

**MINUTES FOR
ORDINARY MEETING OF COUNCIL**

WEDNESDAY, 16 NOVEMBER 2016

**Council Chambers
6177 Great Northern Highway
Bindoon**

**Commencement: 7.01pm
Closure: 8.26pm**



These minutes will be confirmed at the Ordinary Meeting of Council to be held on Wednesday, 14 December 2016.

SIGNED BY

The person presiding at meeting which 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 7:01 PM.

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

2.1 Attendance

The following members were in attendance:

Cr Gordon Houston	President (Presiding Member)
Cr Peter Osborn	Deputy President
Cr Mary Angus	
Cr Don Gibson	
Cr Aaron King	
Cr Michelle Rossouw	

The following staff members were in attendance:

Mr Alan Sheridan	Chief Executive Officer
Ms Bronwyn Southee	Executive Manager Development Services
Mr Jim Garrett	Executive Manager Technical Services
Ms Karen Dore	Economic Development/Communications Officer
Mrs Natasha Mossman	Executive Support Officer (Minute Secretary)

There were six members of the general public in attendance.

2.2 Apologies

Ms Jean Sutherland	Executive Manager Corporate Services
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2.3 Approved leave of absence

Council has previously approved leave of absence for Cr George Tilbury for the period inclusive of Wednesday, 9 November 2016 to Sunday, 20 November 2016 (Resolution 010916).

3. DISCLOSURE OF INTEREST

3.1 Item 11.1 "Cr Don Gibson – Firebreak/Hazard Reduction Orders"

Cr Don Gibson declared a proximity interest on this item as he resides in an area of 'Rural Residential Zone'. In accordance with s5.68(1)(b)(ii) and (II) of the *Local Government Act 1995* the members present allowed Cr Gibson to be present during discussions and to vote on the item.

4. PUBLIC QUESTION TIME

4.1 Response to previous public questions taken on notice

4.1.1 Lee Martin, Bindoon

Question 1 Would Council consider supporting The Nationals to give property owners veto rights as to what can and can't happen on their land, with regard to exploration companies fracking for oil or gas in our Shire?

Answer 1: The Shire wrote to Mr Martin on 1 November and advised that the Shire is currently investigating this matter and will keep him informed of developments. The Shire did advise that at The Nationals WA state conference (held in Geraldton on Sunday, 29 October 2016) the party unanimously backed farmers' right of veto over drilling on private land.

4.2 Public question time

4.2.1 John Curtis, Bindoon

(as submitted)

Question 1 Why is Council making a law preventing people making a dollar from picking up junk from the road verge, fining them \$350 and turning them into criminals?

Answer 1 The Presiding Member asked the Executive Manager Development Services to respond. Ms Southee informed Mr Curtis that the Council is not proposing a verge collection. What Mr Curtis is referring to is the draft Waste Local Law which is currently out for public comment. This local law is a 'by-law' and will be governed by the Shire of Chittering. The purpose of this local law is for regulating waste collecting in the Shire.

Through the Chair, Mr Sheridan informed Mr Curtis that if he has any concerns he should provide comment on the draft local law before it returns to Council for final consideration. The deadline for comments is 4pm on Friday, 16 December 2016.

Question 2 Is Council aware of the environmental damage that will be done to the lakes when the STED pumps fail?

Answer 2 The Presiding Member informed Mr Curtis that the Shire is in preliminary discussions with the Water Corporation. This system is used extensively in the country and has an incorporated fail safe in place – otherwise they would not be allowed to install/use it.

Through the Chair, Mr Sheridan advised Mr Curtis that the system is designed to provide for underground storage of wastewater adjacent to the pump station which is standard practice around the world. If there is a power outage (for example), excess wastewater is stored in the underground tank, and when the power is restored it is then pumped out as normal.

4.2.2 Josephine Fern, Bindoon

Question 1 Question with regard to the NBN tower on the hill, why were workers there when they do not have permission to be there?

Answer 1 Through the Chair, Mr Sheridan informed Ms Fern that the tower had received planning approval and the Shire was aware of the workers onsite undertaking geotechnical testing which would allow for the design of the tower.

Through the Chair, Ms Southee informed Ms Fern that the Shire has spoken with NBN/Ericson, who advised that they are working with the Department of Aboriginal Affairs for site approval and that no further works will be carried out on the site at this time.

Question 2 Why is the Shire using hard and fast rules with regard to firebreaks; and why are not the Shire's verges cleared?

Answer 2 The Presiding Member advised Ms Fern that the Council has had recent discussions regarding verge mowing around the Shire advised that this is ongoing with the Shire's maintenance team – they are working through it. The Presiding Member understands that the new requirements for residents in the Country Club Estate may be hard to implement which is why the Shire is allowing residents to apply for variations. The Shire staff are more than willing to visit residents to view the blocks and assist with firebreak variations.

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 October 2016

7.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 011116

Moved Cr Rossouw / Seconded Cr Osborn

That the minutes of the Ordinary meeting of Council held on Wednesday, 19 October 2016 be confirmed as a true and correct record of proceedings.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:17 PM

8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

8.1 Certificate of Appreciation from Department of Immigration and Border Protection

On Friday, 11 November Mr Greg Wallis, the Deputy Regional Director WA attended the Shire office and presented this plaque in appreciation of the Shire's ongoing support of Australian Citizenship.

9. REPORTS

9.1 DEVELOPMENT SERVICES

9.1.1 Proposed Outbuilding: 54 Payne Street, Muchea*

Report date	16 November 2016
Applicant	Trident Buttfield
File ref	A10280
Prepared by	Nathalee Petersen, Planning Officer
Supervised by	Bronwyn Southee, Executive Manager Development Services
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	<ol style="list-style-type: none">1. Proposed Plans2. Schedule of Submissions3. Images of streetscape

Executive Summary

Council is requested to consider and determine the construction an outbuilding (shed) proposed at No.54 Payne Street, Muchea. The shed is proposed to be 6.5 metres wide and 12 metres long with a 9 metre by 3 metre lean-to attached. The shed is proposed to be located towards the south eastern side of the property and set back 2.75 metres from the side boundary running along Archibald Street. The item is referred to Council as the Shire received objections during the referral period.

IMAGE: LOCALITY PLAN



Background

The applicant within the original submission, proposed to construct a garage and storage shed to be set back 1.5 metres from the southern side boundary. As the property is zoned "Townsite R2.5", the shed is required to be set-back 7.5 metres from the side boundary in accordance with the *Residential Design Codes (R-Codes)*. Notwithstanding, the *R-Codes* stipulate the Shire may give discretion and approve the lesser setback providing the structure does not detract from the streetscape or visual amenity of residents or neighbouring properties, in accordance with the *R-Codes'* Design Principles Clause 5.1.2 P2.1.

The subject property has a site area of 3,743m² and contains an existing single dwelling as well as a water tank. Although the above image does not identify it, also contained on the rear (eastern) boundary is a netted garden area measuring approximately 50m² and located adjacent to the water tank along. The property is otherwise considerably bare and does not contain any vegetation.

Prior to determining the application, the variation was advertised to the surrounding landowners, for which the Shire received two objections. Their concerns were mainly focused on the impact on the Archibald streetscape. Both objectors suggested that the shed be placed 4 metres from the southern side boundary as opposed to the submitted 1.5 metres.

In response, the applicant has revised the plans, by increasing the setback distance to 2.75 metres from the southern side boundary. In addition to this, the applicant has proposed landscaping between the shed and Archibald Street so as to soften the impact to the amenity of the streetscape. This revised proposal was put forward to the affected neighbours, however they chose to uphold their objections, providing reasons relating to the affect upon the streetscape and visual amenity.

Consultation

Local: *Shire of Chittering Town Planning Scheme No 6*

Consultation was undertaken in accordance with Section 9.4 of the *Shire of Chittering's Town Planning Scheme No. 6* and the *R-Codes*. In accordance with the abovementioned provision of the Scheme, the application was advertised via letter to nearby landowners.

Following letters being posted, adjoining neighbours were given a period of 14 days to comment on the variation from 13 September to 27 September 2016. Two objections were received stating that the setback from the side boundary was insufficient and would impact the amenity of the Archibald Streetstreetscape.

Further analysis of these submissions is referred to in the Schedule of Submissions (see attachment 2).

Statutory Environment

State: *Planning and Development Act 2005*

Local: *Shire of Chittering Town Planning Scheme No. 6*

The property is zoned Townsite. The objectives of the zone are as follows:

- *To provide for a range of compatible uses within the Bindoon and Muchea townsites to provide for a high range of services, residential types, community and recreational facilities in a village with rural character;*
- *To prohibit land uses which may adversely affect the living and visual amenity of the location;*
- *To provide for the protection of the natural environment;*
- *To protect or enhance any local reserves.*

The proposed outbuilding is not deemed to affect the use of the land and hence adversely affect the living and visual amenity of the location.

Policy Implications

State: *State Planning Policy 3.1 Residential Design Codes*

The subject lot is located within the Muchea Townsite with an applicable density of R2.5. Therefore any development occurring on the lot is regulated by the *R-Codes*. Table 1 of the *R-Codes* provides a setback standard from the secondary street boundary of 7.5 metres. This requirement is able to be varied providing the development demonstrates compliance with the following design principles outlined in Part 5.4.3 (outbuildings) of the *R-Codes*:

- *Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties*

Furthermore, part 5.1.2 (street setbacks) states:

Buildings set back from street boundaries an appropriate distance to ensure they:

- *contribute to, and are consistent with, an established streetscape;*
- *provide adequate privacy and open space for dwellings;*
- *accommodate site planning requirements such as parking, landscape and utilities; and*
- *allow safety clearances for easements for essential service corridors.*

A critical element of the *R-Codes* is that the development must contribute to and be consistent with an established streetscape. Currently, the frontage on Archibald Street is characterised by relatively open streetscapes and landscaping. The images (see attachment 3), taken on a recent site visit demonstrates such. In addition to this, Archibald Street is consistent with buildings being set back from the street. Therefore the previous setback of 1.5 metres is not consistent with this pattern and as such would not satisfy this element. The revised setback of 2.75 metres and added landscaping between the shed and street assists in achieving consistency with the present streetscape.

The proposal makes for better use of space internally without detracting from the property's usable outdoor living areas and open space. It further allows additional privacy to the rear garden area which is not otherwise afforded to the property currently.

The location of the outbuilding and crossover allows for sufficient clearance of essential services and infrastructure within the verge area.

Therefore, the design principles of the *R-Codes* are considered to be satisfied and accordingly approval to the lesser setback is recommended. To ensure the landscaping is maintained and sufficient for screening purposes, a condition of approval has been imposed ensuring this occurs. However, as objections have been received officers are unable to make a determination on this application.

Local: *Local Planning Policy 7 – Outbuildings and Swimming Pools (LPP7)*

The property is located in Muchea Townsite and zoned R2.5. Section 5.2 (c) of *LPP7* states:

The Local Government may exercise its discretion to vary the Residential Design Codes by approving outbuildings up the maximum size of 150m², irrespective of the Residential Design Codes density restrictions

As the proposed outbuilding measures 105m² in area (shed=78m²; lean-to=27m²) as opposed to the *R-Codes* standard of 60m², the Shire is permitted to exercise discretion to vary the standards where the development does not detract from the streetscape or visual amenity of residents or neighbouring properties.

It should be noted that the proposal was submitted prior to the advertising of the updated 'Outbuildings' Local Planning Policy (adopted by Council at its September Ordinary meeting). Therefore, the standards of the most current policy are not able to be applied in this instance. Notwithstanding, the updated policy stipulates a maximum development requirement of 120m² for outbuildings in R2.5 zoned properties. Had the updated policy been adopted when the Shire originally received the application, planning approval would still be required to exercise discretion.

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

A site inspection was undertaken on 18 October 2016. During the inspection it was confirmed the previous 1.5 metre setback would not be sufficient as Archibald Street is characterised by open landscaping as well as buildings being substantially set back from the road. It was further identified that the street is characterised by landscaping, which serves to screen a significant majority of development within the street.

Triple Bottom Line Assessment

Economic implications

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

Social implications

The proposed shed will lessen the impact on visual amenity as it will be utilised to screen storage.

Environmental implications

Currently, there is no vegetation existing on the southern side of the property. The applicant's proposal to plant evergreen semi-matured plants between the outbuilding and side boundary will soften the impact the development may have on the streetscape and help to retain soil structure otherwise subject to wind erosion.

Comment

The shed has been assessed against the R-Codes to ensure it does not detract from the streetscape or visual amenity of residents or neighbouring properties. While the *R-Codes* setback requirement of 7.5 metres from the side boundary is noted, the applicant's property is somewhat limited for space due to the location of their usable garden area and water tank. The applicant's proposal to plant vegetation between the shed and side boundary will assist in creating consistency with the existing streetscape along Archibald Street as well as helping to screen the development.

9.1.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 021116

Moved Cr Gibson / Seconded Cr King

That Council approves the proposed outbuilding at 54 Payne Street, Muchea in accordance with the attached plans, subject to the following:

- 1. The outbuilding is not to be used for Commercial purposes without the prior approval of the Shire.**
- 2. The proposed outbuilding is for storage purposes only and not for residential habitation.**
- 3. Roofing to be tiled or pre-painted material such as the product Colourbond.**
- 4. The maximum area to be cleared is not to exceed 2,000m².**
- 5. A landscaping plan is to be submitted to the satisfaction of the Shire consisting of the following:**
 - a. details of the type and location of vegetation to be planted.**
 - b. landscaping is to be installed and completed in accordance with the approved plan submitted in accordance with this condition.**

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:24 PM

9.1.2 Waste and Recycling Tonnages*

Report date	16 November 2016
Applicant	Shire of Chittering
File ref	31/01/0004
Prepared by	Glenn Sargeson, Principal Environmental Health Officer
Supervised by	Bronwyn Southee, Executive Manager Development Services
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Chittering Waste and Recycling Census 2015-2016

Executive Summary

The Shire of Chittering is required to submit a waste and recycling census report for the period 1 July to 30 June each year to the Department of Environment Regulation (DER) as a requirement of the *Waste Avoidance and Resource Recovery Act 2007*. This report summarises the key results of the waste and recycling census report and discusses options for improving the recovery rate for recyclable and reusable materials.

Background

The information for this report is obtained from the Shire's Technical Services department through the operational data recorded for the Muchea and Bindoon Landfill and Recycling Centres and from the Shire's contractor for kerbside waste and recycling – Avon Waste. This report summarises and comments on variations between the 2012 to 2016 reports. Note that the figures quoted in this report only relate to domestic waste and recyclable materials, including municipal (Shire) waste and does not include commercial waste.

Consultation

The Principal Environmental Health Officer consulted with the Executive Manager Technical Services, landfill supervisor, officers from the DER Waste Management Section and staff from Avon Waste.

Statutory Environment

State: *Waste Avoidance and Resource Recovery Act 2007 (WAAR Act)*

The primary objectives of this Act under Section 5 (1) are to:

- “contribute to sustainability, and the protection of human health and the environment, in Western Australia and the move towards a waste-free society by —*
- (a) promoting the most efficient use of resources, including resource recovery and waste avoidance; and*
 - (b) reducing environmental harm, including pollution through waste; and*
 - (c) the consideration of resource management options against the following hierarchy —*
 - (i) avoidance of unnecessary resource consumption;*
 - (ii) resource recovery (including reuse, reprocessing, recycling and energy recovery);*
 - (iii) disposal.”*

Policy Implications

The *WARR Act* requires that Local Governments have a Waste Plan that supports the objectives of their Waste Strategy: “Creating the Right Environment (2012)”. Accordingly, the Shire of Chittering has the *Strategic Waste Management Plan*, February 2014.

Financial Implications

It is critical that the Shire optimises the use of existing landfill space. It is proposed to cease landfilling operations at the Bindoon Landfill and Recycling Centre and construct a transfer station with wastes being transferred to the Muchea site. There are expenses associated with the closure and rehabilitation of the site as well as the construction of the transfer station facilities. With the addition of the wastes transferred from the Bindoon landfill site it is estimated that the current Muchea site (that is the area currently being used) has an expected lifespan of 7 years. Development into adjacent land purchased from Boral several years ago will extend the life of the landfill but it is not known at this stage what the DER requirements will be with regard to their requirements for lining, leachate management, drainage and gas extraction measures.

Strategic Implications

The State Waste Strategy has the objectives for non-regional regional centres of achieving a 30% reduction in waste to landfill by 2015 and a 50% reduction by 2020 for major regional centres. The Shire of Chittering is not classified as a major regional centre as it does not have a town with a population of at least 15000 people.

Site Inspection

The landfill and recycling sites are regularly inspected by DER auditors and Council Officers for compliance with licence conditions.

Triple Bottom Line Assessment

Economic implications

A reduction in waste to landfills will have economic benefits brought about by a reduction in operational expenses, improved use of resources and the saving of valuable landfill space for future generations.

Social implications

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

Environmental implications

The WARR Act and associated State Government policies, as well as Local Government Waste Plans and associated strategies are all ultimately for the sustainability of the environment.

Comment

Table 1 shows a comparison between the waste and recycling tonnages for the shire from July 2012 to June 2016:

TABLE 1: DOMESTIC DROP-OFF SERVICE AND KERBSIDE SERVICE (ALL FIGURES IN TONNES)

	2012/13	2013/14	2014/15	2015/16		
	Drop off	Drop off	Kerbside	Drop off	Kerbside	Drop off
Mixed waste	8280	5415	1061	1924	1402	1870
Dry recyclables	131	1195	310	213	428	243
Greenwaste	137	690	NA	511	NA	295
Shire operations	NA	NA	NA	1350	NA	1600
Kerbside recovery rate	NA	NA	21%		22%	
Drop off recovery rate	3%	25%	31%		31%	
Recovery Rate	3.5 %	25%	28%		27%	
Average waste per person	31 kgs/week	29 kgs/week	14 kgs per week		15 kgs/week	
Average waste per household	82 kgs/week	74 kgs/week	42 kgs/week		39 kgs/week	

It is noted that the recovery rate for 2015-2016 of 27% is less than the 30% target set by the Waste Authority. In a report by the Waste Authority on the results of the 2014-2015 waste and recycling census it was reported that local governments which offered three kerbside bins – general, co-mingled and greenwaste- recovered on average 42% of waste from all three bins compared to local governments with two bins, which recovered only 22%. The improvement is therefore largely due to greenwaste bin collection and would be desirable in major regional centres to achieve the Waste Authority target. The results of the waste and recycling community survey presented to Council in June 2016 indicated that residents are committed to good greenwaste/organic waste practices with 64.8 % of respondents composting, 46.3% mulching and 26.9 % using worm farms. The additional cost of a greenwaste bin service, or a greenwaste verge collection, in the Shire of Chittering is therefore not warranted.

The Waste Authority report also indicated that local governments that utilised alternative waste treatment facilities were achieving an average 48% recovery rate. However, such technology would be too expensive for a small country shire but perhaps could be considered in the future in a regional collaboration.

In order to achieve the target 30% recovery rate the Shire of Chittering can continue to make gains by improved recycling practices both on the home front and at the landfill gate.

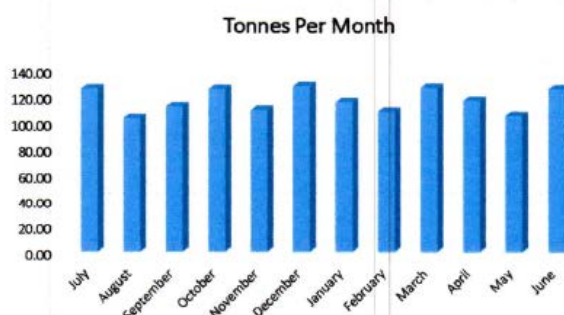
The monthly kerbside rubbish collection tonnages are shown in Table 2:

TABLE 2:- MONTHLY KERBSIDE RUBBISH TONNAGES FOR 2015/16



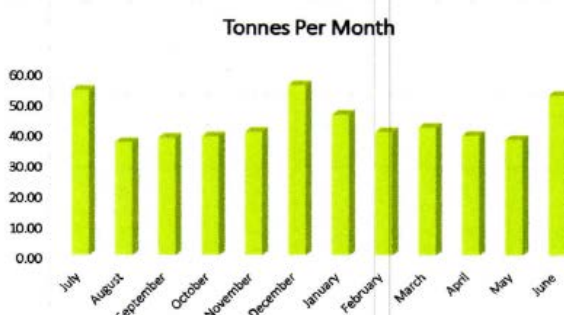
Shire of Chittering - Kerbside Rubbish Weights

Month	Tonnes Per Month
July	125.83
August	103.43
September	112.12
October	125.51
November	109.41
December	127.94
January	115.62
February	108.32
March	126.68
April	116.65
May	105.20
June	125.60
Total	1402.31



Shire of Chittering - Kerbside Recycle Weights

Month	Tonnes Per Month
July	53.90
August	37.00
September	38.42
October	38.79
November	40.39
December	55.55
January	45.95
February	40.28
March	41.73
April	39.19
May	37.86
June	52.19
Total	521.25



In addition to the above there were 243 tonnes of dry recyclables and 1870 tonnes of mixed waste dropped off by residents at the landfill centres during the year.

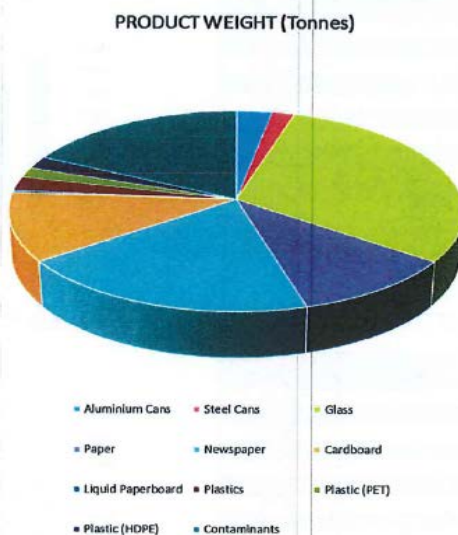
The breakdown of recyclable products is shown below in Table 3:

TABLE 3: SHIRE OF CHITTERING RECYCLING PRODUCTS BREAKDOWN



Shire of Chittering - Recycling Product Breakdown

PRODUCT	PRODUCT WEIGHT (Tonnes)
Aluminium Cans	14.60
Steel Cans	9.38
Glass	157.42
Paper	55.77
Newspaper	101.64
Cardboard	57.34
Liquid Paperboard	1.56
Plastics	11.99
Plastic (PET)	8.34
Plastic (HDPE)	10.43
Contaminants	92.78
TOTAL	521.25



Please Note:

Recycling loads are not delivered individually to SMRC. Loads are co-mingled with other Shires to minimise collection and travel expenses. The Recycling Product Breakdown has been provided by WALGA as the result of recycling product audits, and is to be used as an estimate for the volume of each product.

Note that there was almost 93 tonnes of contaminants (18%) collected which are disposed to landfill.

Note also that the figures provided by Avon Waste are regional averages as it is impossible to break down the figures for individual local governments. This means that improvements made in kerbside collections in any particular shire will not be recognizable as they will be masked by regional statistics.

The Shire of Chittering has fared better than other local governments in the region with regard to the kerbside recovery and drop off recovery rates for similar sized local governments as shown in Table 4: Note that figures for 2016 are not available until 2017.

TABLE 4: RECOVERY RATE COMPARISON WITH OTHER SIMILAR SIZED LOCAL GOVERNMENTS

Kerbside recovery rates:	2013	2014	2015	2016
Your local government		0%	21%	22%
Average for local government with similar population	9%	14%	15%	NA
Waste strategy target* for municipal waste(2015-2020)	30%	30%	30%	50%
Drop off recovery rates:	2013	2014	2015	2016
Your local government	3%	25%	31%	31%
Average for local government with similar population	28%	27%	28%	NA
Waste strategy target* for municipal waste(2015-2020)	30%	30%	30%	50%

The Waste Authority has emphasised in its Waste Strategy the importance of regional collaboration such as the AROC (Avon Region of Councils) which has formed a Waste Strategy Working Group to develop strategies to address waste and recycling issues and to obtain funding from state government which is only available for regional projects.

The annual waste and recycling census report for 2015-2016 is included as an attachment.

9.1.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 031116

Moved Cr Rossouw / Seconded Cr Gibson

That Council:

- 1. Receives the Waste and Recycling Tonnages report for the period July 2015 to June 2016.**
- 2. Be informed of future waste and recycling census reports to the Department of Environment and Regulation.**

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:31 PM

9.2 TECHNICAL SERVICES

9.2.1 Supply and Lay of Bitumen Seal Contract*

Report date	16 November 2016
Applicant	Shire of Chittering
File ref	06/03/1
Prepared by	Jim Garrett, Executive Manager Technical Services
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	1. Request for Quote submissions
Attachments	1. Evaluation report

Executive Summary

Council is requested to award the contract for supply and lay bitumen seal in 2016-2017.

As the quotes received were above the threshold of any purchases over \$100,000 in the Shire of Chittering purchasing policy (*Policy 2.12 Purchasing*), the Chief Executive Officer requires Council approval to sign the purchase order for the supply and lay of the bitumen seal.

Background

As part of the Shire of Chittering annual road construction program, quotes were requested through the WALGA Preferred Suppliers arrangement, to supply and lay approximately 125,357 litres of bitumen seal on various road construction projects within the Shire of Chittering.

The roads that bitumen works will be carried out on are:

1. Chittering Road
2. Chittering Valley Road
3. Hay Flat Road
4. Learners Way
5. Orchard Road
6. Morley Road
7. Blue Plains/Maddern Road intersection
8. Muchea East/Wandena Road intersection
9. Julimar Road
10. Spice Road
11. Carl Street

Quotes were received from the following suppliers:

- | | |
|----------------------------|---|
| 1. Bitumen Surfacing | \$296,380 for the supply and lay of bitumen |
| 2. Bitutek Pty Ltd | \$255,000 for the supply and lay of bitumen |
| 3. Boral Resources | \$322,145 for the supply and lay of bitumen |
| 4. Downer Infrastructure | \$238,522 for the supply and lay of bitumen |
| 5. Fulton Hogan Industries | \$263,159 for the supply and lay of bitumen |

All quotes received are GST exclusive.

A qualitative criterion was conducted to assess the bitumen seal quotes as can be seen in Attachment 1.

Downer Infrastructure received a higher score for the supply and lay of bitumen seal works due to the price received per M² and from bitumen seal works that has been carried out for the Shire in previous years.

Consultation

Nil

Statutory Environment

State: *Local Government Act 1995 s3.57 – Tenders for providing goods or services*

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

State: *Local Government (Function and General) Regulations 1996, Part 4, Division 2 – Tenders for providing goods or services (s3.57), Regulations 11-24.*

Policy Implications

Local: *Policy 2.12 Purchasing*

Financial Implications

In the 2016-2017 budget for road construction the following funds that have been allocated to:

1. Chittering Road	\$ 519,524
2. Chittering Valley Road	\$ 79,504
3. Hay Flat Road	\$ 60,000
4. Learners Way	\$ 155,915
5. Orchard Road	\$ 152,148
6. Morley Road	\$ 112,767
7. Blue Plains/Maddern Road intersection	\$ 262,398
8. Muchea East/Wandena Road intersection	\$ 283,399
9. Julimar Road	\$ 162,940
10. Spice Road	\$ 148,864
11. Carl Street	\$ 184,429
Total	\$2,121,888

Strategic Implications

Nil

Site Inspection

Yes

Triple Bottom Line Assessment

Economic implications

Sealing of the roads will assist in the asset preservation of the Shire of Chittering Road network reducing maintenance costs.

Social implications

Reconstruction and sealing of the roads will improve road safety for all road users.

Environmental implications

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

Comment

The bitumen seal works will comprise of primer and second coat seal on reconstruction works and applying a final seal on various roads for asset preservation.

It is recommended that Council award the contract to Downer Infrastructure to supply and lay approximately 125,357 litres of bitumen seal on various road construction projects within the Shire of Chittering for \$238,522 exclusive of GST.

9.2.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 041116

Moved Cr Rossouw / Seconded Cr Gibson

That Council:

- 1. Award the contract to Downer Infrastructure to supply and lay approximately 125,357 litres of bitumen seal on various road construction projects within the Shire of Chittering for \$238,522.**
- 2. Grant approval for the Chief Executive Officer to sign purchase orders to supply and lay 125,357 litres of bitumen seal on the road construction projects to the value of \$238,522.**

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:32 PM

9.2.2 Cement Stabilisation works for road construction works 2016-2017*

Report date	16 November 2016
Applicant	Shire of Chittering
File ref	06/03/1
Prepared by	Jim Garrett, Executive Manager Technical Services
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	1. Request for Quote submissions
Attachments	1. Evaluation report

Executive Summary

Council is requested to award a contract for cement stabilisation works for 2016-17.

As the quotes received were above the threshold of \$100,000 the Chief Executive Officer requires Council approval to sign the purchase order for the services.

Background

As part of the Shire of Chittering annual road construction program, quotes were requested through the WALGA Preferred Suppliers arrangement, for the pulverizing and application of approximately 42,860m² of cement stabilisation to increase the strength of road base and reduce the volumes of gravel needed for road reconstruction works.

The roads that the stabilisation will be carried out on are:

1. Chittering Road
2. Julimar Road
3. Spice Road
4. Carl Street

Quotes were received from the following suppliers:

- | | |
|-------------------------------------|--|
| 1. Downer Infrastructure | \$137,224 for the cement stabilisation |
| 2. Stabilisation Technology Pty Ltd | \$193,199 for the cement stabilisation |

All quotes received are GST exclusive.

A comparative assessment of the submitted quotations can be seen in Attachment 1.

It is recommended that the contract be awarded to Downer Infrastructure.

Consultation

Nil

Statutory Environment

State: *Local Government Act 1995 s3.57 – Tenders for providing goods or services*

(3) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*

(4) *Regulations may make provision about tenders.*

State: *Local Government (Function and General) Regulations 1996, Part 4, Division 2 – Tenders for providing goods or services (s3.57), Regulations 11-24.*

Policy Implications

Local: Policy 2.12 Purchasing

Financial Implications

In the 2016-2017 budget for road construction the following funds that have been allocated to:

1. Chittering Road	\$ 447,814
2. Julimar Road	\$ 162,940
3. Spice Road	\$ 148,864
4. Carl Street	<u>\$ 184,429</u>
Total	\$ 944,047

Strategic Implications

Nil

Site Inspection

Yes

Triple Bottom Line Assessment

Economic implications

Reconstruction of the roads will assist in the asset preservation of the Shire of Chittering Road network thereby reducing maintenance costs.

Social implications

Reconstruction of the roads will improve road safety for all road users.

Environmental implications

The use of cement stabilisation will reduce the amount of gravel used in the road construction reducing the need to remove top soil and vegetation to excavate gravel.

Comment

Core testing and soil sampling has been carried out on the roads to assess the depth of gravel, road base and types of soil for the application rate of cement to be applied. When roads have been stabilised they will be water bound and sealed.

It is recommended that Council award the contract to Downer Infrastructure, to pulverize and cement stabilise approximately 42,860m² for \$137,224 exclusive of GST, as their offer represents best money for value.

9.2.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 051116

Moved Cr Osborn / Seconded Cr Rossouw

That Council:

- 1. Award a contract to Downer Infrastructure to pulverize and cement stabilise approximately 42,860m² of road base for \$137,224 exclusive of GST.**
- 2. Authorise the Chief Executive Officer to sign purchase orders to pulverize and cement stabilise approximately 42,860m² of road base to the value of \$137,224 exclusive of GST.**

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:33 PM

9.3 CORPORATE SERVICES

9.3.1 Financial statements for the period ending 31 October 2016*

Report Date	16 November 2016
Applicant	Shire of Chittering
File ref	12/03/4
Prepared by	Jean Sutherland, Executive Manager Corporate Services
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Statement of Financial Activity for period ending 31 October 2016 Bank reconciliation for period ending 31 October 2016 List of accounts paid for October 2016

Executive Summary

Council is requested to receive the Statement of Financial Activity for the period ending 31 October 2016, and bank reconciliation and endorse the list of accounts paid for the period ending 31 October 2016.

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.

The statement of financial activity for the period ending 31 October, bank reconciliation and list of accounts paid for the period ending 31 October 2016 are hereby presented for Council's information.

Consultation

Executive Manager Development Services
Executive Manager Technical Services
Community Emergency Services Manager
Building Co-ordinator

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 and bank reconciliation and endorse the list of payments as presented.

9.3.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 061116

Moved Cr Gibson / Seconded Cr Rossouw

That Council:

- 1. Endorse the list of payments:**
 - a. PR3822, PR3823**
 - b. EFT 13189 - EFT 13309**
 - c. Municipal Fund Cheques 14146 – 14159**
 - d. Direct Debits and Transfers as listed**
 - e. Trust Fund Cheques 545 - 547****Totalling \$1,152,672.98 for the period ending 31 October 2016.**
- 2. Receive the bank reconciliation for the period ending 31 October 2016.**
- 3. Receive the Statement of Financial Activity for the period ending 31 October 2016.**

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:33 PM

9.3.2 2015-2016 Annual Report and Setting of Annual General Meeting of Electors*

Report Date	16 November 2016
Applicant	Shire of Chittering
File ref	12/03/4
Prepared by	Jean Sutherland, Executive Manager Corporate Services
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Absolute Majority
Documents tabled	Nil
Attachments	1. Shire of Chittering 2015-2016 Annual Report, Financial Statements and Audit Report

Executive Summary

Council is requested to accept the 2015-2016 Annual Report and Financial Statements and set the date for the Annual General Meeting of Electors.

Background

The *Local Government Act 1995* requires a local government to prepare an Annual Report each financial year and to hold an Annual General Meeting of Electors.

The Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the report is accepted by the local government.

The annual audit was undertaken during August 2016 by Mr Plinio Bresciani from Moore Stephen. The audit report was signed off by the Shire's auditor Mr Wen Shien Chai on 14 October 2016 and received in this office on 14 October 2016.

Mr Wen Shien Chai will meet with the Audit Committee in the New Year to discuss any queries relating to the 2015-2016 Annual Report and financial statements.

Consultation

Chief Executive Officer

Statutory Environment

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

Policy Implications

Nil

Financial Implications

The Annual Report and Financial Statements will be printed in house.

There will be costs associated with advertising of the Annual Report and giving public notice of the Annual General Meeting of Electors. These costs have been included in the 2016-2017 budget.

Strategic Implications

Not applicable

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 audit report received indicated no matters, in the opinion of the auditors, to indicate significant adverse trends in the financial position or the financial management practices of the Shire and no other matters indicating non-compliance with Part 6 of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

The net surplus position is explained by over \$1M being received in grant funding for projects that were funded in 2015-2016 but are not expected to be commenced/completed until 2016-2017. The remainder of the surplus relates to under expenditure in various programs across the financial statements.

The introduction of fair value accounting has had a significant impact on depreciation charges. 2015-2016 saw the calculation of depreciation on the new fair values for Infrastructure which were bought to account the previous financial year where infrastructure assets increased by in excess of \$61M.

To meet the legislative requirements, the Annual General Meeting must be held by 11 January 2017. It is recommended that Council accepts the 2015-2016 Annual Report and Financial Statements and confirms the date for the Annual General Meeting of Electors as Monday, 5 December 2016 and it will be held at the Chinkabee Complex, 6166 Great Northern Highway, Bindoon.

9.3.2 OFFICER RECOMMENDATION

Moved Cr Rossouw / Seconded Cr Gibson

That Council:

1. Pursuant to Sections 5.54 and 5.55 of the *Local Government Act 1995*, accepts the Annual Report and Financial Statements for the 2015-2016 financial year.
2. Convenes the Annual General Meeting of Electors at 7.00pm on Monday, 5 December 2016 at the Chinkabee Complex, 6166 Great Northern Highway, Bindoon.

AMENDMENT

Moved Cr Rossouw / Seconded Cr Gibson

That the time in condition "2." be amended to read 6.30pm.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 6/0
BY AN ABSOLUTE MAJORITY
AND FORMED PART OF THE SUBSTANTIVE MOTION

7:34 PM

9.3.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 071116

Moved Cr Rossouw / Seconded Cr Gibson

That Council:

- 1. Pursuant to Sections 5.54 and 5.55 of the *Local Government Act 1995*, accepts the Annual Report and Financial Statements for the 2015-2016 financial year.**
- 2. Convenes the Annual General Meeting of Electors at 6.30pm on Monday, 5 December 2016 at the Chinkabee Complex, 6166 Great Northern Highway, Bindoon.**

**THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 6/0
BY AN ABSOLUTE MAJORITY**

7:35 PM

9.3.3 Regional Sports and Community Centre Feasibility Study*

Report date	16 November 2016
Applicant	Shire of Chittering
File ref	04/18/86
Prepared by	Lisa Kay, Community and Club Development Officer
Supervised by	Jean Sutherland, Executive Manager Corporate Services
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. Regional Sports and Community Centre Feasibility Study, Phase 1 and 2 reports

Executive Summary

Council is requested to receive the Regional Sports and Community Centre Feasibility Study Phase 1 and 2 reports as the final report prepared by Consultant Jill Powell & Associates.

Background

The purpose of the study was to seek professional services from suitability qualified and experienced consultants to undertake feasibility study for a proposed Regional Sports and Community Centre in Lower Chittering. Jill Powell and Associates were appointed the successful tenderer at the April 2016 Ordinary Council Meeting.

The objectives for the feasibility study were:

- The assessment of the suitability of a 10 hectare green field site in Lower Chittering and possible consolidation of existing facilities in the southern part of the Shire into a regional sporting hub.
- Identify the social and economic benefits of co-locating the facilities.
- Identifying any issues and constraints the project may encounter including community response to the proposed project.
- Identification of any major environmental or physical constraints the proposed site may have.
- To critically assess options available and provide Council with both an appropriate model and sufficient information to make an informed decision about whether to proceed with the development of the Regional Sports and Community Centre.

Consultation

During the study a consultation process was undertaken that allowed the community to indicate their needs for future development. Of the 15% response rate, 88% of respondents stated there was a need for more recreational and social facilities within the Shire. A further 76% of the respondents stated they would use the new facilities. These responses are indicative of 509 persons per week utilising the facility based on 2011 population rates (15.2%/76%=11.5% x 4428 = 509 persons per week).

Detailed servicing investigations of the site for power, communications, water, wastewater, drainage and a desktop study of existing services and aerial imagery were undertaken by Porter Consulting Engineers. Based on the information available, with the exception of water supply, there does not appear to be any significant engineering factors that would prevent the development of the proposed Chittering Regional Sporting Complex on the 10ha green field site. However, the supply of water in the quantities required to support the proposed sporting complex is a high risk item and requires further consideration.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

A preliminary master plan budget estimates the entire project at \$31,029,999. However, it is the opinion of the consultant that a staged development of the project could be achieved within the Councils budgetary constraints and subject to grant funding as follows:

Stage	Description	Estimated project costs
First Stage	Development of the multi-use centre	\$8mil
Second stage	Development of Ovals and courts and change rooms	\$8.5 mil
Third Stage	Landscaping/fitness track and playgrounds	\$1.7 mil
Fourth Stage	Library and Council Office	\$5 mil
Total Construction Costs		\$23.2 mil

In addition to these costs are the allowance for professional fees, design and construction contingencies and other costs as contained within the Master Plan Budget.

The staging above is based on the priorities identified within the study consultation and facility inventory and whilst the Shire does not have a senior oval it does have two major ovals in Muchea and Bindoon. The Shire's biggest gap in community facility provision is the lack of indoor sport and recreation opportunities.

Strategic Implications

Local: Strategic Community Plan 2012-2022

Social: Building a sense of Community

Outcome: Active communities

Strategies: Develop Recreational areas for future generations

Key Priorities: Explore options to build a multi-purpose recreational centre/s

Local: Shire of Chittering Sport and Recreation Plan

A regional recreation/sporting facility has been identified to be constructed in 2019-2020.

Local: Aged Friendly Community Plan 2016-2019

- Sport and Recreation

Objective: Provide facilities and recreation services that contribute to the social and physical wellbeing of older community members.

- Social Participation/ Respect and Social Inclusion

Objective: Facilitate opportunities for community members to engage with each other and ensure respect for our older community members is encouraged.

Local: Youth Strategy 2015 – 2018

- Things to do and places to go
Objective: Explore possibility of utilising existing facility or new CRC facility that incorporates a youth drop in space.
- Reducing risky behaviours
Objective: Empower the Chittering Youth Krew with information and advocacy skills to ensure that they are able to advocate to Council what gaps and needs exist for youth within the Shire; for consideration in all Council planning, development and service provision.

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

Environmental implications

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

Comment

Council and Staff are requested to refer to this document as a basis for future discussions and considerations for the development of a regional sporting facility within the Shire of Chittering. The work undertaken within the study is comprehensive and provides a solid basis for Shire staff when considering proposals for consolidation of existing community facilities, the colocation of facilities within a regional precinct and; for the rationale when seeking funding and partnership opportunities to undertake any future community facility development within the Shire of Chittering.

9.3.3 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 081116

Moved Cr Rossouw / Seconded Cr Osborn

That Council:

1. Receives the Regional Sports and Community Centre Feasibility Study Phase 1 and 2 reports as the final report prepared by Consultant Jill Powell & Associates.
2. Directs the Chief Executive Officer to arrange a further workshop with the consultant, Council and staff regarding the final report and the scale/staging of facilities associated with the proposed concept plans.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:38 PM

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 Setting of Ordinary Council Meeting dates for 2017

Report date	16 November 2016
Applicant	Shire of Chittering
File ref	13/02/33
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 is requested to endorse the proposed dates for Ordinary Council Meetings in 2017.

Background

The *Local Government (Administration) Regulations 1996* requires that a local government is to give local public notice at least once each year of the proposed dates on which meetings are to be held and the times and venues at which they are to be held. The purpose of this report is to set Ordinary Council Meeting dates for the period February 2017 to December 2017, so that these can be advertised in accordance with that regulation.

Consultation

Chief Executive Officer
Executive Manager Corporate Services

Statutory Environment

State: *Local Government (Administration) Regulations 1996*
Local Government Act 1995

Policy Implications

Nil

Financial Implications

There will be costs involved in advertising for meeting dates in *The Advocate* and *Northern Valley News*. If there are any special council meetings called during the 2017 calendar year, these will also incur advertising charges. These charges have been allowed for in the 2016-2017 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

In determining meeting dates for 2017, consideration needs to be given to school and public holidays, and their impact on agenda distribution, meeting clashes, Councillors and the general public's ability to attend the scheduled meetings.

The following timetable shows the relationship between school and public holidays and the usual meeting cycle (i.e. third Wednesday of the month, February – December):

Usual cycle meeting date	Scheduled holidays (i.e. school and public)	Suggested meeting date
15 February	*School returns 1 February 2017	15 February
15 March	Monday, 6 March – Labour Day	15 March
19 April	<u>School holidays</u> Saturday, 8 April – Sunday, 23 April <u>Public holidays</u> Friday, 14 April – Good Friday Monday, 17 April – Easter Monday Tuesday, 25 April – ANZAC Day	19 April
17 May		17 May
21 June	Monday, 5 June – WA Day	21 June
19 July	<u>School holidays</u> Saturday, 1 July – Sunday, 16 July	19 July
16 August		16 August
20 September	<u>School holidays</u> Saturday, 23 September – Sunday, 8 October <u>Public holiday</u> Monday, 25 September – Queen's birthday	20 September
18 October		18 October
15 November		15 November
20 December	<u>School holidays</u> Friday, 15 December – Tuesday, 30 January 2018 <u>Public holidays</u> Monday, 25 December – Christmas Day Tuesday, 26 December – Boxing Day	13 December

9.4.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 091116

Moved Cr Rossouw / Seconded Cr King

That Council:

1. Endorses the following meeting dates for Ordinary Meetings of Council of the Shire of Chittering for the 2017 calendar year:
 - a. 15 February
 - b. 15 March
 - c. 19 April
 - d. 17 May
 - e. 21 June
 - f. 19 July
 - g. 16 August
 - h. 20 September
 - i. 18 October
 - j. 15 November
 - k. 13 December
2. Approves the advertising of the 2017 meeting dates in accordance with the *Local Government (Administration) Regulations 1996*.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:39 PM

9.4.2 Funding of Service Relocations: Binda Place Project

Report date	16 November 2016
Applicant	Shire of Chittering
File ref	04/19/25
Prepared by	Jim Garrett, Executive Manager Technical Services
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	Nil

Executive Summary

Council is requested to approve an amendment to the Binda Place project budget to provide for funds associated with service relocations, which have cost significantly more than was estimated at the commencement of the project. The funds are proposed to be drawn from the Binda Place Reserve which has a current balance of \$109,735.

Background

Council resolution 100516 on 18 May 2016 awarded a contract to Tracc Civil for the construction of Binda Place. As part of that resolution, Council approved a funding allocation of \$1.72M (excluding GST) for the construction of Binda Place, including a 10% contingency. That is, \$1.56M (excluding GST) for the contract with Tracc Civil and a 10% contingency of \$156,000.

As part of the 2016-2017 Budget, Council approved a total budget of \$1,927,650 for the Binda Place project comprising of:

- Construction Tender - \$1,564,091
- Construction Contingency - \$156,409
- Signage - \$46,000
- Project Management - \$16,150
- Slip Lane Works - \$145,000

The 2016-2017 budget also includes a Binda Place Reserve which has a current balance of \$109,735 (note that this amount is in addition to current \$1,927,650 budget allocation as detailed above).

The current budget is funded from the following sources:

- Roads to Recovery - \$1,658,000 (86%)
- Royalties for Regions - \$125,000 (6.5%)
- Council Funding - \$145,000 (7.5%)

As previously highlighted, service relocations associated with the project have cost significantly more than was estimated at the commencement of the project. In particular, a recent issue regarding the design of the slip lane entry at the Southern end of Binda Place requires the relocation of Telstra services in that location. It was originally envisaged that the Telstra Pit in that location (which also contains fibre optic) could have been made trafficable. However, this is not the case and relocation of that service will be required. Design alternatives have been reviewed in considerable detail in an attempt to avoid relocation of the existing service, however the alternative arrangements have significant shortcomings in terms of traffic safety and are not recommended. In any event, it is highly unlikely that the alternative arrangements would be approved by Main Roads WA.

The total cost of service relocations for the project is \$100,000, and is summarised as follows:

- Western Power (street lights) - \$26,000
- Telstra (raise/modify 10 pits) - \$15,000
- Meter box relocation (Chemist) - \$4,000
- Telstra (pit relocations at southern slip lane) - \$55,000

The \$156,000 contingency currently has a balance of around \$37,000; the exact balance being subject to review/confirmation of existing claims. However, there will be additional variations associated with replacement of unsuitable subgrade material (primarily associated with the new car park adjacent to the Caltex service station), reticulation for garden beds, relocation of the public phone, and any unforeseen matters which arise during the construction of the slip lane at the southern end of the project.

Consultation

Following a lengthy period of negotiation (including on-site meetings), Main Roads WA has approved the current design for the southern entry/slip lane. There has also been considerable negotiation with Telstra and Council's design consultant to examine all possible alternatives at this location. The suggested arrangements represent the most cost effective and safe outcome.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The report recommends that the budget for the Binda Place Project be increased by \$109,735 to cover the cost of service relocations associated with the project and that these funds be drawn from the Binda Place Reserve which has a balance of \$109,735. Amendments to the Binda Place project budget will be reflected in the annual budget review to be undertaken in March 2017.

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

Yes. Numerous inspections by the Chief Executive Officer, Executive Manager Technical Services, design consultants (BPA Engineering) and Telstra Officers over the past two months to identify the most cost effective solution which meets road safety standards.

Triple Bottom Line Assessment

Economic implications

There are no economic implications associated with this proposal. Funds are available within the Binda Place Reserve 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.

9.4.2 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 101116

Moved Cr Osborn / Seconded Cr Rossouw

That Council:

- 1. Increase the Project Budget for Binda Place by an amount of \$109,735 to cover the cost of service relocations associated with the project.**
- 2. Approve the transfer of funds from the Binda Place Reserve which has a current balance of \$109,735 and for the Binda Place Reserve to be closed.**
- 3. Authorise 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 \$2,027,650.**

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:41 PM

10. REPORTS OF COMMITTEES

10.1 Chittering Bushfire Advisory Committee meeting minutes – 11 October 2016

Report date	16 November 2016
Applicant	Shire of Chittering
File ref	09/02/4
Prepared by	Natasha Mossman, Executive Support Officer
Supervised by	Alan Sheridan, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Nil
Attachments	1. "Unconfirmed" Chittering Bushfire Advisory Committee Meeting minutes from 11 October 2016

Executive summary

Council is requested to consider the three recommendations from the meeting of the Chittering Bushfire Advisory Committee held on Tuesday, 11 October 2016.

Council is also requested to receive the 'unconfirmed' minutes.

Background

The Chittering Bushfire Advisory Committee met on Tuesday, 11 October 2016 and the following three recommendations were raised at the meeting:

Committee Recommendation 1

7.a COMMITTEE RECOMMENDATION

Moved Steve Browne / Seconded Gordon Carter

That Council consider the possibility of employing extra staff to assist with firebreak inspections.

THE MOTION WAS PUT AND DECLARED CARRIED 9 / 0

Officer's comments

The BFAC is of the opinion that with the increased requirements on hazard reduction compliance and to ensure the community is best prepared for the threat of bush fire that the employment of addition staff to assist during Fire break season would reduce the pressure on current compliance staff, increase compliance and education with in the community and build better community resilience.

Committee Recommendation 2

7.b COMMITTEE RECOMMENDATION

Moved Matthew Whelan / Seconded Jamie O'Neill

That Council consider funding an end of season dinner/awards night for emergency services volunteers in the Shire.

THE MOTION WAS PUT AND DECLARED CARRIED 9 / 0

Officer's comments

Volunteer Emergency Service commit countless hours throughout the community all year round and often in adverse conditions taking them away from their family and work, recognition for that work is important for moral and sense of appreciation. There is \$4,000 in the 2016-2017 annual budget for a bbq for fire service volunteers.

Committee Recommendation 3

7.1 OFFICER/COMMITTEE RECOMMENDATION
 Moved Gordon Carter / Seconded Jamie O'Neill
 That:

1. The Chittering Bush Fire Advisory Committee meeting dates for 2017 are as follows:
 - a. Tuesday, 14 March;
 - b. Tuesday, 13 June; and
 - c. Tuesday 10 October.

2. The Chittering Bush Fire Advisory Committee meetings will be held in the Council Chambers, 6177 Great Northern Highway, Bindoon commencing at 7pm.

THE MOTION WAS PUT AND DECLARED CARRIED 9 / 0

Consultation

Chittering Bushfire Advisory Committee

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Future costs will need to be considered by Council during budget deliberations.

Strategic Implications

Local: Strategic Community Plan 2012-2022

Social – building a sense of community

Outcome	Access to local services
Strategies	Improve services to community <ul style="list-style-type: none"> • Enhance emergency services • Educate fire protection
Outcome	Strengthened social connections
Strategies	Facilitate and nurture community interaction <ul style="list-style-type: none"> • Support volunteers

Natural Environment – preserving and enhancing our natural environment

Outcome	Environmental leadership
Strategies	Promote and support sustainable lifestyle choices <ul style="list-style-type: none"> • Encourage better fire protection practices



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 minutes of the Chittering Bushfire Advisory Committee meeting held on 11 October 2016 are presented to Council to be received.

10.1 COMMITTEE RECOMMENDATION

Moved Cr Rossouw / Seconded Cr Osborn

The Council:

1. Receives the unconfirmed minutes of the Chittering Bushfire Advisory Committee meeting held on Tuesday, 11 October 2016.
2. Directs the Chief Executive Officer to investigate how current resource levels are allocated and whether there is sufficient justification for additional resources.
3. Approves the Chittering Bush Fire Advisory Committee meeting dates for 2017 as follows:
 - a. Tuesday, 14 March;
 - b. Tuesday, 13 June; and
 - c. Tuesday, 10 OctoberAnd that the meetings commence at 7pm in the Shire of Chittering Council Chambers.

Ms Southee left the chambers at 7:53 PM and returned at 7:55 PM

AMENDMENT

Moved Cr Rossouw

That the following condition "4." be added:

4. requests feedback from each Bush Fire Brigade as to what they would prefer at the end of the season, funded from the existing allocation in the budget:
 - a. BBQ organised and held by each Brigade; or
 - b. BBQ for all Brigades together, organised by the Shire and done in co-ordination with Thank a Volunteer Day; or
 - c. Formal dinner, funded by the existing budget allocation and if necessary partly funded by brigades or their members.

FOLLOWING DISCUSSION THE AMENDMENT WAS WITHDRAWN

AMENDMENT

Moved Cr Rossouw / Seconded Cr Angus

That the following "Advice Note" be added:

That Council requests feedback from each Bush Fire Brigade as to what they would prefer at the end of the season, funded from the existing allocation in the budget:

- a. BBQ organised and held by each Brigade; or
- b. BBQ for all Brigades together, organised by the Shire and done in co-ordination with Thank a Volunteer Day; or
- c. Formal dinner, funded by the existing budget allocation and if necessary partly funded by brigades or their members.

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

7:55 PM

10.1 COMMITTEE RECOMMENDATION / COUNCIL RESOLUTION 111116

Moved Cr Rossouw / Seconded Cr Osborn

The Council:

1. Receives the unconfirmed minutes of the Chittering Bushfire Advisory Committee meeting held on Tuesday, 11 October 2016.
2. Directs the Chief Executive Officer to investigate how current resource levels are allocated and whether there is sufficient justification for additional resources.
3. Approves the Chittering Bush Fire Advisory Committee meeting dates for 2017 as follows:
 - a. Tuesday, 14 March;
 - b. Tuesday, 13 June; and
 - c. Tuesday, 10 October

And that the meetings commence at 7pm in the Shire of Chittering Council Chambers.

Advice note

That Council requests feedback from each Bush Fire Brigade as to what they would prefer at the end of the season, funded from the existing allocation in the budget:

- a. BBQ organised and held by each Brigade; or
- b. BBQ for all Brigades together, organised by the Shire and done in co-ordination with Thank a Volunteer Day; or
- c. Formal dinner, funded by the existing budget allocation and if necessary partly funded by brigades or their members.

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 6/0

7:55 PM

11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Cr Don Gibson – Firebreak/Hazard Reduction Orders

Cr Don Gibson declared a proximity interest on this item as he resides in an area of 'Rural Residential Zone'. In accordance with s5.68(1)(b)(ii) and (II) of the *Local Government Act 1995* the members present allowed Cr Gibson to be present during discussions and to vote on the item.

11.1 NEW MOTION / COUNCIL RESOLUTION 121116

Moved Cr Gibson / Seconded Cr King

That Council acknowledge that mowing around boundaries and grazing are acceptable measures for hazard reduction on rural residential properties.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

8:06 PM

Cr Don Gibson's comments

The recent orders distributed to residents of rural residential properties have been causing concern, particularly to single person households who have kept their property mowed short, and now been threatened with fines for non-compliance. Where residents rely on grass to feed their livestock through the summer. It is impractical to destroy feed on limited hectares, and the disturbance of topsoil is contrary to controlling dust and erosion on sloping ground. The option of spraying poison is unacceptable where grazing animals are kept on small holdings and consumed by residents. Ratepayers are very aware of their responsibilities to protect assets from risk, and don't need heavy handed threats to look after their blocks, which they have maintained and mowed for many years.

Officer's comments

The proposed resolution is not an issue as it simply refers to mowing and grazing as being acceptable methods for hazard reduction. However, it would not change the requirement to install a firebreak which is clear of all flammable material - which is the minimum requirement. As mentioned previously to all Councillors, if residents have specific requirements in relation to the installation of fire breaks (e.g. rocky outcrops, boundary planted tree lines, irrigated grass, use of their driveway as part of the break, use of an already cleared area as part of the break etc), then they can apply for a variation. There have been a lot of residents who have done this or who have requested advice from staff regarding the installation of fire breaks. Not everyone will be happy of course, but staff are trying to make the process as smooth as it possibly can be. And of course the bottom line is the protection of life and property.

Use of livestock, mowing techniques, clearing of fallen timber, use of firefighting appliances, sprinklers etc are all valid hazard reduction techniques. However the minimum requirement is the installation of a fire break as specified in Section 33 of the *Bushfire Act 1954* . . . "to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such a manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter maintain the fire-breaks clear of flammable matter". The fire break notice stipulates that fire breaks are "required to be clear of all flammable material (and) not less than 3 metres in width and 4 metres in height".

11.2 Cr Gordon Houston – Firebreak Orders

11.2 NEW MOTION

Moved Cr Houston / Seconded Cr Osborn

That Council notes that the minimum requirement is to install a firebreak which is clear of flammable material in accordance with Section 33 of the *Bush Fires Act 1954* and in accordance with the Shire of Chittering *2016-2017 Firebreak Notice*.

Cr Gordon Houston's comments

Mowing around boundaries and grazing are acceptable measures for hazard reduction on rural residential properties but it is important to recognise that these mitigation measures do not remove that responsibility of residents to install a firebreak, which is clear of flammable material or is treated in such a manner so as to render it inflammable or to implement some other measure approved as a variation which meets those requirements.

AMENDMENT

Moved Cr Gibson

That the following be added to the motion:

“Or to implement some other measure approved as a variation which meets those requirements.”

THE AMENDMENT LAPSED FOR WANT OF A SECONDER

8:09 PM

11.2 NEW MOTION / COUNCIL RESOLUTION 131116

Moved Cr Houston / Seconded Cr Osborn

That Council notes that the minimum requirement is to install a firebreak which is clear of flammable material in accordance with Section 33 of the *Bush Fires Act 1954* and in accordance with the Shire of Chittering *2016-2017 Firebreak Notice*.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

8:14 PM

12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

12.1 Cr Peter Osborn

Background

During the election campaign last year, ratepayers were critical of the lack of transparency and communication. We as newly elected councilors agreed that these issues were of utmost importance. Last Wednesday a delegation including the Shire President and the CEO accompanied by 2 community members met with the Minister for Transport regarding the GNH realignment. On the basis of this my question is: At what stage is a formal response detailing the outcome of this meeting going to be made available to councilors and the wider community.

Officer's comment

Mr Sheridan informed the meeting that he had prepared draft notes from the meeting and distributed these to the three attendees for their feedback/comment. Today he had received their feedback the meeting notes were an accurate record of the meeting. These notes will be distributed to Council tomorrow morning [Thursday, 17 November]. Mr Sheridan also informed the meeting that there is a scheduled meeting of the Bindoon Heavy Haulage Reference Group this Friday [Friday, 18 November] in the Council Chambers and that these notes will be made available at this meeting. This reference group is an open meeting – meaning that anyone can attend.

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

PROCEDURAL MOTION

Moved Cr Osborn / Seconded Cr Angus

In accordance with c.11.1(b) of the *Local Government (Council Meetings) Local Law 2014* the meeting was adjourned for five minutes to preserve order.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED 6/0

8:20 PM

Mr Sheridan and Mrs Mossman left the Chambers at 8.20pm and returned at 8.23pm.

MOTION

Moved Cr Osborn /seconded Cr Gibson

That the meeting be reconvened at 8:24 PM.

THE MOTION WAS PUT AND DECLARED CARRIED 6/0

8:24 PM

14. MEETING CLOSED TO THE PUBLIC

Nil

15. CLOSURE

The Presiding Member declared the meeting closed at 8:26 PM.





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