottom Line Assessment

Economic implications

The disposal of surplus property will enable Council to retire debt associated with the recent purchase of more strategically significant parcels of land in Bindoon (as highlighted in this report).

Social implications

There are no known social implications associated with this proposal.

Environmental implications

There are no known environmental implications associated with this proposal.

Officer Comment/Details

The disposal of this property must be undertaken in accordance with s3.58 of the *Local Government Act 1995*.

Once a reasonable offer has been made on the property, a further report will be presented to Council to decide if the offer is to be accepted.

9.4.3 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060518

Moved Cr Osborn / Seconded Cr Angus

That Council authorises the Chief Executive Officer to do all things necessary to undertake the disposal of Lot 121 (RN 6169) Great Northern Highway, Bindoon in accordance with s3.58 of the *Local Government Act 1995*.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 7/0
8:05PM

10. REPORTS OF COMMITTEES

Nil

11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

In accordance with *Local Government (Council Meetings) Local Law 2014*, c5.3 the following motion was received and allowed:

- (1) *Unless the Act, Regulations or this local law otherwise provide, a Member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.*
- (2) *A notice of motion under subclause (1) is to be given at least 7 clear working days before the meeting at which the motion is moved.*
- (3) *A notice of motion is to relate to the good governance of the district.*

11.1 Review Staff Policy 3.18 Use of Council Vehicles (Cr Don Gibson)

MOTION

Moved Cr Gibson / Seconded Cr King

That Council:

1. Review the vehicle use policy before passing the 2018/19 budget, to provide for capping the cost of replacement vehicles to a limit of \$30,000.
2. Remove all private use from the vehicle use policy.

Cr Gibson provided the following information

There is a huge range of suitable for purpose passenger vehicles priced for less than \$30,000 with five year warranties available, and standardising the fleet would produce further savings for our ratepayers. The private use of public vehicles adds to the ongoing costs by extra wear and tear on tyres, mechanical parts, more fuel expense and lower trade-in.

Chief Executive Officer provided the following comments

Council's Vehicle Policy was subject to extensive review by Council in the 2017 calendar year (refer below). In recent discussions with Council, the Chief Executive Officer gave a commitment to further review the policy following the current budget (in August / September). The majority of Councillors were satisfied with that commitment. All remaining vehicles which have a private use component (four in total) are subject to employment contracts. The earliest contract expiry is the Chief Executive Officer's, which is due in April 2021. **Reviewing the Vehicle Use Policy at this time will have absolutely no impact on the upcoming budget.**

Cr Gibson has raised this matter on several occasions in the past. Most recently, on 21 February 2018 via a Notice of Motion that Council review the Shire Vehicle Use Policy. In discussion with Council, the Chief Executive Officer gave a commitment to review the policy following the current budget process as outlined above. The practice of continually raising matters, which have already been considered by Council and where there is an agreed process in place to deal with those matters, is wasteful of Council resources and fails to recognise the legitimate process which has already been undertaken with respect to this matter.

If the issue was of such significant concern to Council then I would have to ask why Council appointed the Chief Executive Officer with the current Private Use Arrangements as part of his Employment Package. Further, prior to the appointment (during contract negotiations), the Chief Executive Officer actually requested a cash component to be paid in lieu of the vehicle; but this was refused on the basis that the vehicle was relatively new and Council was not inclined to

dispose of it at that time. The vehicle type and standard, along with private use arrangements was therefore written into the Chief Executive Officer's employment contract at the time.

- Previous advice regarding this matter:

In response to the 21 February Notice of Motion staff advised as follows:

The matters as raised have already been dealt with at length by Council and have been addressed to the satisfaction of Council. Council is not purchasing "luxury" vehicles as is suggested. The new vehicle policy makes it clear that Council is moving towards a four cylinder vehicle fleet which suits the business needs of the Council. The current policy was adopted by Council in October 2017 following an extensive process of briefings and discussions with Council. This work involved significant staff time and resources at a considerable cost to Council. Council needs to consider whether it is a wise expenditure of resources to continually review a matter which has already been subject to significant review and consideration by Council. There are many other higher priority activities which require Council's attention at this time.

In summary, the current policy position provides for:

- *A significant reduction in private use vehicles, from nine down to four over last 18 months. It is proposed to further reduce these arrangements as contracts expire.*
- *The move to a four cylinder vehicle fleet. In the future, all Shire vehicles will be four cylinder vehicles that suit the business use needs of the Shire.*
- *Placing restrictions on private and commuter use where none existed previously.*
- *Providing optional vehicle arrangements for Senior Officers whereby they have the ability to provide their own vehicle for work purposes resulting in a net saving to Council.*

In regard to briefings and workshops, Council was briefed by Uniqco Fleet Management on these matters at briefing sessions held on 4 April 2017 and 19 April 2017. As a result of a report to Council in May 2017, a further workshop was arranged with Uniqco Fleet Management on 25 July 2017. Subsequent to the 25 July Workshop, the Chief Executive Officer produced briefing notes regarding the proposed fleet policy. Those notes were discussed with Council at a Briefing Session on 23 August 2017. The matter was further workshopped with Council on 6 September 2017 with specific reference to the principles of the proposed policy and detailed calculations relating to FBT, running costs and resale values.

In addition, considerable savings in fleet expenses and operating costs have been delivered over the past 18 months, including:

Light Vehicles

- *Permanent Reduction in Light Fleet (x2) - \$37,000 / annum*
- *Conversion from Private Use (x2) - \$17,000 / annum*

Ongoing Fleet savings - \$115,000 / annum

- *Revised capital program*
- *Extended change-over period for light vehicles*
- *Safety risk assessments to extend life of heavy plant*
- *Reduced risk through improved systems and processes*

Savings in Plant Equipment

- *Hire of roller in lieu of owning - \$25,000 one off saving*
- *Purchase of Revised Spec Loader - \$100,000 one-off saving (note that the actual saving was \$127,000)*

The community was briefed on these matters at the Annual Electors Meeting in December 2017 and informal feedback suggests the majority are satisfied with Council's efforts in managing and controlling costs.

While it is not possible to vary existing contract arrangements without the agreement of individual employees, it is intended to further explore options for better managing private use arrangements in consultation with those staff. In addition, continued efforts in relation to plant and fleet efficiency will be reported to Council as part of the upcoming budget process. It is suggested that Council continue to monitor ongoing improvements in fleet performance and costs over time rather than reviewing a policy which was extensively reviewed during calendar year 2017 and which was only adopted in October.

AMENDMENT

Moved Cr King / Seconded Cr Angus

That Condition 1 of the Motion be amended by deleting the words "to provide for capping the cost of replacement vehicles to a limit of \$30,000".

**THE AMENDMENT WAS PUT AND DECLARED CARRIED 5/2
AND FORMED PART OF THE SUBSTANTIVE MOTION**

8:11PM

AMENDMENT

Moved Cr King / Seconded Cr Angus

That Condition 2 be deleted from the Motion and the Motion renumbered accordingly.

**THE AMENDMENT WAS PUT AND DECLARED CARRIED 6/1
AND FORMED PART OF THE SUBSTANTIVE MOTION**

8:14PM

11.1 SUBSTANTIVE MOTION

That Council Review the vehicle use policy before passing the 2018/19 budget.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED LOST 3/4

8:20PM

12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

MOTION

Moved Cr Tilbury / Seconded Cr Osborn

That Council, in accordance with c5.4(2) of *Local Government (Council Meetings) Local Law 2014* deal with "Item 13.1 Monthly Financial Reports" and "Item 13.2 List of Accounts Paid for the Period Ending 30 April 2018" as the matters are unable to be dealt with administratively by the local government and must be considered and dealt with by Council before the next meeting.

THE MOTION WAS NOT INTRODUCED BY A DECISION OF THE MEETING

13. MOTION / COUNCIL RESOLUTION 070518

Moved Cr Tilbury / seconded Cr Osborn

That Items 13.1 "Item 13.1 Monthly Financial Reports" and "Item 13.2 List of Accounts Paid for the Period Ending 30 April 2018" lay on the table until the Ordinary Council Meeting scheduled for 20 June 2018.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0
8:24PM

13.1 Monthly Financial Reports for the Period Ending 30 April 2018*

Report Date	16 May 2018
Applicant	Shire of Chittering
File ref	12/03/4
Prepared by	Executive Manager Corporate Services
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	1. Monthly Financial Report for period ending 30 April 2018

Executive Summary

Council is requested to receive the Monthly Financial Report (containing the Statement of Financial Activity) for the periods ending 30 April 2018.

Background

In accordance with *Local Government (Financial Management), Regulation 34(1)*, local governments are required to prepare, each month, a statement of financial activity reporting on revenue and expenditure for the month in question.

The statement of financial activity is to be presented at an Ordinary Meeting of Council within two months after the end of the month to which the statement relates.

Consultation/Communication Implications

Nil

Legislative Implications

State

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

Local

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

We have received some feedback in relation to improving the graphs contained within the new Monthly Financial Reports so they are easier to read in black and white and interpretation as to how we are tracking is slightly better. It is hoped this work will be completed for next month

Council is requested to receive the Monthly Financial Reports for the period ending 30 April 2018 as presented.

OFFICER RECOMMENDATION

That Council receives the Monthly Financial Reports for period ending 30 April 2018.

13.2 List of Accounts Paid for the period ending 30 April 2018*

Report Date	16 May 2018
Applicant	Shire of Chittering
File ref	12/03/4
Prepared by	Finance Officer - Accounts
Supervised by	Executive Manager Corporate Services
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	1. List of Accounts Paid as at 30 April 2018

Executive Summary

Council is requested to endorse payments presented in the List of Accounts Paid for the period ending 30 April 2018.

Background

Pursuant to *Local Government Act 1995 Section 6.8 (2)(b)*, where expenditure has been incurred by a local government, it is to be reported to the next ordinary meeting of Council.

Consultation/Communication Implications

Local

Executive Manager Corporate Services

State

Nil

Legislative Implications

State

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

Local

Nil

Policy Implications

Nil

Financial Implications

All expenditure has been approved via adoption of the 2017/18 Annual Budget, or resulting from a Council resolution for a budget amendment.

Strategic Implications

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

The attached "List of Accounts Paid as at April 2018" is presented to Council for endorsement.

OFFICER RECOMMENDATION

That Council endorse the following Accounts Paid:

- a. PR4211, PR4262
 - b. EFT15713 – EFT15907
 - c. Municipal Fund Cheques 14331 – 14336
 - d. Direct Debits and Transfers as listed
 - e. Trust Fund payments as listed
- totalling \$1,145,973.57 for the period ending 30 April 2018.

MOTION / COUNCIL RESOLUTION 080518

Moved Cr Ross / seconded Cr King

That Council, in accordance with c5.4(2) of *Local Government (Council Meetings) Local Law 2014* deal with "Item 13.3 Deferment of Burial Fees" as the matter is unable to be dealt with administratively by the local government and must be considered and dealt with by Council before the next meeting.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0
8:26PM

13.3 Deferment of burial fees

13.3 MOTION / COUNCIL RESOLUTION 090518

Moved Cr Angus / Seconded Cr Gibson

That Council permit the payment of the burial fees for Mr Kevin Read to be deferred until the matter can be discussed at the June Ordinary Council Meeting.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0
8:28PM

Cr Angus provided the following information

The Shire recently lost a long time resident of our local community, Mr Kevin Read. Mr Read's son (Rob) contacted me after the family unexpectedly received the news that there would be a \$2,000 burial fee payable in addition to Mr Read's quoted funeral costs. After discussion with Mr Read Jnr about Mr Kevin Read's long history of participation in our local community I would like my fellow councillors to consider waiving these burial costs for the family, as a sign of respect from our community.

Executive Manager Corporate Services provided the following comments

The Executive Manager Corporate Services returned Mr Robert Read's telephone call and advised the fee of \$2,000 was the fee set by Council for the 2017/18 financial year. Mr Read advised that he was unhappy that Mr Kevin Read was not being granted a free funeral given the service both he and his wife had given the community over the past 80 years. The Executive Manager Corporate Services explained that free funerals for residents that had lived in the community for over 10 years had been removed this year by an absolute majority decision of Council. Mr Read stated that he was appalled with the decision and thought it was disgusting that Mr Kevin Read was not being honoured. He also requested an explanation for how the fee was calculated and I advised it was based on the amount of man hours the works crew spent preparing the area for burial and that we had taken an average of all the burials over the preceding year. Mr Read was advised that an officer was unable to waive any fees however if he was to write to Council this correspondence would be taken to a meeting and request that Council give consideration to waiving the fee. Mr Read was still very upset when conversation concluded.

14. MEETING CLOSED TO THE PUBLIC

Nil

15. CLOSURE

The Presiding Member declared the meeting closed at 8:28PM.



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