



Shire of Northam  
*Heritage, Commerce and Lifestyle*

# **Shire of Northam**

## **Notes**

### **Council Forum Meeting**

**12 June 2019**



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**Preface**


When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes."

At the next Ordinary Meeting of Council the Notes will be received, subject to any amendments made by the Council. The "Received" Notes are then signed off by the Presiding Person.

Please refer to the Ordinary Council meeting agenda and minutes for further information and details in relation to the matters and items discussed at the Forum meeting.

**Unconfirmed Notes**


These notes were approved for distribution on 14 June 2019.



**JASON WHITEAKER**  
**CHIEF EXECUTIVE OFFICER**

**Received Notes**

These notes were received at an Ordinary Meeting of Council held on 19 June 2019.



Signed: .....

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

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## 1. DECLARATION OF OPENING

The Shire President, Cr C R Antonio declared the meeting open at 5:30pm.

## 2. ATTENDANCE

### Council:

Shire President	C R Antonio
Deputy Shire President	M P Ryan
Councillors	J E G Williams
	S B Pollard
	J Proud
	C P Della

### Staff:

Chief Executive Officer	J B Whiteaker
Executive Manager Engineering Services	C D Kleynhans
A/Executive Manager Development Services	C B Hunt
Executive Manager Community Services	R Rayson
Executive Manager Corporate Services	C Young
Executive Assistant – CEO	A C McCall
Coordinator Governance / Administration	C F Greenough
Accountant	Z Macdonald
Manager Planning Services	J Jurmann
Killara Manager	N Hampton

### Gallery:

Avon Valley Advocate	Eliza Wynn
Public	Jack Potter
	Heather Meiklem
	Stuart Guy
	Michael Reeves
BGC Quarries	Paul Berkhout
	Peter Yates

### 2.1 APOLOGIES

Councillors	C L Davidson
	R W Tinetti
	T M Little

### 2.2 APPROVED LEAVE OF ABSENCE

Cr A J Mencshelyi has been granted leave of absence from 1 May 2019 to 30 June 2019 (inclusive).

## 3. DISCLOSURE OF INTERESTS

Nil.

#### 4. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

There were no questions or clarifications raised in relation to this item.

#### 5. PUBLIC QUESTION TIME

##### 5.1 PUBLIC QUESTIONS

Mr Potter indicated he would like to ask a question of Council;

The Shire President advised Mr Potter that;

- The question will not be heard if it is offensive or defamatory;
- If the question is in relation to gopher access to the library this has been asked and answered previously and as such will not be accepted. Staff will direct Potter to the minutes where these questions have been answered previously;

The Shire President further requested Mr Potter to cease the current inappropriate and unacceptable personal attacks on the Chief Executive Officer and staff, including the use of fliers and signs which are both offensive and defamatory, including the distribution of fliers purporting to be written by the Chief Executive Officer - this is not acceptable and will no longer be tolerated by this Council.

The Shire President further advised that if the current behaviour continues Council will have little choice but to take legal action to force the actions to be stopped.

<b>Name:</b>	Jack Potter.
<b>Summary of Question 1:</b>	How can I ask a question when the only matter that relates to me is in relation to the library and gopher access?
<b>Summary of Response to Question 1:</b>	The Shire President advised that these questions have been asked and answered at past meetings and are documented in the meeting notes/minutes. Should you require assistance accessing these documents, please seek assistance from Officers.
<b>Summary of Question 2:</b>	How is the Shire's Disability Access and Inclusion Plan not observed by the Librarian?

**Summary of Response to Question 2:** The Shire President advised that questions in relation to this document have been answered at past meetings.

**Summary of Question 3:** How can I direct a question to a Councillor if he is not at the meeting?

**Summary of Response to Question 3:** The Shire President advised that he can direct the question to the Council providing it is not in relation to the matters mentioned.

One (1) member of the Gallery left the meeting at 5:45pm.

The Shire President read the questions received via correspondence and provided a response:

**Name:** Brian Daniels on behalf of Northam and Districts Community Voice.

**Question 1:** We have raised the issue of installing an Audio system in the Northam Chambers many times and you did respond some time ago saying that it would cost around \$ 35,000 to purchase and install such a system.

Since then it is our understanding that the Shire of Mundaring has kindly donated their system to the Shire of Northam.

Our question is has the Shire of Northam accepted the kind offer from the Shire of Mundaring, if so then when will the system be installed and what will be the cost of installation?

**Response to Question 1:** Yes, the Shire of Northam has accepted the offer from the Shire of Mundaring and have received the system. Council's Officers are currently sourcing an amp and speaker to complete the system and this will then be installed.

**Question 2:** The Shire of Northam has according to Shire missives gone out to tender to upgrade the verges and the storm drains in various subdivisions in the Shire.

Our question is has any contract been awarded and if the answer is yes then what is the status of the contract? We notice that as far as we can determine any reference to this contract has been deleted from the Shires website.



**Response to Question 2:** Council has endorsed the award of these reinstatement works to the preferred contractor. Contracts are currently being drafted and final approval is being sought from MRWA now that the value of the tendered works is known. Once approval is granted, contracts can be signed and works will commence.  
It should be noted these works are for reinstatement like-for like (no improvements or upgrades) in accordance with WANDRRA funding guidelines. Improvement works are being performed in the area by the Shire's internal crews part of a long term plan, however these are separate to the funded reinstatement works.

## 6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The Executive Manager Community Services provided a response to the question taken on notice at the Ordinary Council Meeting held on 15 May 2019:

**Name:** Jack Potter.

**Question taken on notice:** Has my book been withdrawn from library?

**Response:** The book has not been withdrawn from Library Stock.

## 7. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

### 7.1 PETITIONS

Nil.

### 7.2 PRESENTATIONS

Nil.

### 7.3 DEPUTATIONS

**Name:** Stuart Guy.

**Agenda Item:** 12.3.1 - Proposed Renewal of Extractive Industry Licence – BGC Voyager II.

**Summary of Deputation**

- Outlined concerns with respect to dust, health and amenity. It was advised that a number of complaints have been made with no action being taken or responses being provided to the complainants.
- Referenced the Department of Environment Regulation Guidance Statement with respect to separation distances being 2000m, outlining there are

a number of houses within this distance. Also outlined that the guidelines do not require Council to rely on the applicant data with respect to dust monitoring.

- Showed a short video and images to Council.

*Note: The documents, images and videos referenced from the deputation have been provided to Council separate to the agenda/minutes.*

The Coordinator Governance / Administration departed the Council Chambers at 5:55pm and returned at 5:56pm.

The Shire President paid his respects to community member Allen Brockman who was involved in the local bush fire brigade for over 60 years and previous Councillor and historian Jan James who both sadly passed away recently.

## **8. APPLICATION FOR LEAVE OF ABSENCE**

There were no questions or clarifications raised in relation to this item.

## **9. CONFIRMATION OF MINUTES**

### **9.1 ORDINARY COUNCIL MEETING HELD 15 MAY 2019**

Clarification was sought in relation to the matter that was laid on the table relating to the lease for the Reserve, Lot 470 and 471. The Chief Executive Officer advised that staff have not had any success scheduling a meeting to date. The Chief Executive Officer advised that he will contact the proponent to try and arrange this over the next week and/or a presentation to Council.

### **9.2 NOTES FROM THE COUNCIL FORUM MEETING HELD 12 JUNE 2019**

There were no questions or clarifications raised in relation to this item.

## **10. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY**

The Shire President advised that agenda item 12.3.1 - Proposed Renewal of Extractive Industry Licence – BGC Voyager II would be brought forward.

### **12.3.1 Proposed Renewal of Extractive Industry Licence – BGC Voyager II**

Clarification was sought in relation to the following:

- The ownership of the property. The applicant advised that the correct ownership name is BGC (Australia) Pty Ltd. This has been updated within the agenda accordingly.
- Complaints in relation to the dust elements. The Executive Manager Development Services advised that there are dust monitoring stations on the site. Council were copied into the most recent complaint which was sent to Department of Water and Environmental Regulation (DWER). It

was advised that as it is a licensed facility, DWER are the responsible body for responding to complaints. Although Council issued a development approval with a number of conditions, DWER are the regulatory/enforcement authority. It was advised that Officers will follow up with DWER in relation to responses being provided to the complaints made.

#### Additional Comment

A copy of the complaints and a table listing the complaints received and responded to has been provided to Council as a separate attachment to the agenda/minutes.

Officers have contacted DWER in relation to the matter who have advised that they received 5 complaints in the last 12 months from 2 persons regarding dust. DWER have investigated these complaints and found that the license holder was compliant with the license conditions. DWER have advised Officers that a response has been provided to the complainants.

- How will Officers address the matter in relation to the requirement for advertising, as a result of the clause being deleted from the local law which requires this? The Executive Manager Development Services advised that Officers are proposing to develop a planning policy to outline the advertising requirements for extractive industries. It is proposed that this will be submitted to Council for consideration in the coming months.
- Whether \$10 million is sufficient for public liability insurance. The Executive Manager Development Services advised that this will be checked against Council's local law.

#### Additional Comment

Since the Council Forum, it has been confirmed that \$10,000,000 is the amount specified in the Local Laws. A copy has been provided to Council as a separate attachment to the agenda/minutes.

- Whether the Community Liaison Group still operates. The Executive Manager Development Services advised that this was established and did operate however has not operated for a number of years.
- Whether this is separate to the Grass Valley quarry. The Executive Manager Development Services advised that this is separate.
- Whether Council has undertaken any independent modelling and not relying solely on the applicant's data. The Executive Manager Development Services advised that Council has not as DWER managed these type of issues.
- Clarification was sought from the applicant in relation to the current practices to manage dust. The applicant advised that this is provided

within the Dust Mitigation Plan. This includes monitoring wind conditions, using sprinklers, water carts, dust monitors etc.

Additional Comment

The Dust Mitigation Plan has been provided to Council as a separate attachment to the agenda and minutes.

Two (2) members of the Gallery left the meeting at 6:10pm.

## 11. REPORTS OF COMMITTEE MEETINGS

### 11.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 16 MAY 2019

There were no questions or clarifications raised in relation to this item.

## 12. OFFICER REPORTS

### 12.1 CEO'S Office

#### 12.1.1 Delegated Authority Register Review

Clarification was sought in relation to B11 being a new delegation. The Chief Executive Officer confirmed that this was a new delegation.

### 12.2 ENGINEERING SERVICES

#### 12.2.1 Proposed 2019/20 Plant & Vehicle Replacement Program

Clarification was sought in relation to the following:

- The table under Financial / Resource Implications, whether the columns for 2017/18 and 2018/19 can be the actuals instead of 'Budget'. The Executive Manager Engineering Services advised that he believes that these are the actual figures and the heading is incorrect, this will be corrected.
- What the Honda motorcycle is used for. The Executive Manager Engineering Services advised that this is used for rural verge spraying. The intent is to change this over to a gator, similar to what is used in Northam.

#### 12.2.2 Property Asset Management Plan

Clarification was sought in relation to the following:

- Building renewal activities being recorded as maintenance. The Executive Manager Corporate Services advised that generally anything over \$5,000 would be capitalised. It was advised that the matter will need to be discussed with the Auditor General as anything under \$5,000 shouldn't be capitalised which may have impact Council's financial ratios.

- The Asset Sustainability Ratio. The Executive Manager Corporate Services advised that Council it indicates and annual spend of \$691,000 is estimated to be required to maintain the current asset condition. In the past year, Council has spent approximately \$580,000 on maintenance.
- Whether the projected expenditure requirements match with Council's Long Term Financial Plan. The Executive Manager Corporate Services advised that these align.
- Building depreciation at 1%. The Executive Manager Corporate Services advised that buildings will not depreciate below a certain amount (residual value).
- Whether the replacement affects the ratios. The Executive Manager Corporate Services advised that this affects the Asset Consumption Ratio.
- The Jubilee Pavilion being included however this has been demolished. The Chief Executive Officer advised that this was demolished after the plan was developed.
- The Grass Valley Fire Shed works not being included. The Chief Executive Officer advised that this was completed after the plan was developed.
- How can Council improve its ratios? The Executive Manager Corporate Services advised that staff address all structural repairs and also funding additional identified works.
- Discussion was held around getting too bogged down in the minor details for the buildings e.g. square metres of carpet, taps to replace etc. as opposed to focussing on the critical/higher level issues. The Chief Executive Officer advised that it is not legislative to go to this level of detail and if Council gave direction with respect to the plan focus being higher level, Officers would be comfortable with this. It was advised that there are IPWEA guidelines, however Council are not adhere to these. The meeting was advised the staff would be comfortable with a lower level of detail, providing it gave sufficient information to allow for annual programs to be developed.
- The established service levels. The Chief Executive Officer advised that there are targets on page 11 of the plan.
- Discussion was held around software applications used to manage. The Chief Executive Officer advised that it would not be difficult to identify the current service levels within our current software and he is not aware of any specific software to manage this. Discussion was held around this data being used to inform Council decisions, e.g. allocating funds if a building is underutilised.

## 12.3 DEVELOPMENT SERVICES

### 12.3.2 Proposed Local Planning Policy No. 25 – Spencers Brook Special Control Area

There we no questions or clarifications raised in relation to this item.

## 12.4 CORPORATE SERVICES

### 12.4.1 Accounts & Statements of Accounts – May 2019

There were no questions or clarifications raised in relation to this item.

The following queries and responses were provided by correspondence:

Reference	\$	Details Reference	Question	Query By	Answer
32965	\$51,452.00	Youth precinct multiple variations	Lights again? Wasn't there some previously eg 32579 for \$18k?	Cr Pollard	The 2 additional light poles ( BBQ & B'Ball) previous electrical variations was for the re-design and upgrade of the electrical wiring as the existing system servicing SES, Pavilion, Pool could not cope.
			Timber \$15512 - why?	Cr Pollard	The additional 15k for timber was to upgrade the timber fencing from pine/ bollard style to solid jarrah. The pine material is prone to warpage and sagging of the rails and would look unsightly in a few years. It is also higher maintenance. The Jarrah ties into the themes and with the rest of the jarrah structures used in the park.
33021	\$4,078.25	IW Projects Wet Plan (or Plant?) Hire	What is this please?	Cr Pollard	This is for the environmental engineering design for the drainage channels which will remove most of the storm water from entering the landfill cell area at Old Quarry Tip.
33074	\$169.00	Print Shop Bunbury	Why Bunbury?	Cr Pollard	This is the head office that invoices, but the shop is Toodyay
33076	\$39,101.70	Tiger Turf - Visit and Confirm hockey base	Expensive for just this element?	Cr Pollard	10% Deposit
33206	\$ 5,047.90	Kids entertainment Motor Sport Festival	plus go carts. Justified?	Cr Pollard	This was to provide the following: Remote Action Cars 2 supervisors, Marquee. Imagination Playground, 1 supervisor. Both rides hired for 2 days; Saturday 5pm-9pm, Sunday 10am-4pm. Includes travel time
33232	\$7,884.25	Anna Dixon Consulting	This makes about \$31,554 over 3 months. What is final total please?	Cr Pollard	This is the final invoice for the Wundowie Community Hub Feasibility Study. Total study cost was \$28,670 excl GST
33249	\$7,775.35	Blackwell - Airport water feed cost again	Still under \$50k total?	Cr Pollard	Total Budget \$56,291 This is for the leach drain, yes, total is under budget.
32967	\$221,325.38	Prompt Settlements	Lot 1 Gt Eastern Hwy Burlong	Cr Williams	Purchase of Education Department Land next to Motorcross site
32982	\$500.00	AVAS quick response grant	??	Cr Williams	AVAS Quick Response grant to assist with expenses towards the running of the Killick Art Award due to a shortfall in expected sponsorship.

Reference	\$	Details Reference	Question	Query By	Answer
32995	\$2,517.00	Comfortstyle Dinning chairs & Table	Where for	Cr Williams	Part of the fit out of Create 298 co-working space
32996	\$412.50	Countrywide Group 26486 Chlorine Bakers Hill waste water		Cr Williams	liquid treatment for the WW plant at Wundowie which feeds Bakers Hill
33032	\$704.00	Mayberry Hammond Riding for the Disabled Lease	What is this for	Cr Williams	To be on charged, relate to lease documents.
33121	\$1,143.45	Cleanflow Environmental Solutions CCTV inspection Mitchell Avenue	??	Cr Williams	This was for CCTV pipe / culvert inspections
33158	\$1,000.00	LGIS WA Patabendige Claim	??	Cr Williams	Insurance excess on Professional Indemnity Claim following signing a deed of easement and release of compensation payment
33182	\$23.74	Northam Senior Citizens Social Club Fuel claim for bus not filled by previous Hirer	Will we be compensated	Cr Williams	Yes. The procedure is that the previous hire group is invoiced .
33187	\$484.00	Perth Safety Products Eco Village sign	Will they reimburse	Cr Williams	Yes invoiced
33254	\$1,100.00	Central Regional TAFE Sponsorship Major Award	Does the Shire sponsor this annually, is it budgeted	Cr Williams	As part of the Education Prizes and donations, Central Regional TAFE were allocated 2 prizes of \$600 each. TAFE requested one prize of \$1000 (ex GST) this year.
Ccard	\$399.00	Replacement phone for Local Manager SES	Will this be reimbursed	Cr Williams	Paid for under the ESL
Ccard	\$233.67	STG Northam Hockey	What is this for	Cr Williams	Being reimbursed by CEO, used Shire card in error. Invoice raised - Shire President and Exec Manager Corporate Services were advised immediately

#### 12.4.2 Financial Statement for the period ending 31 May 2019

The following queries and responses were provided by correspondence:

Reference	Amount	Details Reference	Question	Query By	Answer
Note 9	\$56,507.00	Standpipe expenditure over budget	Seems excessive?	Cr Pollard	Standpipe charges are on charged, includes water used on Shire jobs .Residents used more water with such a dry season than budgeted

#### 12.4.3 Reassignment of Lease Fluffy Ducklings Day Care to Regional Early Education and Development Inc.

Clarification was sought in relation to the following:

- The amount funded by the government as there are 2 different percentages in the report. The Chief Executive Officer advised that this will be clarified for the Ordinary Council Meeting.

Additional Comment

Officers have confirmed that they are not federally funded.

- The consultation which was undertaken. The Coordinator Governance / Administration advised that Fluffy Ducks approached Officers to initiate the changeover to REED. This will be expanded on in the report.
- Whether Fluffy Ducks will still operate. The Coordinator Governance / Administration advised that the understanding was that they will still be operating and staff will retain their positions. REED are only taking over the management aspect of the centre which is occurring in many regional areas. This is due to them having greater capacity to meet the community needs (i.e. providing services, access funding etc.).

#### **12.4.4 Health Amendment Local Law 2018 Undertaking**

There were no questions or clarifications raised in relation to this item.

#### **12.4.5 Telecommunications Lease of 15 Wood Street Northam**

There were no questions or clarifications raised in relation to this item.

### **12.5 COMMUNITY SERVICES**

#### **12.5.1 Application for Fee Waiver - Avon Community Services**

The Gallery left the meeting at 6:55pm.

### **13. MATTERS BEHIND CLOSED DOORS**

#### **13.1 COMMUNITY ASSISTANCE GRANT APPLICATION - WUNDOWIE VOLUNTEER FIRE & RESCUE SERVICE**

There were no questions or clarifications raised in relation to this item.

The Staff left the meeting at 6:56pm.

The Gallery and staff returned to the meeting at 7:07pm.

#### **12.4.6 Fees and Charges 2019/20 Adoption**

Clarification was sought in relation to whether Councillors were required to disclose interests 12.4.6 - Fees and Charges 2019/20 Adoption. The



Chief Executive Officer advised that Councillors are not required to disclose of interest as the Local Government Act 1995 provides a specific exemption for the setting of rates, charges and fees.

Clarification was sought in relation to the following:

- The variance in standpipe charges. The Executive Manager Development Services advised that this varies according to the Water Corporation charges. An amount in addition is added to the charges to factor in the administration element for the standpipes.
- The additional amount for the bins and whether this is for the recycling or general waste bins. The Executive Manager Development Services advised that this is for the general waste bins as Council already own the recycling bins.
- It was requested whether reasons can be provided where fees have increased more than the 1.1%. The Chief Executive Officer advised that this can be provided.
- Clarification was sought in relation to whether the alfresco dining fee is an annual fee. This was confirmed as an annual fee and the Chief Executive Officer advised that there will be an item to Council in relation to writing off this fee.
- Whether the developer of a subdivision can be charged the rural road number fee when going through this process. The Executive Manager Development Services advised that this would be difficult to manager in terms of holding the funds etc.

#### **14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

#### **15. URGENT BUSINESS APPROVED BY DECISION**

Nil.

#### **16. DECLARATION OF CLOSURE**

The Shire President, Cr C R Antonio declared the meeting closed at 7:11 pm.