

**MINUTES FOR
ORDINARY MEETING OF COUNCIL**

WEDNESDAY, 17 MAY 2017

**Council Chambers
6177 Great Northern Highway
Bindoon**

Commencement: 7.04pm

Closure: 9.06pm



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 24 May 2017.

Alan Sheridan
Chief Executive Officer
Shire of Chittering

Confirmed Minutes

These minutes were confirmed at a meeting held on 21 June 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 7:04PM.

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

2.1 Attendance

Councillors	Cr Gordon Houston Cr Peter Osborn Cr Mary Angus Cr Don Gibson Cr Aaron King Cr Michelle Rossouw	President (Presiding Member) Deputy President
Staff	Alan Sheridan Rhona Hawkins Bronwyn Southee Jim Garrett Scott Ormsby Peter Stuart Natasha Mossman	Chief Executive Officer Executive Manager Corporate Services Executive Manager Development Services Executive Manager Technical Services Bushfire Risk Planning Coordinator Senior Planning Officer Executive Support Officer (Minute Secretary)
Members of the public	17	
Media	0	

2.2 Apologies

Nil

2.3 Approved leave of absence

2.3.1 Cr George Tilbury

Council has previously approved leave of absence for Cr George Tilbury for the period inclusive of Wednesday, 17 May 2017 until Sunday, 28 May 2017 (Resolution 010417).

3. DISCLOSURE OF INTEREST

3.1 Item 9.3.2 “2017-2018 Financial Assistance Applications”

Cr Don Gibson declared an Impartiality Interest as he is a member of the (1) Bindoon Museum; (2) Chittering Branch of the Veteran Car Club; and (3) Bindoon Singers.

Cr Gordon Houston declared an Impartiality Interest as his spouse is the President of the (1) Bindoon Playgroup; and (2) Bindoon & Districts Agricultural Society.

Cr Peter Osborn declared an Impartiality Interest as his spouse is an employee of the Chittering Tourist Association.

4. PUBLIC QUESTION TIME

4.1 Response to previous public questions taken on notice

4.1.1 John Curtis, Bindoon

Question: Does the Shire pay rent on their PO Box?

Answer 1: “YES” the Shire does pay an annual fee for a ‘Locked Bag’, which was paid on 23 March 2017 at a discounted rate of \$121 (i.e. full fee of \$126 less \$5 discount).

4.2 Public question time

4.2.1 John Curtis, Bindoon

Question 1: How many tonnes of recyclables were collected during 2015/2016?

Answer 1: Taken on notice.

Question 2: How much does Council provide on cars compared to public transport?

Answer 2: Taken on notice.

4.2.2 Robert Pizzino, Bindoon

Question 1: Is there fluoride in the Bindoon water supply?

Answer 1: Following the meeting the Chief Executive Officer contacted Water Corporation who advised that there is no fluoride in the Bindoon water supply.

4.2.3 Ann Kell, Lower Chittering

Question 1: Confidential Item 14.1.2 on tonight's agenda, why can this item not be discussed as a public item?

Answer 1: The President advised that this item is confidential and the resolution will be in the public domain until after the item has been dealt with by Council.

Question 2: Will I be told of the outcome?

Answer 2: The resolution will be in the public minutes and Shire officers will send notification to you of this. This item is confidential so that Council can discuss the history of the matter.

4.2.4 Nori Merrifield, Bindoon

Question 1: Why is there a proposal to provide money to Shire officers to drive their vehicle to/from work and out on the road during office hours?

Answer 1: The President advised that this item is being discussed further with Council tonight. President further advised that Local Governments in Australia offer incentives to Chief Executive Officers and Executive Directors/Managers to attract suitable staff. This amended policy includes the assessment of contractual arrangements with Shire officers. Council will also be looking at the types of vehicles offered in the amended policy.

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 Meeting of Council: 19 April 2017

7.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 010517

Moved Cr Rossouw / Seconded Cr Gibson

That the minutes of the Ordinary meeting of Council held on Wednesday, 19 April 2017 be confirmed as a true and correct record of proceedings.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 6/0
7:19PM

8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

Nil

9. REPORTS

9.1 DEVELOPMENT SERVICES

MOTION/COUNCIL RESOLUTION 020517

Moved Cr Osborn / Seconded Cr Rossouw

That Item 9.1.1 'Adoption of the Bushfire Risk Management Plan' be raised from the table.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:20PM

9.1.1 Adoption of the Bushfire Risk Management Plan*

Report date	17 May 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 2. Letter from OBRM dated 18 April 2017 (ref I1782325)

Executive Summary

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

Background

At the Ordinary Meeting Council held on 16 February 2017 Council resolved the following:

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

On the 24 April 2017 the Shire received correspondence from the Office of Bushfire Risk Management that the "draft BRM Plan has been reviewed by OBRM and meet the required standard as per the Bushfire Risk Management Planning – Guidelines for Preparing a Bushfire Risk Management Plan (the Guidelines). The BRM Plan should now be presented to Council for approval and formal adoption."

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

Local: Land and business owners
Local Community Groups

State: Government Agencies (DFES, Parks and Wildlife)
Service Providers (MRWA, Water Corp, Brookfield, etc.)

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

Current bushfire mitigation costs are captured through a number of areas within the Shire’s Annual Budget. During the 2017/18 Annual Budget process it is requested that one individual GL account be created to capture all bushfire mitigation costs.

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 two 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

This project will assist the Shire to build a more resilient and educated community which is better able to prepare and respond to bushfires.

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.

Within six months of Council approval of the BRM Plan, the Shire is requested to finalise the treatment Schedule in the Bushfire Risk Management System (BRMS) and provide written notification to OBRM. Please note, it is not necessary to provide further updates to OBRM if any individual treatments are subsequently added, edited, rescheduled or deleted from the original schedule after this time.

As per the Guidelines, at the end of each financial year the Shire will be required to prepare and submit a report to OBRM detailing progress against the BRM Plan. The annual report is a standard report generated within BRMS and comments may be added to the report should the Shire wish to provide further context.

OFFICER RECOMMENDATION

Moved Cr Osborn / Seconded Cr Rossouw

That Council:

1. endorses the Bushfire Risk Management Plan for the Shire of Chittering as per Attachment 1.
2. resolves that the Bushfire Risk Management Plan has equal standing to that of the Local Biodiversity Strategy.

AMENDMENT

Moved Cr Rossouw / Seconded Cr Osborn

That the following Advice Note 1. be added:

1. Council consider allocating a financial contingency in the draft 17/18 budget in the case that the Bushfire Risk Planning Coordinator role is discontinued due to cessation of funding. This will allow for the treatment options as identified in the Bushfire Management Plan to continue.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 5/1
AND FORMED PART OF THE SUBSTANTIVE MOTION

7:26PM

9.1.1 SUBSTANTIVE MOTION/COUNCIL RESOLUTION 030517

Moved Cr Osborn / Seconded Cr Rossouw

That Council:

1. endorses the Bushfire Risk Management Plan for the Shire of Chittering as per Attachment 1.
2. resolves that the Bushfire Risk Management Plan has equal standing to that of the Local Biodiversity Strategy.

Advice Note:

1. Council consider allocating a financial contingency in the draft 2017/2018 budget in the case that the Bushfire Risk Planning Coordinator role is discontinued due to cessation of funding. This will allow for the treatment options as identified in the Bushfire Management Plan to continue.

SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:26PM

9.1.2 Initiation of Scheme Amendment No 63 to Local Planning Scheme No 6: Omnibus Modifications to Schedule 1 Land Use Definitions and Schedule 2 Zoning Table*

Report date	17 May 2017
Applicant	Shire of Chittering
File ref	18/02/22
Prepared by	Peter Stuart, Senior Planning Officer
Supervised by	Bronwyn Southee, Executive Manager Development Services
Voting requirements	Simple Majority
Documents tabled	1. Table of Changes

Executive Summary

Council is requested to consider the initiation of Scheme Amendment No 63 to *Local Planning Scheme No 6 (LPS6)*. Amendment 63 involves the modification of the existing Schedule 1 Land Use Definitions, and the subsequent update of Schedule 2 Zoning Table to remain consistent with the model definitions. The Scheme Amendment is also intended to provide greater certainty and consistency surrounding land use permissibilities throughout the Shire. The Amendment is intended to be initiated as a 'Standard' amendment in accordance with Regulation 34 of Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Background

The majority of this amendment was originally proposed as part of Scheme Amendment 60 (SA60). In addition, the day-to-day application of *LPS6* by Shire staff has encountered a number of inconsistencies and contradictions that affect land use permissions.

Relative to SA60, the amendment sought to allow better distinctions between land uses, and the controls available within *LPS6* to regulate such – generally to serve within Industrial zones, though expanding throughout the Scheme area. Because of the latter impacts, the changes to Schedules 1 and 2 were not agreed to. Accordingly, Council in its resolution to endorse SA60; deemed that these changes were best undertaken separately in an omnibus amendment.

Other elements requiring consideration, and that have implications throughout the Scheme area, form an additional basis for the undertaking of this amendment. These include minor rural activities such as rural pursuit being not permitted in rural zones; and incidental activities not being able to be contemplated.

Consultation

Following initiation, consultation will be required in accordance with Clause 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows:

47. *Advertisement of standard amendment*

- (1) *Subject to sections 81 and 82 of the Act, if a local government resolves under regulation 35(1) to prepare a standard amendment to a local planning scheme or to adopt a standard amendment to a local planning scheme proposed by the owner of land in the scheme area, the local government must, as soon as is reasonably practicable, prepare a notice in a form approved by the Commission giving details of—*
- (a) *the purpose of the amendment; and*
 - (b) *where the amendment may be inspected; and*
 - (c) *to whom and during what period submissions in respect of the amendment may be made.*

- (2) *On completion of the preparation of the notice, the local government must advertise the standard amendment to a local planning scheme as follows—*
 - (a) *publish the notice in a newspaper circulating in the scheme area;*
 - (b) *display a copy of the notice in the offices of the local government for the period for making submissions set out in the notice;*
 - (c) *give a copy of the notice to each public authority that the local government considers is likely to be affected by the amendment;*
 - (d) *publish a copy of the notice and the amendment on the website of the local government;*
 - (e) *advertise the scheme as directed by the Commission and in any other way the local government considers appropriate.*
- (3) *The local government must ensure that the standard amendment to the local planning scheme is made available for inspection by the public during office hours at the office of the local government.*
- (4) *The period for submissions set out in a notice must be not less than a period of 42 days commencing on the day on which the notice is published in a newspaper circulating in the scheme area.*

Statutory Environment

State: *Planning and Development (Local Planning Schemes) Regulations 2015*

Part 5 - *Amending Local Planning Scheme of the Planning and Development (Local Planning Schemes) Regulations 2015* deals specifically with the process for which a Scheme Amendment is dealt with.

Council is requested to consider initiation of Scheme Amendment No 63 in accordance with the abovementioned Part.

In accordance with Regulation 35 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the Shire is required to classify the amendment as either Basic, Standard or Complex and justify its reasoning for this. In this instance, through Officer consideration, Council is advised that this Scheme Amendment is classified as 'Standard' for the following reasons:

- (i) it is considered to be consistent with the strategic intent and objectives of the zone as described in *LPS6*; and
- (ii) it is not considered to be basic or complex in nature.

State: *State Planning Policy 2.5 - Rural Planning*

Clause 5.3 of *State Planning Policy 2.5* contains provisions for the protection of rural lands. In particular, part 6.3 contains the following statement:

"6.3 Rural land in local planning schemes

When local planning schemes are prepared or reviewed, planning decision-makers shall:

- (a) *provide more detailed consideration and guidance to respond to the matters listed at clauses 6.1 and 6.2 of this policy;*
- (b) *in rural zones, limit the introduction of land uses that may constrain existing or potential future rural land uses;*
- (c) *only categorise land uses as permissible in rural zones if they are consistent with the objectives of this policy and a local planning strategy;*
- (d) *generally designate animal premises as 'permitted' or 'discretionary' uses; and*
- (e) *consider whether sensitive land uses in rural zones serve a secondary function to the purpose of the land for primary production, environment and landscape, and whether they should not be 'permitted' uses in planning schemes."*

Currently, *LPS6* allows for discretion to be exercised in rural zones for non-rural uses such as transport depots, while limiting traditionally rural uses such as Rural Pursuit/Hobby Farm. Such permissibility is in consistent with Clause 6.3 of *State Planning Policy 2.5*.

In relation to clause 6.1 and 6.2, these relate to the Shire's strategic direction. This Amendment does not intend to rezone any land within the Scheme area, rather to modify the use classes available within the Scheme.

Local: *Local Planning Strategy 2001-2015*

The Shire's *Local Planning Strategy 2001-2015* ("*LPS*") identifies the lands in which the existing zonings are allocated. While this Amendment does modify any of those zonings, the intention is to better align the zoning table with the strategic objectives of each zone.

Financial Implications

While the long term application of *LPS6* following this Amendment will unlikely have any financial implications for the Shire, the costs of advertising this Amendment will be implicated upon the Shire.

Strategic Implications

There are no strategic implications associated with this Amendment.

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

The revisions to the Scheme may result in less commercial development on Agricultural Resource zoned land, however may provide additional incentive to develop land within the Muchea Employment Node. In addition, the revisions may provide incentives for some existing commercial and residential properties to undertake more active land uses without detriment to the locality.

Social implications

The proposed Amendment intends to provide better certainty surrounding the planning framework. This effectively means restricting non-rural businesses to areas other than rural land; and by introducing additional land uses and permissibilities that may serve to increase economic advantages to existing commercial/tourism based activities.

Environmental implications

There are no known significant environmental implications associated with the proposed Amendment.

Comment

This Amendment is restricted to amending Schedules 1 and 2 within the existing *Local Planning Scheme No.6*. While a full list of the changes can be viewed in **Attachment 1**, the definitions are required to be consistent with the model definitions in clause 32 of the Model Scheme Text. Where a definition is modified, it requires the Minister's specific approval. The Shire can choose to retain an existing definition over the Model Scheme definitions.

Overall, the Amendment seeks to minimise non-rural related industries from occurring outside of the Muchea Employment Node (or future Industrial Zones), and moreover, allow for a greater range of rural related activities within Agricultural Resource lots.

In addition, the Amendment will introduce the 'incidental (i)' land use permissibility. This permissibility will allow additional land uses such as a reception centre within existing primary commercial and tourism businesses such as vineyards, restaurants, places of worship and community activity centres. Currently such an activity is not permissible within the Rural Residential, Rural Conservation and the General Industry Zones.

Accordingly, the proposed Amendment is put forward to Council for initiation. The Amendment will be advertised thereafter and community/industry feedback considered prior to adoption.

OFFICER RECOMMENDATION

Moved Cr Rossouw / Seconded Cr Gibson

That Council:

1. pursuant to Section 75 of the *Planning and Development Act 2005* resolves to initiate an omnibus amendment to the *Shire of Chittering Local Planning Scheme No. 6* to modify the existing Schedules 1 and 2.
2. resolves to number the proposed Amendment as 'Amendment No. 63' to the *Shire of Chittering Local Planning Scheme No. 6*.
3. resolves that Amendment No. 63 is a 'standard' amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:
 - a. The Amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
 - b. The Amendment is not a complex or basic amendment.
4. pursuant to Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to proceed to advertise the Scheme Amendment.
5. forwards the Scheme Amendment to the Environmental Protection Authority.

AMENDMENT

Moved Cr Rossouw / Seconded Cr Angus

That Condition 1. be amended so to incorporate the following updates to the zoning table in **Attachment 1**:

- a. Use Class "18. Caretaker's Dwelling" under Light Industry – change from "D" to "A".
- b. Use Class "86. Veterinary Centre" under Light Industrial – change to "P".

THE AMENDMENT WAS PUT AND DECLARED CARRIED 6/0
AND FORMED PART OF THE SUBSTANTIVE MOTION

7:35PM

9.1.2 SUBSTANTIVE MOTION/COUNCIL RESOLUTION 040517

Moved Cr Rossouw / Seconded Cr Gibson

That Council:

1. pursuant to Section 75 of the *Planning and Development Act 2005* resolves to initiate an omnibus amendment to the *Shire of Chittering Local Planning Scheme No. 6* to modify the existing Schedules 1 and 2, including:
 - a. Use Class "18. Caretaker's Dwelling" under Light Industry – change from "D" to "A".
 - b. Use Class "86. Veterinary Centre" under Light Industrial – change to "P".
2. resolves to number the proposed Amendment as 'Amendment No. 63' to the *Shire of Chittering Local Planning Scheme No. 6*.
3. resolves that Amendment No. 63 is a 'standard' amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the following reasons:
 - a. The Amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
 - b. The Amendment is not a complex or basic amendment.
4. pursuant to Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to proceed to advertise the Scheme Amendment.
5. forwards the Scheme Amendment to the Environmental Protection Authority.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:36PM

9.2 TECHNICAL SERVICES

Nil

9.3 CORPORATE SERVICES

9.3.1 Financial statements for the period ending 30 April 2017*

Report Date	17 May 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 30 April 2017 Bank Reconciliation as at 30 April 2017 List of Accounts Paid as at 30 April 2017

Executive Summary

Council is requested to receive the Monthly Statement of Financial Activity, Bank Reconciliation and Accounts Paid for the period ending 30 April 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 30 April 2017 as presented.

9.3.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 050517

Moved Cr Gibson / Seconded Cr Osborn

That Council:

- 1. endorses the Accounts Paid:**
 - a. PR3906, PR3908**
 - b. EFT 13924 – EFT14033**
 - c. Municipal Fund Cheques 14239 - 14250**
 - d. Direct Debits and Transfers as listed**
 - e. Trust Fund payments as listed****Totalling \$616,872.97 for the period ending 30 April 2017.**
- 2. receives the Bank Reconciliation as at 30 April 2017.**
- 3. receives the Monthly Statement of Financial Activity for the period ending 30 April 2017.**

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 6/0

7:36PM

Cr Don Gibson declared an Impartiality Interest as he is a member of the (1) Bindoon Museum; (2) Chittering Branch of the Veteran Car Club; and (3) Bindoon Singers.

Cr Gordon Houston declared an Impartiality Interest as his spouse is the President of the (1) Bindoon Playgroup; and (2) Bindoon & Districts Agricultural Society.

Cr Peter Osborn declared an Impartiality Interest as his spouse is an employee of the Chittering Tourist Association.

9.3.2 2017-2018 Financial Assistance Applications

Applicants	Various
File ref	15/01/7
Prepared by	Alison Reliti, Economic and Community Development Support Officer
Supervised by	Rhona Hawkins, Executive Manager Corporate Services
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Executive Summary

Council is requested to consider making an allocation in the 2017-2018 Annual Budget for Community Assistance Grants.

Background

Each year the Shire of Chittering makes an allocation in its yearly budget to be made available to various 'not-for-profit' community organisations that operate within the Shire of Chittering. The scheme is designed to provide benefits to Shire residents through recreational, sport, social or cultural means.

Grants that are able to be utilised by the Shire's community groups are not common, and those that are advertised are extremely competitive, therefore minimal opportunities exist for the Shire's community groups to obtain funding.

The application forms were made available at the Administration Centre and on the Shire's website for the community to access, prior to closure at 4pm on Friday, 17 March 2017.

At the end of the application deadline the Shire received:

- six Community Assistance Grant Applications;
- eight Sponsorship Applications;
- 12 In-Kind Support Applications; and
- 10 Community Bus Use Sponsorship Applications.

Consultation

Chittering Community Funding Support Working Group

Statutory Environment

Not applicable

Policy Implications

Local: *2.1 Budget Preparation*
6.4 Financial Assistance Grant Scheme

Financial Implications

A provision will be made for this funding in the 2017-2018 Annual Budget.

Strategic Implications

Local: Strategic Community Plan 2012-2022

Social:	Building a sense of community
Outcome:	Strengthened social connections
Strategies:	Facilitate and nurture community interaction
Measurable result:	Increase in volunteer memberships in community groups
Outcome:	Active communities
Strategies:	Support local community groups
Measurable result:	Increase in participation and activities available through community led groups

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

Though Council providing this funding, local community groups are strengthening their social capital.

Environmental implications

There are no known environmental implications associated with this proposal.

Comment

Funding applications for Community Assistance Grants in the 2017-2018 financial year total \$7,246. The Chittering Community Funding Support Group recommends that Council allocate \$7,086 in the 2017-2018 Annual Budget for those grant applications.

Community Bus Sponsorship applications for the 2017-2018 financial year total \$7,180. It is recommended that Council allocate \$8,680 in the 2017-2018 Annual Budget for those sponsorship applications. This includes allocation of an additional \$1,500 for requests for assistance throughout the year.

Event Sponsorship applications for the 2017-2018 financial year total \$15,447. It is recommended that Council allocate \$16,147 to Sponsorship Requests in the 2017-2018 Annual Budget for those Sponsorship Applications. This includes the allocation of staff works to their events, rather than separately as per the applications.

In-Kind Support (Printing, Photocopying and Works) applications for the 2017-2018 financial year total \$3,650. It is recommended that Council allocate \$ 2,400 to In-Kind Support for the 2017-2018 Annual Budget for those applications.

At the closure of applications the Shire received the following Grant applications:

TABLE 1: Community Assistance Grants

Community Organisation	Project title	Total Project Cost	Amount Requested	Amount Allocated / Notes
Bindoon & Districts Ag Society	Display Boards and Bin Shrouds	\$15,000	\$5,000	5,000 Bin Shrouds to be made available for use at events by other community groups and Council.
Bindoon Farmers Market	PA System	\$1,728	\$576	\$576
Bindoon Playgroup	Wooden Toys	\$1,645	\$545	\$545
Bindoon Theatre (BEAT)	Upgrade to Sound System	\$960	\$480	\$320 ($\frac{1}{3}$ of total project as per Policy) ¹
Chittering Art Society	Art Exhibition Equipment	\$1,187.42	\$395	\$395
Chittering Wildlife Carers	Wildlife Incubators	\$750	\$250	\$250
TOTAL AMOUNTS		\$21,270.42	\$7,246	\$7,086

At the closure of applications the Shire received the following Sponsorship applications:

TABLE 2: Event Sponsorship

Community Organisation	Project title	Total Project Cost	Amount Requested	Amount Allocated
Bindoon & Districts Ag Society	Rodeo	\$15,880	\$3,000	\$3,000
Bindoon & Districts Ag Society	Ag Show	\$79,000	\$3,000	\$4,000 (Including (\$1,000 for Shire outside works crew)
Bindoon & Districts Historical	Historic Vehicle Day	\$685	\$385	\$385
Bindoon Mobile Recovery	Running and operational costs	\$20,000	\$3,000	\$3,000
Bindoon Playgroup	Christmas Party	\$5,900	\$1,500	\$1,200 (including \$200 for Shire outside works crew)
Chittering Art Society	Art and Photography Exhibition	\$1,890	\$450	\$450
Chittering Junior Football Club	All Abilities Clinic	\$3,025	\$1,000	\$1,000
Veteran Car Club-Chittering	Vintage Car Day	\$10,412	\$3,112	\$3,112
TOTAL AMOUNTS		\$136,792	\$15,447	\$16,147

¹ Council contributions will generally be limited to one third of the total project cost and not fund more than 50% of the total project cost.

At the closure of applications the Shire received the following Community Bus applications:

TABLE 3: Community Bus Sponsorship

Community Organisation	Project title	Project Value	Amount Requested	Amount Allocated
Bindoon Men's Shed	Men's Shed Community Bus Hire	N/A	\$500	\$500
Bindoon Playgroup	Transport for outings	N/A	\$500	\$500
Bindoon Retirees	Transport For Senior Members	N/A	\$2,500	\$2,500
Bindoon Theatre (BEAT)		N/A	\$500	\$500
Bindoon Chittering CWA	Transport For Members	\$1,580	\$780	\$780
Chittering Chamber of Commerce	Transporting for Networking and Events	N/A	\$300	\$300
Chittering Junior Football Club	Excursions	N/A	\$300	\$300
Chittering Tourist Association	Famils	N/A	\$700	\$700
Chittering Wildlife Carers	Trip to Bunbury	N/A	\$600	\$600
Chittering Veteran Car Club	Visits to other clubs	N/A	\$500	\$500
Community Groups	Additional Funding	N/A	N/A	\$1,500
TOTAL AMOUNTS		N/A	\$7,180	\$8,680

At the closure of applications the Shire received the following In Kind Support Applications:

TABLE 4: In-Kind Support

Community Organisation	Project title	Project Value	Amount Requested	Amount Allocated
Bindoon & Districts Ag Society	Printing and Works	N/A	\$1,200	\$200 (\$1,000 for works moved to Event Application)
Bindoon Arts and Crafts	Printing – Quilts in Spring	\$1,000	\$200	\$200
Bindoon Farmers Market	Printing of Flyers	N/A	\$200	\$200
Bindoon Playgroup	Printing and Works	N/A	\$400	\$200 (\$200 for works moved to Event Application)
Bindoon Singers	Christmas Carols Book Printing	N/A	\$250	\$200
Bindoon Theatre (B EAT)	Printing	N/A	\$200	\$200
Chittering Art Society	Printing of Flyers	N/A	\$200	\$200
Chittering Bindoon CWA	Printing	\$1,580	\$200	\$200
Chittering Chamber of Commerce	Printing	N/A	\$200	\$200
Chittering Tourist Association	Printing	N/A	\$200	\$200
Chittering Wildlife Carers	Printing	N/A	\$200	\$200
Veteran Car Club – Chittering	Printing	N/A	\$200	\$200
TOTAL AMOUNTS		N/A	\$3,650	\$2,400

OFFICER RECOMMENDATION

Moved Cr King / Seconded Cr Rossouw

That Council considers an allocation of \$34,313 in the 2017-2018 Annual Budget for Financial Assistance Grant Applications.

AMENDMENT

Moved Cr Rossouw / Seconded Osborn

That the following advice note be added:

1. That the Chittering Support Advisory Group review the application process prior to the next funding round.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 6/0
AND FORMED PART OF THE SUBSTANTIVE MOTION

7:40PM

9.3.2 SUBSTANTIVE MOTION/COUNCIL RESOLUTION 060517

Moved Cr King / Seconded Cr Rossouw

That Council considers an allocation of \$34,313 in the 2017-2018 Annual Budget for Financial Assistance Grant Applications.

Advice Note:

1. That the Chittering Support Advisory Group review the application process prior to the next funding round.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:41PM

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 WALGA Annual General Meeting 2017 Voting Delegates

Report date	17 May 2017
Applicant	Western Australian Local Government Association (WALGA)
File ref	14/01/0004
Prepared by	Natasha Mossman, Executive Support Officer
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Executive Summary

Council's consideration is requested to determine the voting delegates for the 2017 Annual General Meeting for the Western Australian Local Government Association (WALGA). The Annual General Meeting will be held on Wednesday, 2 August 2017 during the Local Government Convention at the Perth Convention and Exhibition Centre in Perth.

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, 3 July 2017.

Consultation

Councillors
Executive Management Team

Statutory Environment

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.

Comment

It is recommended that Council appoint two voting delegates and two proxy voting delegates for the 2017 Annual General Meeting of WALGA.

9.4.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 070517

Moved Cr King / Seconded Cr Rossouw

That Council advise the Western Australian Local Government Association that the voting delegates and proxy voting delegates for the 2017 Annual General Meeting are:

VOTING DELEGATES		PROXY VOTING DELGATES	
1.	Cr Gordon Houston	1.	Cr Michelle Rossouw
2.	Cr Don Gibson	2.	Cr Peter Osborn

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 6/0
7:42PM



9.4.2 Northern Growth Alliance: Regional Growth Project Execution Strategy*

Report date	17 May 2017
Applicant	Northern Growth Alliance
File ref	14/02/3
Prepared by	Natasha Mossman, Executive Support Officer
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Planning for the Growth Corridor North of Perth – Project Execution Strategy

Executive Summary

Council is requested to consider the appointment of an additional Councillor to the Northern Growth Alliance (NGA). The group currently comprises the Presidents and Chief Executive Officers' of the three NGA Council's (i.e. Chittering, Dandaragan and Gingin).

Background

The NGA Growth Management Plan is a long term strategic plan for the next 40-50 years when there would be a regional population of 40,000 to 50,000, so it does require a significant shift in thinking away from the status quo.

The project will involve briefing of the NGA (Shire Presidents) on a regular basis as the study progresses. The next briefing of the NGA is scheduled for June 2017. The Project Execution Strategy (**Attachment 1**) outlines the project structure and methodology for progressing the study.

The work which is underway now involves desk top studies and research required to support the development of the plan. For practical reasons, it is not feasible to engage with the whole of Council on a regular basis. However, a Council briefing has been tentatively arranged for July 2017.

As there is considerable interest in the study, it has been suggested that an additional Councillor from each of the three Local Governments be invited onto the NGA while the Growth Management Plan is under development.

Consultation

Councillors
Wheatbelt Development Commission

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Local: Strategic Community Plan 2012-2022

Built environment – Infrastructure for future lifestyle choices

Support for local and central activity areas which provide for community needs.

Economic – prosperity for the future

Support for economic growth, local business and tourism.

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

Long term strategic planning is essential for future growth of the region.

Social implications

Long term strategic planning provides for the provision of services and infrastructure which meets the needs of the broader region.

Environmental implications

Better planning, on a regional context, allows for more strategic thinking in relation to the preservation of open space for future generations.

Comment

Council is requested to consider the appointment of an additional Councillor to the Northern Growth Alliance (NGA). The group currently comprises the Presidents and Chief Executive Officers' of the three NGA Council's (i.e. Chittering, Dandaragan and Gingin).

At this stage, the primary focus of the NGA is the development of a Growth Management Plan for the region. This project is being managed by the WDC and is based on their experience with growth planning for other regional centres.

Following consultation with the WDC, it has been suggested that each member Council be invited to appoint one additional representative to the NGA for the purpose of providing additional input into the Growth Management Plan

9.4.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 080517

Moved Cr Osborn / Seconded Cr King

That Council appoints Cr Rossouw to the Northern Growth Alliance for the purpose of providing addition input into the Growth Management Plan Project.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 6/0

7:43PM

9.4.3 Policy Register: Adoption of Policy 4.6 Agenda Forums*

Report date	17 May 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 Policy 4.6 Agenda Forums

Executive Summary

Council is requested to adopt the attached draft Policy 4.6 Agenda Forums.

Background

Following the local government elections in 2015 Council conducted agenda review sessions with the newly Elected Members so that they would gain an understanding of the meeting process. It was envisaged sessions would eventually become open to the members of the general public.

Following the first two open Agenda Forums on 7 March and 11 April, Shire staff have drafted a policy (**Attachment 1**) which provides the necessary rules and procedures for the conduct of Agenda Forums.

Consultation

Executive Management Team
Councillors
Neighbouring Shires

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There will be costs incurred for advertising in the local newspapers.

Strategic Implications

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

Not applicable

Social implications

Greater transparency with regard to Council's decision making process.

Environmental implications

Not applicable

Comment

To assist Council and staff with Agenda Forums a policy has been prepared which includes appropriate procedural controls.

The policy includes procedures for the presiding member, declaring interests, public question time, deputations, the agenda and other matters.

The policy has been drafted in accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*. The Department of Local Government's *Operational Guideline No 5 – Council Forums* has also been considered in the drafting of this policy.

The policy will also be distributed as per the Community Engagement Plan, to inform the community of how the agenda forums will be conducted.

9.4.3 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 090517

Moved Cr Rossouw / Seconded Cr Angus

That Council resolves to adopt *Policy 4.6 Agenda Forums*.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 6/0

7:44PM

9.4.4 Policy Register: Adoption of Policy 1.19 OHS Fleet Safety and Motor Vehicle Guidelines*

Report date	17 May 2017
Applicant	Not Applicable
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" Policy 1.19 OHS Fleet Safety and Motor Vehicle Guidelines

Executive Summary

The Shire of Chittering has a legal obligation and duty of care to provide a safe and healthy workplace. As part of the Fleet Management Review, it was identified that the current policy (*3.18 Vehicle Use*) does not provide sufficient information regarding the safe operation of vehicles in the workplace. The attached Guidelines are intended to address this, and is provided for Council endorsement.

Background

Fleet safety is a critical occupational health and safety issue for the Shire. The Shire of Chittering is obliged to provide safe workplaces (vehicles are classed as a place of work), safe systems of work and to provide employees with safety information, instruction and training related to work-related driving.

The draft policy is also intended to assist in the implementation of a program for motor vehicle fleet selection and use, and has been compiled based on research into contemporary vehicle safety features and best practice driver behaviour with the assistance of the WA Department of Transport Safe Driving.

Consultation

Councillors (document distributed to Councillors on 16 April 2017)
Uniqco (Council's Fleet Management Consultant)

Statutory Environment

State: *Road and Traffic Act 1974*
Occupational Safety and Health Act 1984

Policy Implications

Local: Revised Policy *3.18 Use of Council Vehicles* (refer to item 9.4.5 on tonight's agenda)

Financial Implications

Nil

Strategic Implications

Maintenance of an efficient and sustainable organisation.

Triple Bottom Line Assessment

Economic implications

Reduction in Occupational Safety and Health (OSH), and risk issues related to vehicle operations.

Social implications

Not applicable

Environmental implications

Not applicable

Comment

These Guidelines comprehensively address OSH and risk associated with the purchase, operation and disposal of vehicles. Appropriate staff training and awareness will be organised for staff regarding these Guidelines and revised *Policy 3.18 Use of Council Vehicles*.

9.4.4 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 100517

Moved Cr Osborn / Seconded Cr King

That Council resolves to adopt *Policy 1.19 OHS Fleet Safety and Operational Guidelines*.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 6/0

7:44PM

9.4.5 Policy Register: Amendment to Policy 3.18 Vehicle Use*

Report date	17 May 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" Policy 3.18 Use of Council Vehicles

Executive Summary

As part of the Shire's Fleet Review, an option has been identified to reduce the Shire's Light Vehicle Fleet by providing cash in lieu of a motor vehicle and to reduce Fringe Benefits Tax (FBT) by paying individuals a vehicle allowance; and having this re-paid to Council in the form of a post-tax vehicle contribution. The purpose of this report is to give effect to these arrangements.

Background

Council is charged with the responsibility for providing a range of services to meet the needs and wants of the local community. To enable effective delivery of services and management of resources the Council provides a range of vehicles, plant and equipment.

Council was briefed by Uniqco Fleet Management on these matters at briefing sessions held on 4 April 2017, and again on 19 April 2017. As a result, the attached Policy document has been formulated. The objectives of the policy are to provide:

- (i) Details of the terms and conditions for each category of vehicle use.
- (ii) Guidelines on the range of vehicles which Council will procure and offer to staff for commuting or private use.
- (iii) A way to maximise vehicle availability for business use.
- (iv) A way to minimise Fringe Benefit Tax (FBT) liabilities.
- (v) An attractive employment benefit for staff.

As briefed, Auditor General's from around Australia are moving towards full disclosure of salary package components as part of overall remuneration packages. In the past, vehicle benefits have been "hidden" within fleet operations and have not been visible as part of the overall remuneration package.

This Policy seeks to make the vehicle component of a salary package transparent and to offer the ability for senior staff to "cash-out" the vehicle and to provide their own vehicle for work purposes. Given the requirement to maintain vehicles for operational and pool use, it is recommended that this is not extended to positions below Executive Managers at this time.

For positions below Executive Managers however, it is recommended that Council provide the individual with a vehicle allowance and that an after-tax contribution is made by the individual that minimises FBT. Both the Council and the individual are better off under these arrangements.

Consultation

Council was briefed by Uniqco Fleet Management on these matters at the briefing session on 4 April 2017 and again on 19 April 2017. The Shire's Executive Management Team has reviewed the information prior to it being presented to Council.

Statutory Environment

State: Salaries and Allowances Act 1975

Chittering is a Band 3 Council as determined by the Salaries and Allowances Tribunal. The implementation of this policy will have no impact. The Chief Executive Officer's package will be well below the threshold for a Band 3 Council.

Policy Implications

Local: Policy 3.18 Vehicle Use

Should senior staff (Executive Managers and above) take up the option of cash-in-lieu of a Council supplied motor vehicle they will still be required to provide a vehicle which meets minimum requirements as detailed in the Policy. The vehicle must be used for work purposes and must be fully insured with Council listed on the Policy as an interested party.

Financial Implications

If an individual takes up the option of cash in lieu, costs are effectively transferred from the Fleet Budget to the Salary Budget. In the case of vehicles below the Executive Manager level, the individual will be paid a vehicle allowance which is returned to Council as a post-tax contribution, effectively saving money.

Strategic Implications

Full disclosure / transparency are enhanced.

Triple Bottom Line Assessment

Economic implications

Not applicable

Social implications

Not applicable

Environmental implications

Not applicable

Comment

The amended Policy is designed to provide a better option for the management of the Shire's light fleet, including full disclosure of the value of vehicles as part of senior staff salary packages. The Policy also seeks to minimise FBT through the provision of a vehicle allowance and post-tax contributions. In the process, Council is able to offer an attractive employment benefit to key staff within the organisation.

OFFICER RECOMMENDATION

Moved Cr King / Seconded Cr Rossouw

That Council endorses the amended *Policy 3.18 Use of Council Vehicles*.

MOTION/COUNCIL RESOLUTION 110517

Moved Cr Gibson / Seconded Cr Angus

That in accordance with *Local Government (Council Meetings) Local Law 2014, c8.9 Duration of Speeches* Council allows Cr King continue his discussions for a further 10 minutes.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:54PM

ALTERNATIVE MOTION

Moved Cr King / Seconded Cr Angus

That the Chief Executive Officer develop a No Full, Limited or Restricted Private Use Policy to be tabled at the August OCM for the consideration of Council. The policy is to be structured around the following principals;

1. Council shall honour existing Private use provisions (value including FBT) in existing employment contracts. At the time of vehicle replacement, contract extension or renewal, this new policy shall apply.
2. In lieu of the employee being provided a Council owned vehicle for Full or Limited Private Use, Council may contribute ("Car Allowance") towards the provision of a non-Council owned vehicle in the employee's Total Receivable Package to a value to be agreed by Council.
3. Council may enter into the following arrangements for a non-Council owned vehicles to employees under an arrangement with an approved supplier of such service:
 - a. Cash out (e.g. 70% of allowance);
 - b. Provide own vehicle;
 - c. Novated lease; or
 - d. Hire purchase.
4. Where an employee receives a "Car Allowance" and provides their own vehicle; the employee shall arrange their own transportation:
 - a. To commute to and from home to work;
 - b. To attend to Council business when a pool vehicle is not available during normal working hours; and/or
 - c. To attend to out of hours meetings, commute direct from home to a site where attendance is required in the course of employment.
5. The employee's vehicle must meet all the guidelines (1.19 OSH Fleet Safety and Motor Vehicle Guidelines) for a Company vehicle:
 - a. Less than 5 years old;
 - b. Regularly serviced as per manufacturers guidelines and service records kept;
 - c. Business use noted on the insurance certificate.
6. For Commuting use, all Council vehicles:
 - a. Car category shall be small, 4 cylinder vehicles, diesel at the lowest total true cost as recommended by the fleet report;
 - b. Utility Chassis type shall be 4 Cylinder Automatic Diesel Crew Cab Utility 4x4 – bull bar, tow bar, cruise control or other specified vehicle as required; and
 - c. All vehicle shall be white in colour and affixed with Shire Logo.
7. Apply private use contributions for commuting use vehicles that attract FBT with a minimum contribution to offset the FBT value.
8. That CEO provide the following information to Council;
 - a. Terms, conditions and value for private use of Council-owned vehicles for all Shire employees. Council accepts this information is confidential and as such any reference to individual employee are to be removed to protect privacy;
 - b. Value (costs) of FBT for the above to determine the true cost as per the fleet consultants

- methodology;
- c. Independent advice as to whether Council is required to honour the new Employment Value in HR Package or the vehicle (including FBT) value listed in the existing employees Employment Contract;
 - d. The total and true “actual” cost of providing employees with private use of Council-owned vehicles for the past three years (2013/2014, 2014/2015 and 2015/2016);
 - e. Independent advice if Council can recover costs from staff should they be deemed to have exceed the “value” of the private use provision in the Contract of employment.
9. That all accidents causing damage to Council property shall be reported to Council as soon as possible with a full report.
10. That vehicle log books to be kept up to date at all times.

THE ALTERNATIVE MOTION WAS PUT AND DECLARED LOST 3/4
ON THE CASTING VOTE OF THE PRESIDENT
VOTED FOR CRS KING, GIBSON AND ANGUS
8.27PM

9.4.5 ALTERNATIVE MOTION/COUNCIL RESOLUTION 120517

Moved Cr Houston / Seconded Cr Rossouw

That Council:

- 1. Lay this item on the table so that Councillors who have not had the opportunity to digest the efforts of Cr King, are afforded additional time to consider the Alternative Motion moved by Cr King.**
- 2. Request that the consultant responsible for reviewing our fleet be invited to attend a Council workshop to address this matter.**
- 3. Acknowledges the points raised in Cr King’s Alternative Motion and for them to be workshopped by Council prior to the matter being presented back to Council.**

THE ALTERNATIVE MOTION WAS PUT AND DECLARED CARRIED 4/3
ON THE CASTING VOTE OF THE PRESIDENT
VOTED AGAINST CRS KING, GIBSON AND ANGUS
8:37PM

10. REPORTS OF COMMITTEES

Nil

11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

14. MEETING CLOSED TO THE PUBLIC

14.1 Matters for which the meeting may be closed

14.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 130517

Moved Cr Rossouw / Seconded Cr Osborn

That Council moves into a confidential session to discuss items 14.1.1 and 14.1.2 under the terms of the *Local Government Act 1995, Section 5.23(2)*:

- (b) *the personal affairs of any person; and*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) *a matter that if disclosed, would reveal—*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and*
- (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; and*
- (h) *such other matters as may be prescribed.*

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 6/0

8:39PM

14.1.1 CONFIDENTIAL ITEM: Reconsideration of Condition 1A Councils October 2016 Resolution item 10.1.2: Lot 169 (RN 351) Powderbark Road, Lower Chittering*

Report date	17 May 2017
Applicant	Steve Briffa
File ref	A11369; P085/16
Prepared by	Bronwyn Southee, Executive Manager Development Services
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Council report October 2016 OCM

Executive Summary

Council's consideration is requested to reconsider its resolution at its Ordinary Meeting of Council October 2016 to approve temporary accommodation of a Class 1A Dwelling and Class 10 Outbuilding at Lot 169 (RN 351) Powderbark Road, Lower Chittering.

This item is being referred to Council as the applicant has failed to meet Council's stipulated timeframes and is seeking further extensions to achieve timeframes due to personal reasons.

14.1.2 CONFIDENTIAL ITEM: Outstanding compliance on 61 Charbray Road, Lower Chittering*

Report date	17 May 2017
Applicant	A and T Kell
File ref	A10465
Prepared by	Bronwyn Southee, Executive Manager Development Services
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. History 2. Original planning/building approval for studio 3. Application for building permit

Executive Summary

This item is being presented to Council as an information update on the pending Demolition Order at 61 Charbray Road, Lower Chittering.

14.2 Public reading of resolution that may be made public

The meeting was reopened to the general public at 9:06PM and 0 members from the general public returned.

14.1.1 FORESHADOWED MOTION/COUNCIL RESOLUTION 140517

Moved Cr Gibson / Seconded Cr King

That Council:

1. grants the applicants request for a three month extension from 17 May 2017 to achieve compliance, in accordance with Council Resolution 091016 (dated 19 October 2016).
2. instructs the Chief Executive Officer to commence relevant legal process if compliance is not achieved by 17 August 2017.

THE FORESHADOWED MOTION WAS PUT AND DECLARED CARRIED 4/2
8:56PM

14.1.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 150517

Moved Cr Gibson / Seconded Cr Osborn

That Council acknowledges the actions taken to date and supports Shire Officers with the continued pursuit of compliance.

THE RECOMMENDATION WAS PUT AND DECLARED CARRIED 5/1
9:05PM

15. CLOSURE

The Presiding Member declared the meeting closed at 9:06PM.





6177 Great Northern Highway
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