

**MINUTES FOR  
ORDINARY MEETING OF COUNCIL**

**WEDNESDAY, 15 MARCH 2017**

**Council Chambers  
6177 Great Northern Highway  
Bindoon**

**Commencement: 7.03PM  
Closure: 8.09PM**



### Preface

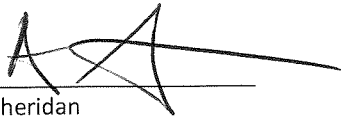
When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

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 22 March 2017.



Alan Sheridan  
**Chief Executive Officer**  
**Shire of Chittering**

### Confirmed Minutes

These minutes were confirmed at a meeting held on 19 April 2017.

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

### 2.1 Attendance

|                       |                     |  |
|-----------------------|---------------------|--|
| Councillors           | Cr Gordon Houston   | President (Presiding Member)                 |
|                       | Cr Peter Osborn     | Deputy President                             |
|                       | Cr Mary Angus       |  |
|                       | Cr Don Gibson       |  |
|                       | Cr Aaron King       |  |
|                       | Cr Michelle Rossouw |  |
|                       | Cr George Tilbury   |  |
| Staff                 | Alan Sheridan       | Chief Executive Officer                      |
|                       | Rhona Hawkins       | Executive Manager Corporate Services         |
|                       | Bronwyn Southee     | Executive Manager Development Services       |
|                       | Jim Garrett         | Executive Manager Technical Services         |
|                       | Natasha Mossman     | Executive Support Officer (Minute Secretary) |
| Members of the public | 8                   |  |
| Media                 | 0                   |  |

### 2.2 Apologies

Nil

### 2.3 Approved leave of absence

Nil

## 3. DISCLOSURE OF INTEREST

### 3.1 Cr Peter Osborn: Post Office Visitor Centre (Cr Don Gibson)

Cr Osborn declared a Financial Interest on Item 11.1 "Post Office Visitor Centre (Cr Don Gibson)" as his wife derives an income from the Chittering Tourist Association which is the subject of the Motion.

## 4. PUBLIC QUESTION TIME

### 4.1 Response to previous public questions taken on notice

#### 4.1.1 David Barnard, Lower Chittering

**Question** The display box located on Santa Gertrudis Drive in Lower Chittering; and if this box was used by Councillors Tilbury and Rossouw during the last Local Government elections [2015].

**Answer** *Councillors Tilbury and Rossouw did use the community signage cabinet for election posters in the lead up to the 2015 Council election. I am advised that, at the time, there were no community events being advertised on the Notice Board.*

*Even though the community signage cabinet was erected by the Shire, there is no formal arrangement in place regarding who approves the material which is displayed on the Board and the issue has never arisen. The Shire places community information on the Notice Board regarding community events, so does the Chittering Valley Progress and Sporting Association.*

*A State election candidate (Ms Norton) contacted Council staff in December regarding possible use of the community signage cabinet. The candidate was advised to contact the Chittering Valley Progress and Sporting Association to arrange for access to the cabinet. Our information is that the candidate has not made contact with the Association.*

*At this stage, there would seem to be sufficient space for an election poster once the current signage regarding the movie night on 25 February is removed. It should be noted, however, that community notices would need to take preference over election signage and that if other candidates made an approach to use the cabinet that similar rules would apply.*

*The candidate, or the candidate's representative, should therefore contact the Association regarding this matter, as was advised in December.*

#### 4.1.2 Clint O'Neil, Chittering

**Question 1** Does Council's use of the term 'temporary' when used in planning and development decisions now mean an approval has been granted in the first instance, as against a refusal, with the term temporary being a subjective value judgement open to different views?

**Answer 1** *A 'temporary' approval is a time limited approval, which requires operations to cease at a specified time; unless a further approval is issued by Council. There is no ambiguity in this fact. Clause 10.5.2 of the Shire's Town Planning Scheme No 6 allows extensions of time for a planning approval to be granted.*

Question 2 Does this challenge call into question other temporary approval decisions such as that made for extending a temporary approval of demountable classrooms at Lot 1 Santa Gertrudis Drive, Maryville?

Answer 2 *No, as extensions to the time frame have been ratified by Council in each instance for reasons described within the relevant Officer's report.*

## 4.2 Public question time

### 4.2.1 David Barnard, Lower Chittering

*(as supplied)*

Question 1 In order to avoid unfair decision in future, will Council direct by motion that Chittering Local Authority ensures that any person or organisation (eg. the Chittering Valley Progress and Sporting Association), seeking to place or allow signage to be placed on the road reserve complies with "Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law", Section 3.6 (b).

Response 1 *Currently the Trading in Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law prevents the erection of election signage "until the election to which it relates has been officially announced". Because more recent legislative changes which effectively fix election dates, the proposed direction by motion may still conflict with this Local Law. To this end, at its February 2017 Ordinary meeting, Council endorsed for advertising a policy approach to signage, including election signage. It is noted that the policy, and the clauses within it, are currently being advertised to the general community for comment and feedback. This is considered the most appropriate avenue for raising concerns or suggestions. As a result of this work Council will, in the future, be able to promulgate the timing and location of such signage through a policy framework.*

Question 2 Would it assist if our LA advertises the above restriction in appropriate media, immediately before major elections.

Response 2 *Candidates for the recent State Government election were all advised of the restrictions on election advertising via email on 23 December 2016. The advice provided detailed information regarding both Main Roads and Shire of Chittering requirements concerning election signage. It is intended that similar advice be provided direct to candidates in the lead up to future election events. Direct advice to candidates is considered a more efficient and cost effective approach to providing the relevant information.*

### 4.2.2 John Curtis, Bindoon

Question 1 Has the Shire any plans to become an energy provider?

Response 1 *The Presiding Member advised that no the Shire does not have any plans to become an energy provider.*

Question 2     Why has the Shire no plans?

*Response 2     The Presiding Member advised that this local authority is not in any position to provide this service, and is unlikely to do so at this stage.*

Question 3     Why does the Post Office pay no rent and are they going to receive \$20,000 of ratepayers money?

*Response 3     The Presiding Member advised that this question with regard to the \$20,000 is being tabled at tonight's meeting (Item 11.1) for Council to debate.*

Question 4     Has Council been given environmental approval for the STED scheme?

*Response 4     The Presiding Member advised that as this project is not a Council project, it is being developed wholly by the Water Corporation and they will be the organisation that will require environmental approval.*

Question 5     What happen will happen during a blackout?

*Response 5     Through the Chair, the Chief Executive Officer advised that the Water Corporation system will cater for significant power outages. The structure allows for full treatment on site, and that there are back-up storage systems in place to cater for power outages.*

## **5. PRESENTATIONS / PETITIONS / DEPUTATIONS**

### **5.1 Petitions**

Nil

### **5.2 Presentations**

Nil

### **5.3 Deputations**

Nil



## 6. APPLICATIONS FOR LEAVE OF ABSENCE

### 6.1 Cr Don Gibson

#### 6.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 010317

Moved Cr Tilbury / Seconded Cr Angus

That Cr Don Gibson is granted approved leave of absence for the period inclusive of Monday 20 March 2017 until Friday, 28 April 2017.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0  
7:17PM

## 7. CONFIRMATION OF MINUTES

### 7.1 Ordinary Meeting of Council – 15 February 2017

#### 7.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 020317

Moved Cr Osborn / Seconded Cr Rossouw

That the minutes of the Ordinary Meeting of Council held on Wednesday, 15 February 2017 be confirmed as a true and correct record of proceedings.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0  
7:17PM

## 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

### Shire of Chittering a recipient of the DFES Gold Volunteer Employer Recognition Award

The DFES Volunteer Employer Recognition Awards (VERA) acknowledge the important contribution made by employers and self-employed volunteers in the delivery of emergency services in Western Australia. Many employers allow our emergency services volunteers to take time off work to respond to incidents or attending training, enabling them to deliver essential services that help keep our communities safe.

Emergency services volunteers are assisted by their employers in many other ways, including:

- Support for and willingness to release volunteers to attend special training held during working hours
- Promotion of emergency services volunteering
- Demonstrated commitment to community-friendly values
- Provision of material support in extenuating circumstances, such as loaning of equipment or donation of goods or services

I am pleased to announce that the Shire of Chittering is a recipient of the 2016 Gold Award.

## 9. REPORTS

### 9.1 DEVELOPMENT SERVICES

#### 9.1.1 Adoption of the Bushfire Risk Management Plan\*

|                     |   |
|---------------------|---|
| Report date         | 15 March 2017   |
| Applicant           | Shire of Chittering                                     |
| File ref            | 04/18/82  |
| Prepared by         | Scott Ormsby, Bushfire Risk Planning Coordinator        |
| Supervised by       | Bronwyn Southee, Executive Manager Development Services |
| Voting requirements | Simple Majority   |
| Attachments         | 1. Bushfire Risk Management Plan                        |

#### Executive Summary

Council is requested to endorse the Shire of Chittering Bushfire Risk Management Plan.

#### Background

To address Parts 2 and 3 of the *Westplan-Fire* Report and the *Keelty Reports* Mark 1 and 2, this requires Local Governments to prepare Bushfire Risk Management Plans and recommendations, which highlight the need to understand the State's bushfire risk tenure blind. The Bushfire Risk Management Plan (BRMP) Project was established in 2012.

Since 2012 consultation has been undertaken with various stakeholders; Phase 1 of the pilot program was established with four Local Governments and also the development of the Bushfire Risk Management System.

In mid-2016 Chittering was identified as one of the 16 priority Local Governments and was incorporated into the BRMP Project and funding provided. Since then, numerous stakeholders throughout the Shire have been consulted, as well as a number of Government Agencies to identify assets and critical infrastructure and assess them against bushfire risk.

#### Consultation

Land and business owners  
Government Agencies (DFES, Parks and Wildlife)  
Service Providers (MRWA, Water Corp, Brookfield, etc.)  
Local Community Groups

#### Statutory Environment

State: *Westplan – Fire, Part 2, 2.1 and 2.11*

It is a requirement of *Westplan – Fire* that “an integrated Bush Fire Risk Management Plan (BRMP) is developed for each LG area across the State, which details the bush fire prevention and mitigation measures across all tenures”.

State: *Emergency Management Act 2005*

*State Emergency Management Policy 2.5 - Emergency Management in Local Government Districts*

### Policy Implications

State: *State Emergency Management Policy 2.5 - Emergency Management in Local Government Districts*

Local: *Strategic Community Plan 2012–2022*  
*Corporate Business Plan*  
*Local Planning Strategy*  
*Local Biodiversity Strategy*  
*Local Emergency Management Arrangements*

### Financial Implications

Nil

### Strategic Implications

The BRMP will sit within the *Local Emergency Management Arrangements* and alongside other Shire documents (*Local Biodiversity Strategy*) to assist in a holistic approach to ensure bushfire risk is identified in future planning within the Shire.

- The BRMP will help strengthen 2 key priorities within the *Strategic Community Plan 2012 – 2022*  
*Improving services to the community, through the enhancement of emergency services and the education of fire protection, and*
- *Promoting and supporting sustainable lifestyle choices, through the encouragement of better fire protection.*

### Site Inspection

As part of the preparation of this document a number of extensive site visits have been undertaken to help determine the bushfire risk to assets.

### Triple Bottom Line Assessment

#### Economic implications

This project is currently fully funded by Department Fire Emergency Services until June 2017. There are a number of treatment options identified in the BRMP which Council should prioritise to reduce risk within the Shire; however, if future project funding isn't granted then this would be a financial requirement of Councils.

#### Social implications

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

#### Environmental implications

Some mitigation options (such as prescribed burning and mulching) can have environmental implications, but thorough follow-up measures, i.e. weed management, the effects on the environment can be beneficial.

### Comment

The BRMP has been developed not only to identify the risk of bushfire to assets – tenure blind, but also to develop a variety of treatment options to reduce the risk. The BRMP will help support the *Local Emergency Management Arrangements* and the previously endorsed *Local Biodiversity Strategy*, which sets Councils position for the protection of significant vegetation within the Shire.

It is considered that this Plan is of equal, if not of more importance due to the setting of standards for asset risk which converts to human safety and measures of ensuring bushfire risk is reduced. In addition to this, the *Local Biodiversity Strategy* sets Council standards for biodiversity and conservation objectives. Through the additional conservation areas that are achieved through the Strategy, there is a responsibility that Council manages the increased bushfire risk, which the Plan assists to manage.

Therefore, it is considered that Council should adopt this document and apply its recommended treatment issues in years to come, to ensure the balance between conservation management and bushfire risk for the residents of the Shire of Chittering.

**9.1.1 OFFICER RECOMMENDATION**

Moved Cr Rossouw / Seconded Cr Gibson

That Council endorses the Bushfire Risk Management Plan for the Shire of Chittering and aligns it with the *Local Biodiversity Strategy*.

THE MOTION WAS PUT AND DECLARED LOST 0/7  
7:21PM

**9.1.1 FORESHADOWED MOTION/COUNCIL RESOLUTION 030317**

Moved Cr Rossouw / Seconded Cr Tilbury

That Item 9.1.1 "*Adoption of the Bushfire Risk Management Plan*" be laid on the table as the Office of Bushfire Risk Management has advised that it is likely that there will be some minor amendments, and the Department of Fire and Emergency Services has requested that a decision be held over until the amendments can be made.

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

**9.2 TECHNICAL SERVICES**

Nil

## 9.3 CORPORATE SERVICES

### 9.3.1 Financial statements for the period ending 28 February 2017\*

|                     |   |
|---------------------|---|
| Report Date         | 15 March 2017   |
| Applicant           | Shire of Chittering   |
| File ref            | 12/03/4   |
| Prepared by         | Rowena Coshan, Finance Assistant  |
| Supervised by       | Rhona Hawkins, Executive Manager Corporate Services   |
| Voting requirements | Simple Majority   |
| Documents tabled    | Nil   |
| Attachments         | 1. Monthly Statement of Financial Activity for period ending 28 February 2017<br>Bank Reconciliation as at 28 February 2017<br>List of Accounts Paid as at 28 February 2017 |

#### Executive Summary

Council is requested to receive the Monthly Statement of Financial Activity, Bank Reconciliation and Accounts Paid for the period ending 28 February 2017.

#### 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 (2) months after the end of the month to which the statement relates.

#### Consultation

Executive Manager Corporate Services  
Executive Manager Technical Services

#### Statutory Environment

State: *Local Government Act 1995*  
*Local Government (Financial Management) Regulations 1996*

#### 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.

### **Comment**

Council is requested to receive the Monthly Statement of Financial Activity, Bank Reconciliation and Accounts Paid as at 28 February 2017 as presented.

#### **9.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 040317**

**Moved Cr Osborn / Seconded Cr Rossouw**

**That Council:**

- 1. endorses the Accounts Paid:**
  - a. PR3879, PR3884**
  - b. EFT 13645 – EFT13755**
  - c. Municipal Fund Cheques 14207 - 14220**
  - d. Direct Debits and Transfers as listed**
  - e. Trust Fund payments as listed****Totalling \$742,274.72 for the period ending 28 February 2017.**
- 2. receives the Bank Reconciliation as at 28 February 2017.**
- 3. receives the Monthly Statement of Financial Activity for the period ending 28 February 2017.**

**THE MOTION WAS PUT AND DECLARED CARRIED 7/0**

7:26PM

### 9.3.2 Endorsement of the Bindoon Deviation Strategy\*

|                     |   |
|---------------------|---|
| Meeting date        | 15 March 2017   |
| Applicant           | Shire of Chittering   |
| File ref            | 30/04/0003; 02/08/6   |
| Prepared by         | Karen Dore, Economic Development/Communications Officer   |
| Supervised by       | Rhona Hawkins, Executive Manager Corporate Services   |
| Voting requirements | Simple Majority   |
| Documents tabled    | O1779737, O1780541, O1780540, I1780542  |
| Attachments         | 1. "Draft" Bindoon Deviation for Heavy Haulage Vehicles Strategy 2017<br>2. Schedule of Submissions |

#### Executive Summary

Council's consideration is requested to endorse the "Draft" Bindoon Deviation for Heavy Haulage Vehicles Strategy 2017.

#### Background

Council endorsed the "Draft" Bindoon Deviation for Heavy Haulage Vehicles Strategy 2016 for public comment at their Ordinary Council Meeting of 14 December 2016:

*OFFICER RECOMMENDATION / COUNCIL RESOLUTION 071216*

*Moved Cr Osborn / Seconded Cr King*

*That Council endorse the Bindoon Deviation for Heavy Haulage Vehicles Strategy 2016 for release for Public Comment.*

*THE MOTION WAS PUT AND DECLARED CARRIED 6/0*

The Draft Strategy was made available to the public for comment from 17 January 2017 through to 15 February 2017.

Its availability for comment was advertised through:

- (i) Administration Screen
- (ii) Chatter (newsletter)
- (iii) eChatter (emailed newsletter)
- (iv) Email lists
- (v) Facebook / Twitter
- (vi) Keep Me Posted (mailed newsletter)
- (vii) Post Office Noticeboard
- (viii) Reference Group
- (ix) Shire Website (Have Your Say)

#### Consultation

As well as seeking comment from the community email invitations to comment were shared with:

- (i) Benalla Rural City
- (ii) Experience Perth
- (iii) Kempsey Shire Council
- (iv) Main Roads WA
- (v) Midcoast Council (Karuah)
- (vi) Port Stephens Council (Karuah)
- (vii) Shire Staff
- (viii) Tourism WA



### Statutory Environment

Nil

### Policy Implications

Nil

### Financial Implications

Should the "Draft" Bindoon Deviation Strategy be endorsed by Council there are no direct financial implications. The costs of the proposed actions will be included within individual project budgets.

### Strategic Implications

Local: Chittering Economic Development Strategy 2015-2025

With reference to the Chittering Economic Development Strategy 2015-2025 (endorsed 23 February 2015);

(1) Strategy Four – Key Economic Precincts, refers to "*construction of a Great Northern Highway heavy traffic bypass road*". The short term actions (0 to 5 years) listed on page 23 are as follows:

- *Facilitate the formation of a network of affected local businesses;*
- *Collate research undertaken in other locations to assist with the development of a Plan;*
- *Contemplate actions should the Bypass not be constructed.*

### Site Inspection

Nil

### Triple Bottom Line Assessment

#### Economic implications

It could be reasonably expected that the preparation and activation of a strategy designed to boost Bindoon as a visitor destination would lift the profile of the area and assist with the promotion of Chittering as a place for investment.

#### Social implications

Bindoon's business community is working together on this Strategy. Collaborating and being active in the community positions them as community partners, demonstrating that they care about the place where their employees and customers live.

#### Environmental implications

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

### Comment

It is important that Council and the Chittering community are informed of, and prepared for, the Great Northern Highway deviation (if and when it occurs).

The enactment of this Strategy is an important step in addressing any negative impacts associated with the Highway deviation and positioning Chittering, in particular Bindoon, so that it can maximise the positive benefits associated with the works. We need to focus on strategies that will ensure that Bindoon continues to be a place to stop on their way to more northern destinations, as well as growing as a peri-urban day and overnight destination for visitors.

If a bypass were not to be forthcoming, this Strategy could also be utilised for the purposes of boosting Bindoon as a traveller and visitor destination. Most actions within it can be undertaken with or without the major road changes foreshadowed by Main Roads WA.

**9.3.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050317**

**Moved Cr Rossouw / Seconded Cr Gibson**

**That Council endorses the *Bindoon Deviation for Heavy Haulage Vehicles Strategy 2017*, as presented.**

**THE MOTION WAS PUT AND DECLARED CARRIED 7/0**

**7:28PM**

### 9.3.3 Chittering Economic Development Strategy: Key Strategic Direction Update\*

|                     |   |
|---------------------|---|
| Report date         | 15 March 2017   |
| Applicant           | Shire of Chittering                                     |
| File ref            | 08/02/0003  |
| Prepared by         | Karen Dore, Economic Development/Communications Officer |
| Supervised by       | Rhona Hawkins, Executive Manager Corporate Services     |
| Voting requirements | Simple Majority   |
| Documents tabled    | Nil   |
| Attachments         | 1. Key Strategic Directions Update 2017                 |

#### Executive Summary

Council's consideration is requested to endorse the attached *Key Strategic Directions Update 2017*.

#### Background

At the Ordinary Council Meeting held on 19 February 2015 Council made the following resolution:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 190215  
 Moved Cr Douglas / Seconded Cr Clarke  
 That Council endorse the *Shire of Chittering Economic Development Strategy 2015-2025* and that the document be reviewed annually.  
 THE MOTION WAS PUT AND DECLARED CARRIED 7/0

The attached *Key Strategic Directions Update 2017* is the second annual review of the document. A summary of the updates is as follows:

- Local Transport and Access Solutions
  - *Weekly courtesy bus introduced*
- Main Street Revitalisation – Hub Creation
  - *Binda Place essentially complete*
- Telecommunications
  - *Three NBN towers are to be installed in the Shire of Chittering*
- Business Incubator
  - *Further investigation to be undertaken*
- Regional Community Sports and Recreational Facility
  - *Feasibility Study complete*
- Facilitate promotional activities to support local businesses
  - *Local business listing launched, and upgrade being researched*
  - *Shop local campaign continues*
  - *Signage audit awaits the finalisation of new policies*
- Support local business networks
  - *Continued membership and interaction*
- Highlight the benefits of living in the Shire through area promotion
  - *Continues*
- Create and support festivals / encourage new markets / support local stalls and produce / Visitor Centre promotion
  - *Annual festival continues (Taste of Chittering) along with general area promotion and support for the Visitor Centre (both cash and in-kind)*
- Development of a local Tourism and Events Plan
  - *Chittering Visitor Centre Strategic Plan complete*

- Promote our local environment with places to visit, whilst protecting the environment
  - *Chittering Trails Network Master Plan continues to be enacted*
- Construction of a Great Northern Highway heavy traffic bypass road
  - *Reference group facilitated and draft Strategy complete*
- Continued support of the Muchea Employment Node
  - *Continues, with funding be sought to assist with this support and coordination*
- Regional Collaboration
  - *Continues*

### **Consultation**

Chief Executive Officer  
Executive Manager Corporate Services  
Executive Manager Development Services  
Executive Manager Technical Services

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

The endorsement of the *Key Strategic Directions Update 2017* has no direct financial implications. The proposed actions identified within the Strategy do attract expenditure, which will be considered as necessary in forthcoming budgets.

### **Strategic Implications**

Local: *Chittering Strategic Community Plan 2012-2022*

With reference to page 17 of the *Chittering Strategic Community Plan 2012-2022*, under the heading “*Economic: Prosperity for the Future*”, it is stated that to “*develop a Local Economic Development Strategy*” is a key short term priority.

### **Site Inspection**

Nil

### **Triple Bottom Line Assessment**

#### *Economic implications*

The purpose of the Strategy is to provide a ten-year plan that outlines broad actions aimed at creating partnerships between the community, business and industry, Council and Governments in order to promote and enhance growth and development within the Shire / region. The *Key Strategic Directions Update 2017* is a measure of these broad actions.

#### *Social implications*

This document safeguards Council adhering to key outcomes, which in turn ensures that community expectations are met.

#### *Environmental implications*

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

#### Comment

Should Council endorse the *Key Strategic Directions Update 2017*, as presented, it is proposed that it form an addendum to the original *Shire of Chittering Economic Development Strategy 2015-2025* document. The next review date will be set as February 2018.

#### 9.3.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 060317

Moved Cr Rossouw / Seconded Cr Gibson

That Council:

1. endorses the *Shire of Chittering Economic Development Strategy 2015-2025 – Key Strategic Directions Update 2017*.
2. authorises the addition of the document to the original *Shire of Chittering Economic Development Strategy 2015-2025* in the form of an addendum.
3. requests a further review be undertaken in February 2018.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0

7:29PM

Cr Rossouw expressed Council's appreciation to the Shire's Economic Development/Communications Officer for the work involved with the Update.

#### 9.3.4 Muchea Community Hall Pavilion Project\*

|                     |   |
|---------------------|---|
| Report date         | 15 March 2017   |
| Applicant           | Shire of Chittering   |
| File ref            | 02/08/4   |
| Prepared by         | Lisa Kay, Community and Club Development Officer  |
| Supervised by       | Rhona Hawkins, Executive Manager Corporate Services   |
| Voting requirements | <b>Absolute Majority</b>  |
| Documents tabled    | Nil   |
| Attachments         | <ol style="list-style-type: none"><li>1. Muchea Senior Cricket Club's letter of support for funding from the Building Better Regions Fund (dated 20 February 2017)</li><li>2. Chittering Junior Football Club's letter of evidence of contribution (dated 22 February 2017)</li><li>3. Chittering Junior Football Club's letter of support for funding from the Building Better Regions Fund (dated 20 February 2017)</li></ol> |

#### Executive Summary

Council is requested to endorse the construction of a pavilion to the eastern side of the Muchea Hall. The project costs of \$60,500 are to be funded in the 2017/2018 budget from the Public Buildings and Amenities Reserve.

This project has been identified in the *Shire of Chittering Sports and Recreation Plan 2016/2017* however remains outstanding as grant funding was unavailable.

#### Background

Muchea Hall Pavilion was earmarked for construction as part of the *Shire of Chittering Sport and Recreation Plan 2016/2017* for a total value of \$80,000. This comprised:

1. \$30,000 municipal funds;
2. \$40,000 grant funding; and
3. \$10,000 club contributions:
  - o as at February 2017 the:
    - Chittering Junior Football Club has allocated \$3,000 (cash and \$1,600 in-kind volunteer labour); and
    - Muchea Senior Cricket Club has allocated \$3,000 to the project.

Quotes for the construction of the Muchea Hall Pavilion (obtained in March 2016) were sourced from:

- |     |                         |                       |
|-----|-------------------------|-----------------------|
| (1) | Zinclad Pty Ltd         | \$48,400.00 (inc GST) |
| (2) | DSY Engineering Pty Ltd | \$54,043.00 (inc GST) |
| (3) | All-Ways                | \$49,782.70 (inc GST) |

Grant funding for this Project has been problematic as outlined below with no funding secured to date. Grants have been applied for as below:

- A Community Sporting and Recreation Facility (CSRFF) Small Grant application was submitted to the Department of Sport and Recreation in 2013/2014, however this grant application was unsuccessful with the Department deeming the Project a low priority. Since this time the Community and Club Development Officer (CCDO) has sought other grant avenues to no avail.

- A discussion with Lotterywest regarding the possibility of a Community and Workplace Buildings Grant highlighted that the Project would meet the needs of a predominantly sports focused facility with little demonstrated community use. Lotterywest require a strong public benevolent aspect to their funded projects.
- In August 2016 the CCDO was advised that the Project would be considered a low priority for the Wheatbelt Development Commission–Community Chest Funding as the Project could not demonstrate regional benefit and economic benefit to the Shire.
- Discussions held with Regional Development Australia-Wheatbelt in February 2017 regarding funding under the Building Better Regions Fund-Infrastructure Projects Stream highlighted that the Project did not adequately meet the funding criterion of demonstrating economic benefit to the region during and beyond the construction phase.

The Muchea Hall is the only existing community building within the town site of Muchea. The Shire of Chittering manages the Hall in consultation with the Muchea Hall User Group. Much of the improvements to the Hall have come about through the passion and resources of the local community to meet identified community needs. One such need (which has not yet been achieved) is the ability to provide all weather outside protection to clubs, local community members and those visiting the Hall when attending club games, community events and at times when the Hall is utilised as an Evacuation Centre.

The Muchea Hall User Group were involved in the process of building new clubrooms on the eastern side of the Hall in 2012; moving the existing sporting club use of the facility to the clubrooms, change-rooms and oval, leaving the Main Hall available for broader community use.

At the time of construction, poor design of certain sections was overlooked particularly in relation to the egress point to the oval. This door enters the club rooms onto a tiled area, that is part of the licensing requirements to the bar area and; when it is raining the tiled area becomes extremely slippery as the door has no protection from the elements. This poses a safety hazard to club members and visitors to the Hall.

Additionally, the existing ground surfaces to the eastern side of the Hall are uneven and mismatched, with poor accessibility for people with disability, their families and carers as well as parents with prams. The proposed pavilion and paving solution would address this issue allowing accessibility to the eastern side of the hall clubrooms, canteen and sheltered seating for spectators of sports and events.

This Project will deliver benefits well beyond the construction phase with an improved community facility that can be utilised and enjoyed by patrons throughout the year, with effective all year weather protection. The clubs in existence at the Hall are increasing in membership numbers each year and with the expected population increases for the southern end of the Shire, the need for adequate and well equipped facilities is seen as a priority for the Shire.

### **Consultation**

Discussions have occurred with the Muchea Hall User Group since the 2013/2014 financial year with the Pavilion considered a priority item for the Muchea Hall User Group.

Letters of support from the Muchea Hall User Group have been requested as part of funding application processes for the abovementioned funding options. A letter of support has been obtained in support of the construction of the pavilion from the Chittering Junior Football Club.

### Statutory Environment

Nil

### Policy Implications

Nil

### Financial Implications

The proposed Project, based on quotes obtained in 2016 and allowing a 10% contingency for cost increases and project variances, is estimated to cost \$60,500.

The allocation of municipal funds in the 2016/2017 year was \$30,000 requiring an additional \$35,000 to meet the Project costs without grant funding. These costs will need to be funded from the Public Buildings and Amenities Reserve.

### Strategic Implications

Local: Community Strategic Plan 2012-2022

The construction of a Pavilion to the Muchea Hall will enable the Shire to continue its alignment to our Strategic Community Plan objectives:

- *Social: Building a Sense of Community – Improved services to community, strengthened social connections and active communities.*
- *Built Environment: Infrastructure for Future Lifestyle Choices.*
- *Governance: Strong Leadership.*

State: Wheatbelt Regional Investment Blueprint

The proposed Muchea Hall Pavilion also aligns with the aspirations and targets of the *Wheatbelt Regional Investment Blueprint*, particularly with regard to “*Liveable Communities - Diverse, safe, healthy and resilient communities where services and infrastructure reflect the needs and aspirations of residents*”.

### Site Inspection

Nil

### Triple Bottom Line Assessment

#### Economic implications

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

#### Social implications

Improvements to the Hall will increase its aesthetic appeal to the community and serve to validate the work and involvement of those volunteer groups and sporting clubs who currently utilise the facility. The proposed improvements will also enable the facility to be utilised across the calendar year improving the capacity for the Shire to promote the facility for community hire such as parties, weddings and other community events and; visiting Government and Not-for-Profit services.

The Shire of Chittering Community Infrastructure Plan (Draft) identifies that despite the fact that the facility has a high utilisation rate with 300-400 children and their families using the oval and Hall each week, for training on weeknights and at the weekend for games, there is relatively infrequent use of the facility for private and community use at the moment due to the poor layout with no integration between inside and outside areas. Private functions and community events would benefit immensely with the addition of the proposed pavilion to the eastern side of the facility which would provide all weather protection to facility users and provide improved physical appearance and appeal to the facility.



Environmental implications

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

**Comment**

The Muchea Community Hall Pavilion Project will build on previous improvements conducted at the Muchea Community Hall aiming to meet the existing needs of the Muchea Hall User Group and the general community, particularly as the facility is the only community building within the Muchea townsite and surrounding area.

Completion of the project will also assist the Shire to partially meet the needs of increased population demands over the next ten years as a result of two significant State Government Projects occurring in the Shire; namely the Northlink - Ellenbrook to Muchea and the Muchea Employment Node (MEN).

**9.3.4 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 070317**

**Moved Cr Rossouw / Seconded Cr Gibson**

**That Council:**

- 1. endorses the construction of a pavilion to the eastern side of the Muchea Hall at a cost of \$60,500.**
- 2. authorises the transfer of funds (\$60,500) from the Shire of Chittering's Public Buildings and Amenities Reserve.**

**THE MOTION WAS PUT AND DECLARED CARRIED 7/0  
BY AN ABSOLUTE MAJORITY**

7:29PM

## 9.4 CHIEF EXECUTIVE OFFICER

### 9.4.1 Local Government Ordinary Elections 2017

|                     |  |
|---------------------|--|
| Report date         | 15 March 2017                              |
| Applicant           | Shire of Chittering                        |
| File ref            | 13/06/0001                                 |
| Prepared by         | Natasha Mossman, Executive Support Officer |
| Supervised by       | Alan Sheridan, Chief Executive Officer     |
| Voting requirements | <b>Absolute Majority</b>                   |
| Documents tabled    | Nil  |
| Attachments         | Nil  |

#### Executive Summary

Council is requested to endorse the Electoral Commissioner to be responsible for the conduct of the 2017 Local Government Ordinary Election and that the method of the election be as a postal election.

#### Background

The next local government ordinary elections are being held on Saturday, 21 October 2017. The Western Australian Electoral Commission has written to the Shire (ref I1678629) advising that the Commission is again available to assume responsibility for these elections, should the Shire of Chittering wish to retain the postal voting method.

Postal elections have been available to Western Australian Local Government since 1995, and in a short period have become the preferred way that elections are conducted by country Councils.

#### Consultation

Nil

#### Statutory Environment

State: Local Government Act 1995

##### 4.19 *The returning officer*

*The principal electoral office of a local government is that of returning officer.*

##### 4.20 *CEO to be returning officer unless other arrangements are made:*

- *Subject to this section the CEO is the returning officer of a local government for each election.*
  - *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint\* a person other than the CEO to be the returning officer of the local government for—*
    - (a) an election; or*
    - (b) all elections held while the appointment of the person subsists*

*\*Absolute majority required*
- (3) An appointment under subsection (2) –*
- (a) is to specify the term of the person's appointment; and*
  - (b) has no effect if it is made after the 80th day before an election day.*

- (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare\* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time and if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government election or elections.*

*\*Absolute majority required*

- (5) *A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (6) *A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.*

*[Section 4.20 amended by No 64 of 1998 s.19(1); No 49 of 2004 s.16(4) and 32(1)-(4).]*

#### **4.61 Choice of methods conducting the election**

- (1) *The election can be conducted as a—*  
*“postal election” which is an election at which the method of casting votes is by posting or delivering them to an electoral officers on or before election day; or*  
*“voting in person” which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.*

- (2) *The local government may decide\* to conduct the election as a postal election.*

*\*Absolute majority required*

- (3) *A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (4) *A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such declaration.*
- (5) *A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.*
- (6) *For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.*
- (7) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

*[Section 4.61 amended by No 64 of 1998 s.25; No 49 of 2004 s.16(4) and 32(5).]*

#### **Policy Implications**

Nil

### Financial Implications

The estimated cost provided by the Electoral Commission for them to conduct the postal election is \$27,000.00 (excluding GST), which has been based on the following assumptions:

- 4,000 electors
- response rate of approximately 40%
- three vacancies;
- count to be conducted at the offices of the Shire of Chittering
- appointment of a local Returning Officer; and
- regular Australia Post delivery service to apply.

This cost estimate includes a proposed increase in the postage rate by Australia Post effective from 4 January 2017. An additional amount of \$930 will be incurred if Council decides to opt for the Australia Post Priority Service for the lodgement of election packages. Recent experiences with Australia Post indicate that Councils should seriously consider using the 'regular mail delivery service' for the lodgement of the election packages. The additional cost of priority mail does not significantly speed up the delivery of the election packages.

Costs not incorporated in this estimate include:

- non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising).
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns.
- one local government staff member to work in the polling place on election day.

These costs will be included in the 2017/2018 Annual Budget.

### 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.

### Comment

There are two methods for conducting local government elections, this being postal voting or voting in person. The *Local Government Act 1995* stipulates that postal elections must only be conducted by the Western Australian Electoral Commission.

There are two significant benefits for the elections to be conducted as a postal election:

1. It increases the voter turnout.
2. It removes Shire of Chittering staff from the process (the Returning Officer is appointed by the Commission) therefore creating independence and impartiality. Having an external person appointed by the Electoral Commission as the Returning Officer creates separation and provides independence to the process.

Other benefits that have been quoted for postal elections are:

- It is easier for electors to vote.
- It assists new candidates as all electors get the profile of all candidates.
- There is a perception that the playing field is more level for sitting Councillors versus nominated candidates and that the success of being elected is not correlated to previous experience.

**9.4.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080317**

**Moved Cr Tilbury / Seconded Cr Gibson**

**That Council:**

1. declares, in accordance with Section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2017 Ordinary Elections together with any other elections or polls which may also be required.
2. decides, in accordance with Section 4.61(2) of the *Local Government Act 1995* that the method of conducting the 2017 Ordinary Election will be as a postal election.

**THE MOTION WAS PUT AND DECLARED CARRIED 7/0  
BY AN ABSOLUTE MAJORITY**

7:32PM

#### 9.4.2 Policy Register Amendment: Policy 6.1 Australia Day Awards\*

|                     |  |
|---------------------|--|
| Report date         | 15 March 2017  |
| Applicant           | Shire of Chittering  |
| File ref            | 04/03/1  |
| Prepared by         | Natasha Mossman, Executive Support Officer   |
| Supervised by       | Alan Sheridan, Chief Executive Officer   |
| Voting requirements | Simple Majority  |
| Documents tabled    | Nil  |
| Attachments         | 1. Draft amended Policy 6.1 Australia Day Awards<br>2. Current Policy 6.1 Australia Day Awards |

#### Executive Summary

Council is requested to endorse the amended *Policy 6.1 Australia Day Awards* and update the *Council Committees and Advisory Groups* publication accordingly.

#### Background

In 2016 the Australia Day Council of Western Australia re-branded the Premier's Australia Day Active Citizenship Awards to 'Citizenship Awards'. The 'Citizenship Awards' are now awarded in the following four categories:

- (i) Citizen of the Year
- (ii) Citizen of the Year – Senior (over 65 years of age)
- (iii) Citizen of the Year – Youth (under 25 years of age)
- (iv) Active Citizenship Award (to recognise a community group or event)

The "Scope" of the Policy has also been amended by:

- Awards may be granted posthumously in recognition of recent achievements.
- A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative.

With these changes the Shire's current *Policy 6.1 Australia Day Awards* is required to be updated to reflect the new categories for future years.

The Policy has also been updated by removing the Chittering Australia Day Advisory Group as the selection panel. In the past three years the Group has struggled to get community representation from three areas/organisations and have only just reached a quorum for each meeting.

By having a selection panel the Shire is able to seek interest from all members of the community and from Council during December to review the nominations received. Panel members will be reminded of the confidentiality of the decision, and the procedures that applied to the Chittering Australia Day Advisory Group will also apply to the selection panel.

#### Consultation

Chief Executive Officer  
Executive Manager Corporate Services  
Executive Manager Development Services  
Executive Manager Technical Services

### Statutory Environment

Nil

### Policy Implications

Local: 6.1 Australia Day Awards

### 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.

### Comment

Council is requested to amend *Policy 6.1 Australia Day Awards* and remove the Chittering Australia Day Advisory Group from the *Council Committees and Advisory Group* booklet.

#### 6.4.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 090317

Moved Cr Gibson / Seconded Cr Rossouw

That Council:

1. endorses the amended *Policy 6.1 Australia Day Awards*.
2. removes the 'Chittering Australia Day Advisory Group' from the *Council Committees and Advisory Group* booklet.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0

7:32PM

#### 9.4.3 Policy Register Amendment: Policy 1.2 Use of Civic Centre – Council Chambers\*

|                     |   |
|---------------------|---|
| Report date         | 15 March 2017   |
| Applicant           | Shire of Chittering   |
| File ref            | 04/03/1   |
| Prepared by         | Natasha Mossman, Executive Support Officer  |
| Supervised by       | Alan Sheridan, Chief Executive Officer  |
| Voting requirements | Simple Majority   |
| Documents tabled    | Nil   |
| Attachments         | 1. Draft amended Policy 1.2 Use of the Council Chambers<br>2. Current Policy 1.2 Use of Civic Centre – Council Chambers |

#### Executive Summary

Council is requested to endorse the amended *Policy 1.2 Use of the Council Chambers*.

#### Background

The current Council *Policy 1.2 Use of Civic Centre – Council Chambers* allows for the use of Council Chambers for local community groups.

The Shire is starting to receive more requests from external organisations wishing to use the Council Chambers for meetings. Adopting a more detailed policy will ensure that Council is still able to promote the Shire within the community by regulating the use of the Council Chambers to ensure that the usage reflects the best interests of the Council and the community.

#### Consultation

Executive Manager Corporate Services  
Economic Development/Communications Officer  
Club and Community Development Officer

#### Statutory Environment

Nil

#### Policy Implications

Local: *1.2 Use of Civic Centre – Council Chambers*

#### Financial Implications

There is no fee or charge in the 2016/17 Annual Budget. It is suggested that Council review this practice in the 2017/18 Annual Budget deliberations.

#### 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.

**Comment**

Council is requested to adopt the amended *Policy 1.2 Use of the Council Chambers*.

During the 2017/18 budget deliberations Council will be required to set a fee for hire charges.

Below is a table of charges set by other regional local governments for Council's perusal.

TABLE 1: Council Chambers hire charges 2016/17

| Description                 | Town of Narrogin | Shire of Augusta-Margaret River | Shire of Gingin |
|-----------------------------|------------------|---------------------------------|-----------------|
| Digital projector per day   | \$35.00          | -                               | \$34.00         |
| Council Chambers – full day | \$390.00         | \$165.00 <sup>1</sup>           | \$105.00        |
| Council Chambers – per hour | \$50.00          | -                               | \$28.00         |

**9.4.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 100317**

Moved Cr Rossouw / Seconded Cr Gibson

That Council endorses the amended *Policy 1.2 Use of the Council Chambers*.

**THE MOTION WAS PUT AND DECLARED CARRIED 7/0**

7:33PM

<sup>1</sup> Half a day or 4hr charge

#### 9.4.4 Funding of Additional Project Costs: Binda Place Project

|                            |   |
|----------------------------|---|
| <b>Report date</b>         | 15 March 2017                                     |
| <b>Applicant</b>           | Shire of Chittering                               |
| <b>File ref</b>            | 04/19/25  |
| <b>Prepared by</b>         | Jim Garrett, Executive Manager Technical Services |
| <b>Supervised by</b>       | Alan Sheridan, Chief Executive Officer            |
| <b>Voting requirements</b> | Simple Majority                                   |
| <b>Documents tabled</b>    | Nil   |
| <b>Attachments</b>         | Nil   |

#### Executive Summary

Council is requested to approve an amendment to the Binda Place project budget to provide for funds associated with the completion of the project. The project has required the removal and replacement of unsuitable subgrade material (low strength clay) associated with the Highway bypass/slip lanes and the carpark adjacent to the BP Service Centre. These matters could not have been anticipated prior to the award of a contract. The funds for this additional work will come from the Roads to Recovery Program and will have no impact on the Council Budget.

#### Background

At the November Ordinary Meeting of Council, Council resolved to increase the Binda Place Project Budget by \$109,735 to cover the cost of service relocations associated with the project. At that time, the additional work/cost associated with subgrade replacement on the Highway bypass/slip lanes and the area adjacent to the BP Service Centre was unknown. The rectification of these two areas has resulted in a \$70,000 contract variation.

As part of the 2016/17 Budget, Council approved a total budget of \$1,927,650 for the Binda Place project comprising of:

|       |                          |             |
|-------|--------------------------|-------------|
| (i)   | Construction Tender      | \$1,564,091 |
| (ii)  | Construction Contingency | \$156,409   |
| (iii) | Signage                  | \$46,000    |
| (iv)  | Project Management       | \$16,150    |
| (v)   | Slip Lane Works          | \$145,000   |

The revised budget of \$2,137,385 will now comprise:

|       |   |             |
|-------|---|-------------|
| (i)   | Original Approved Budget                | \$1,927,650 |
| (ii)  | Service Relocations (November OCM)      | \$109,735   |
| (iii) | Additional Roads to Recovery Allocation | \$100,000   |

Variations which have arisen during the course of the Binda Place Project are summarised as follows:

|       |   |                   |
|-------|---|-------------------|
| (a)   | <u>Service Relocations</u>                        |                   |
| (i)   | Western Power (Streetlights)                      | -\$26,000         |
| (ii)  | Telstra Service Relocations (Pits in Binda Place) | -\$15,000         |
| (iii) | Telstra Service Relocation (Slip Lane)            | -\$55,000         |
| (iv)  | Meter Box Relocation (Chemist)                    | -\$4,000          |
| (v)   | Telstra Public Phone – Nil (at this stage)        | -\$0              |
|       | <b>Sub-Total</b>                                  | <b>-\$100,000</b> |

|                                     |  |                   |
|-------------------------------------|--|-------------------|
| (b) <u>Contractor Variations</u>    |  |                   |
| (i)                                 | Subgrade / base-course replacement (near Bakehaus)               | -\$31,000         |
| (ii)                                | Subgrade replacement (opposite IGA)                              | -\$16,000         |
| (iii)                               | Replace Gully Lids   | -\$16,000         |
| (iv)                                | Speed Cushions in lieu of Bumps                                  | -\$15,000         |
| (v)                                 | Guardrail Modifications  | -\$11,000         |
| (vi)                                | Reticulation Conduits  | -\$8,000          |
| (vii)                               | Road widening  | -\$6,000          |
| (viii)                              | Face Bricks  | -\$4,000          |
| (ix)                                | Other variations   | -\$16,000         |
|                                     | <b>Sub-Total</b>   | <b>-\$123,000</b> |
| (c) <u>Additional Project Costs</u> |  |                   |
| (i)                                 | Council costs  |                   |
| a.                                  | Supply of gravel & reticulation works                            | -\$40,000         |
| (ii)                                | Contractor Costs   |                   |
| a.                                  | Subgrade replacement / adjacent to BP and western slip lane      | -\$40,000         |
| b.                                  | Subgrade replacement and sub-soil drainage and eastern slip lane | -\$30,000         |
|                                     | <b>Sub-Total</b>   | <b>-\$110,000</b> |
|                                     | <b>Total</b>   | <b>-\$333,000</b> |

Some additional funds will also be necessary for minor works such as crossovers to some of the local businesses and the maintenance of landscaping. This has been factored into the revised budget.

All of the variations have been unavoidable and while some could possibly have been identified through a more thorough review of the final design documentation, most of them would not. The contractor has been reasonable in dealing with these matters.

#### Consultation

Consultation with local business operators and property owners has been ongoing since the commencement of the project. Formal Project Management arrangements have ensured that all claims have been fully assessed and verified prior to payment.

#### Statutory Environment

Nil

#### Policy Implications

Nil

#### Financial Implications

Staff have been in contact with the Federal Office which administers the Roads to Recovery Program. Additional funds have been allocated to the project from that Program. There will be no impact on the current budget.

### Strategic Implications

Local: Strategic Community Plan 2012-2022

Access: Local Transport and Access Solutions. Outcome – Safe Access

Economic: Prosperity for the Future. Outcome – Economic Growth

### Site Inspection

Site inspections are ongoing.

### Triple Bottom Line Assessment

#### Economic implications

There are no economic implications associated with this proposal. Funds are available within the Roads to Recovery Program to cover the allocation of additional funds.

#### 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

Council is requested to approve an amendment to the Binda Place Project budget to provide for funds associated with the completion of the Project.

The Project has required the removal and replacement of unsuitable subgrade material (low strength clay) associated with the Highway bypass/slip lanes and the carpark adjacent to the BP Service Centre. These matters could not have been anticipated prior to the award of a contract.

The funds for this additional work will come from the Roads to Recovery Program and will have no impact on the Council Budget.

#### **9.4.4 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 110317**

**Moved Cr Gibson / Seconded Cr Osborn**

**That Council:**

- 1. approves an amended Project Budget for the Binda Place Project of \$2,137,385.**
- 2. notes that the additional funds are from the Roads to Recovery Program and that this will not impact on Council's Budget.**
- 3. authorises the Chief Executive Officer to assess and approve variations which arise for the remainder of the project, provided that the overall project budget does not exceed the revised budget amount of \$2,137,385.**

**THE MOTION WAS PUT AND DECLARED CARRIED 7/0**

7:33PM

## 10. REPORTS OF COMMITTEES

Nil

## 11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Council accepted Cr Osborn's extent of Declaration of Interest and allowed Cr Osborn to remain in Chambers but to abstain from discussion and voting on Item 11.1 "Post Office Visitor Centre (Cr Don Gibson)".

### 11.1 Post Office Visitor Centre(Cr Don Gibson)

#### 11.1 NEW MOTION/COUNCIL RESOLUTION 120317

Moved Cr Gibson / Seconded Cr King

That Council reviews the \$20,000 payment to the Post Office Visitor Centre, in light of the advice from the Australia Post Chief Executive Officer, that he has increased the Commission payments to ensure that Post Office agencies are viable businesses.

THE MOTION WAS PUT AND DECLARED LOST 3/4  
WITH THE CASTING VOTE OF THE SHIRE PRESIDENT

7:41PM

#### Cr Gibson provided the following comment

*In Bindoon, the Post Office, a viable business, competing with local traders selling similar goods, is trading in a rent free public building, with free maintenance provided by the public, and subsidised \$20,000 from public funds to dispense tourist information, which is done free of cost by Community groups. The Shire employs staff engaged in tourism promotion, and there is no case for duplicating the service over the road at ratepayer expense, when the \$20,000 can be used towards reducing the rate burden on residents. Local businesses at least expect a fair go in relating to paying their own way in regard to rent and maintenance, and feel the Post Office is receiving preferential treatment at ratepayers expense.*

#### Chief Executive Officer provided the following comment

Councillors will recall a very detailed investigation and presentation to Council in September 2016 regarding the operation of the Chittering Tourist Association (CTA). A copy of that report is attached for reference purposes. As the report highlights, the CTA continues to provide a valuable service to the community.

Key outcomes from the investigation were as follows:

- (i) The Association operates in accordance with not-for-profit rules.
- (ii) They are reporting on Key Performance Indicators, which continue to be reviewed.
- (iii) Activities of the part-time Tourism Officer are reported in the Councillor Information Bulletin.
- (iv) The Association's books of account are provided to Council annually for review.
- (v) Visitor numbers at the centre continue to increase.
- (vi) The Direct cost to Council is around \$67,000 per annum, compared to an adjoining Shire at more than \$160,000 per annum.
- (vii) The Association has a Strategic Plan in place and is actively working on its implementation.

- (viii) The organisation continues to provide a valuable and cost effective service to the community.

In regard to specific tourist activities the CTA is engaged in:

1. Running the Annual Wildflower Festival.
2. Actively supporting other Council Events (e.g. Taste of Chittering).
3. Active involvement in the Chittering Community Planning Advisory Group.
4. Running of the Chittering Tourist Information Centre (with the assistance of volunteers).
5. Active collaboration with neighbouring visitor centres, regional tourism groupings and local tourist operators.

Many of these activities would not be possible without a part-time Tourism Officer. There is no duplication of effort as has been suggested. Council would be unable to resource these activities should the CTA decide they could no longer manage them. Council has one Officer looking after the economic development and tourism functions of Council. In reality that is a very small resource and we are fortunate that we have a very dedicated and committed Officer working in that role. The individual puts in many hours of unpaid overtime, is Chair of Avon Valley Regional Tourism and is actively engaged with the local Chamber of Commerce and with local businesses. There is no spare capacity for any additional workload.

With regard to the suggestion that the CTA is competing with local businesses, the Tourism Information Centre is only selling a limited range of merchandise including a number of distinct product lines. It is common for Tourism Information Centres to sell local produce and arts and craft items as a means of promoting a region and recovering some of the running costs. The relatively modest revenue stream which is generated from the sale of merchandise is used to assist the Association in the delivery of tourism services. Suggestions that the Tourism Information Centre is competing unfairly with local businesses are largely subjective and are difficult to justify.

The President of the Chittering Tourist Association has advised that increased commission payments to local Post Offices have had only a marginal impact on the viability of the centre. However, this can be easily verified during the annual review of the Association's books.

**11.1 FORESHADOWED MOTION/COUNCIL RESOLUTION 130317**

**Moved Cr Rossouw / Seconded Cr Tilbury**

**That Council expresses its continued support for the Chittering Tourist Association and given the importance of tourism in our Shire, Council should take a long term view during the budgetary process to provide them with certainty.**

**THE MOTION WAS PUT AND DECLARED CARRIED 5/1**

**7:58PM**

## 11.2 Council owned commercial vehicles (Cr Don Gibson)

### 11.2 NEW MOTION

Moved Cr Gibson / Seconded Cr King

That Council require all Council owned commercial vehicles and tools be secured in the depot yard after working hours.

THE MOTION WAS PUT AND DECLARED LOST 1/6  
8:05PM

#### Cr Gibson provided the following comment

*The recent claim for stolen tools highlights the avoidable risk of taking Shire commercial vehicles and tools to the metropolitan area, where the risk of robbery is much greater, and targeting of tools is more common. Common sense tells us that crime is more prevalent in the suburbs and we should not risk incurring additional costs to ratepayers by allowing Shire commercial vehicles and tools to be parked in suburbs of Perth.*

#### Chief Executive Officer provided the following comment

It would be impractical and far less efficient if we were to not allow key Officers to take commercial vehicles home (e.g. Works Manager, Building Maintenance Supervisor, Parks and Gardens Supervisor, Rangers). For reasons of efficiency and effectiveness, this is a common and accepted practice in both the private sector and in Government owned corporations.

One \$500 insurance claim for stolen tools does not justify such a response. The tools were stolen from a locked and fixed tool box. New, heavy duty locks have been fitted to the toolboxes to avoid a recurrence.

In reality we are talking about a handful of vehicles which are absolutely essential for after-hours call-out and response and for the efficient delivery of services to the community. These are summarised as follows:

- (a) The Works Manager and Parks and Gardens Supervisor attend call-outs to deal with storm damage and road maintenance issues. Having a vehicle (Parks and Gardens Supervisor) with the right equipment such as signage, shovels and chain saws at the southern end of the Shire reduces our response time to call outs. It should be also noted on occasions that the staff member picks up and drops of goods and materials in his own time.
- (b) The Building Maintenance Supervisor attends call-outs for urgent building maintenance and picks-up goods and materials from suppliers (usually in his own time).
- (c) The Rangers attend after hours and weekend call-outs and need immediate access to their work vehicles.

In addition, most of the vehicles (excluding the Ranger vehicles) are provided to individuals as part of their employment conditions under either commuter use or restricted private use arrangements. However, it is more important that the vehicles be readily available to attend call-outs and to more efficiently and effectively provide services to the community.

## 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

#### 13. NEW MOTION/COUNCIL RESOLUTION 140317

Moved Cr Tilbury / Seconded Cr Rossouw

That Council considers items of urgent business with regard to the Local Government Compliance Audit Return 2016.

THE MOTION WAS PUT AND DECLARED CARRIED 7/0  
8:07PM

#### 13.1 Local Government Compliance Audit Return\*

|                     |   |
|---------------------|---|
| Report date         | 15 March 2017                                       |
| Applicant           | Shire of Chittering                                 |
| File ref            | 04/02/0002  |
| Prepared by         | Natasha Mossman, Executive Support Officer          |
| Supervised by       | Rhona Hawkins, Executive Manager Corporate Services |
| Voting requirements | Simple Majority                                     |
| Documents tabled    | Nil   |
| Attachments         | 1. 2016 Compliance Audit Return                     |

#### Executive Summary

Council is requested to adopt the completed Compliance Audit Return that was presented to the Audit Committee meeting on 15 March 2017.

#### Background

A meeting of the Audit Committee was held on 15 March 2017, where there was one formal recommendation to Council as follows:

*That the Audit Committee reviews the Local Government Compliance Audit Return for the period 1 January 2016 to 31 December 2016 and presents to Council for adoption.*

#### Consultation

Shire of Chittering Audit Committee  
Executive Manager Corporate Services

#### Statutory Environment

State: *Local Government (Audit) Regulations 1996*

#### 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.

## Comment

The CAR for the 2016 calendar year was completed by the Executive Support Officer.

The 2016 CAR continues in the reduced format introduced in 2011, with the areas of compliance restricted to those considered high risk.

The areas of compliance for 2016 were:

|  |                                   |
|--|-----------------------------------|
| Commercial Enterprise by Local Governments | No noted areas of non-compliance. |
| Delegation of Power/Duty                   | No noted areas of non-compliance. |
| Disclosure of Interest                     | No noted areas of non-compliance. |
| Disposal of Property                       | No noted areas of non-compliance. |
| Elections                                  | No noted areas of non-compliance. |
| Finance                                    | No noted areas of non-compliance. |
| Local Government Employees                 | No noted areas of non-compliance. |
| Official Conduct                           | No noted areas of non-compliance. |
| Tendering for Providing Goods and Services | No noted areas of non-compliance. |

The Compliance Audit Return is required to be adopted by Council and submitted to the Department of Local Government and Communities by 31 March 2017.

The unconfirmed minutes from the Audit Committee meeting will be presented to at the April Ordinary Meeting of Council.

### **13.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 150317**

**Moved Cr Tilbury / Seconded Cr Rossouw**

**That Council:**

1. endorses the Local Government Compliance Audit Return for the period 1 January 2016 to 31 December 2016 as detailed in Attachment 1.
2. authorises the Shire President and Chief Executive Officer to sign the Local Government Compliance Audit Return for the period 1 January 2016 to 31 December 2016 as detailed in Attachment 1 and submit it to the Department of Local Government and Communities.

**THE MOTION WAS PUT AND DECLARED CARRIED 7/0**

8:08PM

**14. MEETING CLOSED TO THE PUBLIC**

**14.1 Matters for which the meeting may be closed**

Nil

**15. CLOSURE**

The Presiding Member declared the meeting closed at 8:09PM.

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