



ANNUAL GENERAL MEETING OF ELECTORS

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MINUTES

For the Annual General Meeting of Electors, held in the Council Chambers on Thursday, 24 February 2022.

Opening of Meeting

The Shire President opened the meeting at 5.30pm.

Acknowledgment of Country

On behalf of the Councillors, staff and gallery, I acknowledge the Noongar People, the Traditional Custodians of the land on which we are gathered, and pay my respects to their Elders past, present and emerging.

1. Attendance, Apologies and Leave of Absence

President	- Cr J Bookless
Councillors	- J Boyle - B Johnson - T Lansdell - S Mahoney - J Mountford - A Pratico - P Quinby - A Rose
Officers	- T Clynych, Chief Executive Officer - M Larkworthy, Executive Manager Corporate Services - E Denniss, Executive Manager Community Services - E Matthews, Executive Assistant

2. Attendance of Electors

P Huband, H Litson, J Moore, B Moore, J Nicholas, J Temby, D Temby, J Lucy, B Smith, V Smith, D Huband, A Nicholas, B Bebbington, N Maxfield, A Wood

3. Confirmation of Minutes

Attachment 1 Minutes of the AGM of Electors held 4 March 2021

A Motion is required to confirm the Minutes of the Annual General Meeting of Electors held 4 March 2021.

Moved Cr Quinby, Seconded Cr Rose

E.01/0222 That the Minutes of the Annual General Meeting of Electors held 4 March 2021 be confirmed as a true and correct record.

Carried 9/0

4. Annual Report & Annual Financial Report

Attachment 2 Annual Report and Annual Financial Report for the year ended
30 June 2021

A Motion is required to receive the Annual Report and Annual Financial Report for the year ended 30 June 2021, as presented.

***Moved Cr Mountford, Seconded Cr Boyle
E.02/0222 That the Annual Report & Annual Financial Statements for the
2020/21 year be received as presented.***

Carried 9/0

5. General Business Regarding the Financial Statements

Nil

6. General Business

H Litson

What was the full year cost to the Shire of managing the Visitor Centre in 2020/21 both in cash terms and the overall budget impact as reported?

CEO Response – The actual cost operating subsidy in 2020/21 was \$86,044 however it should be noted that due to COVID-19 the visitor centre was closed for 72 days that year. The budgeted cash operating subsidy in 2020/21 was \$120,448.

What are costs estimated to be in 2021/22. How will this be impacted by the decision to cease progressing Council's decision of April 2021?

CEO Response - The forecast cash operating subsidy is \$105,243. If administration allocations (payroll, occupational health and safety, payroll, human resources, etc.) are included the subsidy increases to \$192,199. The 2021/22 budget assumed a full year's operation of the visitor centre under Shire management therefore there will not be any impact on that budget caused by Council's decision.

What is the estimated costs in time and effort of the full community consultation that was undertaken by staff, Councillors, businesses and community members prior to the engagement of a consultant to prepare a Business Case?

CEO Response – This has been an evolving conversation with the community over a 2 year period and we cannot begin to estimate those costs accurately.

What was the full cost of engaging Economic Transitions to prepare the Business Case for the outsourcing of the Visitor Centre and Brierley Gallery?

CEO Response - \$15,800 ex-GST (\$17,380 GST inclusive).

P Huband

Commented on the current service levels at the Bridgetown Visitor Centre.

Are you as a Council happy with the level of servicing being provided to visitors under the current arrangements? What feedback has the council received in respect of the service levels being currently provided?

Shire President Response – I believe that the service provision at the Visitor Centre is below where it should be.

Mr Huband followed with comments about the reasons why the Bridgetown Greenbushes Tourism Association some 20 years ago handed management of the visitor centre to the Shire as it was too much to expect a volunteer group to manage a visitor centre.

A Wood

In April 2021 Council agreed, without dissention, to receive Economic Transition's Business Case, and endorsed its recommendations, which then lead to the CEO being directed to take a series of actions in accord with those recommendations. Can you advise me what has happened in the meanwhile that has led to the decision to "cease progressing" those actions which have already cost ratepayers, in the CEO's words, "a substantial sum"?

CEO Response – Council had some concerns with the CRC proposal and wished to explore other potential options before deciding whether to fully commit to the CRC model.

Given that this endorsed report identified annual savings between \$90,000 and \$100,000 per annum, in the first 5 years of operations, what justification has been presented to Council, to not take advantage of these savings of ratepayer's money?

CEO Response – The decision of Council in December came from a notice of motion submitted by a councillor. There were reasons provided by that councillor in support of her motion and these were included in the agenda of that meeting.

In the Annual Report 2020/21, listed under "Major initiatives or actions in the Corporate Business Plan proposed to be undertaken in 2021/22 is listed:

Proceed with the proposal to outsource management of the Visitor Centre to the Bridgetown CRC. In light of this commitment what is now planned and what is the timeline to progress this action?

CEO Response – Council hasn't ruled out proceeding with this action, it just wants to review the matter to determine if other options have arisen since the resolution to proceed with the CRC proposal occurred.

B Moore

Raised concerns regarding vehicles stopping in non-approved parking bays along Hampton Street.

Motion Moved B Moore, Seconded J Nicholas

E.03/0222 That Council:

- 1. Conducts a review of the parking situation in the Bridgetown CBD**
- 2. Reconsiders its decision regarding non monitoring of parking along Hampton St and conducts parking patrols on a regular but infrequent basis, with emphasis on illegal parking**
- 3. That the area in front of Westpac Bank be inspected and, if possible, provide it as a disabled or loading bay. If this is non-compliant then some means of barrier to prevent parking be installed**
- 4. Include in the review a determination as to whether there are sufficient loading bays spread along Hampton Street.**

Carried

B Moore

Does the Bridgetown Railway Project include modifying or altering the access to the railway station via the bakery carpark? This area is used by many locals and tourists utilising the caravan car park. Unfortunately due to the trees it is a very untidy area and does not present a good image. If nothing else the ramp should be cleared of leaf litter on a weekly basis.

CEO Response – The access ramp is not part of the scope of works for the Bridgetown Railway Station Redevelopment Project.

B Bebbington

In the article on ABC online on 15 February regarding the loss of mobile phone service during the recent bushfire, Boyd Brown from Telstra said he would “happily” meet the communities of Bridgetown and Corrigin to discuss the power requirements for mobile base stations” Has this been arranged, if so for when and if not, can this be arranged to take place in the next month?

Shire President Response – I can contact Boyd Brown from Telstra with that enquiry.

B Bebbington

Regarding the recent bushfire, there are 37 items listed on the program for the Fire mitigation works for 2021/22. Had these all been completed by February 4 and if not, when will they be completed?

CEO Response – I don't have access to that information at this meeting.

Shire President Response – That question will be taken on notice.

Were any of the outstanding listed fire mitigation projects, in areas which were burnt in the February 5 fire?

CEO Response – I would need to take that question on notice.

Shire President Response – That question will be taken on notice.

J Nicholas

Has the Shire considered introducing a FOGO service to the Shire?

CEO Response – It hasn't been considered formally but has been the subject of some informal discussion by Council over the years. Although there are grant opportunities to reduce the costs associated with purchasing a third bin for each household that receives the service there would still be extra costs to be met by the householder. There is encouragement from the State Government for Councils to provide a FOGO service under its reduction in waste initiatives. The establishment of a FOGO bin service could be considered by Council and Council could seek feedback from the community on the support for such a service, including costs. A considerable number of properties that receive a rubbish collection service are rural residential in nature and typically dispose of organics by feeding poultry. We also provide a free green waste service at the waste site.

B Bebbington

Who is responsible for bushfire prevention along the rail corridor?

CEO Response – The railway corridor is controlled by Arc Infrastructure who are responsible for bushfire mitigation on the land it leases.

B Bebbington

The land bounded by Brockman Highway, the railway crossing, Blackwood River and SW Highway, which the railway line dissects. Who owns or controls this land, e.g., is it a railway reserve, Shire reserve?

CEO Response – The railway reserve is controlled by the State and the Shire owns some land on either side of the railway and highway. The land between the railway line and the river, some of it is under the control Shire and some of it is unallocated crown land, there is a bit of a mix of tenures.

Would it be possible to obtain a map of the area showing these land tenures?

CEO Response – Yes.

B Bebbington

As the first brigade unit into Four Seasons Estate, we were confronted with no fire access points on the northern side of the estate, which prevented access to the fire front before it reached the estate. Why is there no fire access in this subdivision? Should these subdivisions have fire access points?

CEO Response – The original plan for Windy Hollow Estate was a staged development, with other modes of access planned for later stages. However, those stages were not approved by the Western Australian Planning Commission and

subsequently were not created. Windy Hollow Estate was created approximately 15 years ago where fire planning was a lot different then. Things like BAL assessments and fire hazard assessments weren't to the same degree as they are now. When you say should subdivisions have fire access points, from a legal perspective no, as the plan complied with the legislation of the day. Should for community and resident safety there be one? That might be a different response. The Council would have to look at the land around the subdivision. All the surrounding land is privately owned so any access or egress point would have to go through private property which can be problematic. Certainly cul-de-sac subdivisions would not be approved now by the Western Australian Planning Commission. You now have to have at least 2 access points for a subdivision of reasonable size, which Windy Hollow is. That subdivision design would not be approved if submitted today. Remnant subdivisions do present a lot of challenges with regard to fire.

Commented lack of fire access into Four Seasons Estate and egress from railway corridor.

Is it possible to see if we can establish better firebreaks, better access and also access across the railway along the rail line at locations for fire safety?

CEO Response – I need to apologise Mr Bebbington, I thought you were referring to Windy Hollow Estate in your previous question. Some of my response probably did not make that much sense. The same principals apply, expect that Four Seasons Estate probably is a little more compliant.

The issue of access to the railway corridor is a problem for any local government that has railway land in their district. Essentially it is just about impossible. People who drive along that road now, technically they are breaking the law every time. My memory is that there was talk about getting access for a fire escape at the initial subdivision stage, but it was not permitted. The only way to get fire escape from Four Seasons Estate, and it's really only practical at the cul-de-sac on Limousin View, would be to take it back through to the back of the depot which may not have been the greatest escape on that day. That would be really the only way to get an escape. Unless you could convince the PTA that there was a community obligation and that it would only be used as a fire escape. They may be worried it would be used as permanent access but there are ways to control that. This is something we could take up with the PTA.

Motion Moved B Bebbington, Seconded Cr Pratico
E.04/0222 The Shire to engage with the Public Transport Authority with the view to increase fire access for fire crews along the railway corridor within the Shire of Bridgetown-Greenbushes.

Carried

B Bebbington

In relation to a building application, what is the role of the Shire? Is it ensuring compliance with building codes and structural issues, or do they check compliance with the planning requirements for the property?

CEO Response – All building applications are checked for planning compliance. Planning is a separate stream from building but they can be dealt with concurrently. Planning approval, when required, must be issued prior to a building permit. With respect to the building process there's two streams available for applicants. They can choose to go with a certified application where they engage their own private building surveyor and then submit the application to the Shire. Essentially the Shire rubber stamps these applications, the Shire building surveyor can assess it for basic compliance but aren't really permitted to question the certification. That's a fairly quick process once it gets in to the Shire. Other applicants can choose to lodge the application to the Shire for assessment by the Shire Building Surveyor. If you do a commercial building you must engage a private surveyor, the Shire is not permitted to approve a commercial building application.

B Bebbington

The soft plastic recycling or return to store packaging (with the white mobius logo). Is this available in Bridgetown? Could the Shire consider progressing the availability of it? Similarly, Nespresso (and other aluminium capsules) are recyclable, but the nearest Nespresso drop off points are Bunbury and Katanning. Similarly, can the Shire consider working to establish a location for this?

CEO Response – With regards to soft plastic, I believe Coles provided a service throughout the state and there was a drop off point at the BP Service Station. I'm not sure if that is still going. By all means Council could look at both of these options. The key there is where the market is and how we get it from the rubbish site to the market.

B Bebbington

In relation to council policy M39, Election Caretaker Period, the policy states in 2.2 that each report included in the agenda for Council's consideration during a caretaker period will include a statement that demonstrates due consideration of the requirement of this policy. The agenda for the Special Council Meeting on September 9, 2021, which was during caretaker mode, which commenced at 4pm, makes no reference to caretaker mode, why did this not occur?

CEO Response – When we looked at this policy at the end of the caretaker period, we realised that although we ensured no items in the agenda contradicted the policy, we actually neglected to put a notation on the front page referencing the caretaker policy. We certainly assessed the agenda items against the policy and there is meant to be a statement made regarding the caretaker policy at the beginning of each meeting. I am happy to take the question on notice.

The Special Council Meeting was held to discuss the proposed amendments the planning approval for the Talison camp. Would that not be considered a major policy decision?

CEO Response – I haven't got the policy in front of me but I know that for each agenda during the caretaker period we would have assessed the subject matter against the caretaker policy.

Shire President Response – That question and the previous question will be taken on notice.

The September 30 council meeting agenda has six items listed, there is no reference to caretaker mode in any of the agenda items, only in the minutes. At the meeting the Presiding Member read out a statement from the CEO regarding caretaker mode, which stated that “during a caretaker period the CEO will ensure the agenda council agendas to not include reports and/or recommendations that constitute major policy decisions. The officer recommendations for all agenda items were reviewed by the CEO in context of the policy” and then only refers to the aquatic complex. Is that the meeting you are referring to where the statement was not included in the agenda?

CEO Response – I cannot recollect which Council Meeting agenda.

Again with the same policy, which prohibits major policy decisions being made during caretaker mode. If the Shire made a decision which by the policy, is not allowed to be presented during caretaker mode, once the Council becomes aware of it what action do you think it should take? Should you revoke the motion because the policy says it cannot be made?

CEO Response – No you would not revoke the resolution. I am not sure what item you are referencing however the decision would still be a valid decision of Council.

The item I am referring to is the proposed creation of a Local Planning Policy – Exemptions from Development Approval. As the policy prohibits a major policy decision including “adopting a new policy, service or service level or significantly amends an existing policy, service or service level, unless required by legislation” and prohibits a decision that “initiates or adopts a new local planning scheme, amendment to a planning scheme or a planning policy” why didn't the shire advise the Council that that motion could not be presented or does the council resolution that creates the policy not count?

CEO Response – The resolution does count and to clarify Council didn't adopt the policy, council resolved to put the policy out for community consultation. There is a difference. The policy was not adopted by council for final approval, it was adopted to enable it to go out for community consultation. Knowing that Council would in due course, well after the caretaker period, make the final decision on that policy. It was adoption for the purpose of starting a process, it wasn't adoption to accept the policy.

So you would say the process of adopting the policy was initiated that evening?

CEO Response – It had been discussed by Council before that. Council adopted the policy for the purpose of going to consultation.

The policy also refers to the fact that public consultation is not permitted to end immediately prior to caretaker, traverse over caretaker period, or end during the caretaker period and yet this policy was advertised on October 13, during the caretaker period.

CEO Response – I have not got the dates in front of me so I will need to take the question on notice.

Shire President Response – That question will be taken on notice.

Were any other community consultations conducted contrary to policy M39 during that period? I assume you will need to take that question on notice?

Shire President Response – That question will be taken on notice.

B Bebbington

As it has been removed from the Rolling Action Sheet, what is happening in relation to the upgrade of Bridgetown CBD parking and Geegelup Brook beautifications, which was annotated to be presented to the January 2022 council meeting?

CEO Response – The initiation of the consultation has occurred but there is still a long way to go on this project. Council has not determined the next stage yet but I would say it would be creating a scope for tender. The community workshop held in December was seen as a precursor to build a brief scope for the project, Council are yet to consider the brief.

Why is it not still on the Rolling Action Sheet if is a council resolution that has not been completed? Resolution 05/0419, it referred to the fact that workshops would occur and then be presented back to Council. It was on the Rolling Action Sheet and two action sheets it was taken off and no presentation ever made. There is now no reference to the Geegelup Brook Beautification Project on the Rolling Action Sheet.

CEO Response – I assume it was taken off as the workshop was held. I will need to have a look at the Rolling Action Sheet

B Bebbington

The Rolling Action Sheet has got contradicting items, even in relation to tonight's council meeting. In relation to an issue that was brought up at the electors meeting last year regarding speed limits along Peninsula Road and Stanifer Street. One item referring to Main Roads rejecting the application, pending written notification and the second item says it's been accepted waiting for written notification. One item is annotated to be removed from the rolling action sheet and one retained. Shouldn't they have a consistent approach?

CEO Response – My understanding is the one that is listed for removal, although we haven't received formal notification from Main Roads, has been actioned by Main Roads and the signs erected. They haven't followed up with formal correspondence but they have gone and done the work. My understanding is the signs have been erected along Stanifer Street. The Peninsula Road works have verbally been rejected and we have requested a formal notification of advice. That is a bit of an issue with Main Roads, they often don't respond formally. We wouldn't normally report back to advise that works had been complete.

B Bebbington

In the regard to the January 2022 Council Meeting and the motion regarding the Yornup fire museum, which says it's going out for consultation, but it also indicates that Council is to proceed with the process of rezoning and contacting the Department of Planning prior to any consultation occurring. Would it be normal practice to have an indication of abdication, do the consultation, assess the consultation and then determine as a condition of planning approval that you can get the zoning? Rather than doing the zoning without regard to the community?

CEO Response – Not necessarily. The view is that the process for the re-vesting of the land is usually a very long process, much longer than the planning process. In previous times at the Department of Planning, Lands and Heritage issues such as reserve purposes and vestings have taken more than 12 months. The view is that we would start the process concurrently and if the Department of Planning, Lands and Heritage progressed the application quicker, we would simply pause the process until Council had determined the planning application. If the application was refused, we would advise the department that we no longer wish to change the purpose of the reserve. I don't see any problems with them running concurrently as long as it is clear that the reserve issue cannot be finalised before planning determination is made. It is a way to try and ensure the applicant does not have to wait around for months after a Council decision is made, if they approve it, waiting for the Department of Planning, Lands and Heritage to do their part. It certainly does not commit Council.

B Bebbington

Regarding the Steere & Stewart St redevelopment of parking. It has been determined that this is going ahead this financial year, is that still the case and in regard to the advertising of this in 2021, the shire advert said the proposal was for 5 additional parking bays in Steere St and council resolution in June was not to change the proposal, so are we getting 5 additional parking bays in Steere St?

CEO Response – No. The proposal at the time was to remove parking bays in Steere St. There are more parking bays along Stewart Street and obviously changes to the civic centre carpark.

So why did the Shire advertise to the community and particularly the business owners that there was a proposed creation of 5 parking bays along Steere Street when in fact bays had been removed?

CEO Response – I have not got the advert in front of me. It is hard to answer questions with no notice when I don't have the information in front of me. I don't know if that was what the advert said, I'm happy to look at it but I don't have it in front of me so I cannot answer that question.

N Maxfield

Commented on Main Roads' decision not to reduce the speed limit along Peninsula Road and that it took the Shire four months to submit the application to reduce the speed limit. Raised concerns about the speed of some cars and near misses accessing and egressing the road from properties.

CEO Response – I would like to clarify that the reason it took so long is that when we made the initial enquiry with Main Roads they required traffic data to be collected so we had to put a traffic counter out for a period of time. Essentially, any speed reduction request that does not have historical data less than a couple of years old requires new data to be collected. It is my understanding that we put traffic counters out for well over a month so that we could get the most recent traffic data. That is why there was such a delay in the process.

Is there any way to appeal the Main Roads' decision? This is not a good outcome for many people for many reasons.

CEO Response – This is why we have been pushing Main Roads for a written decision, hoping it might have some reasons for refusal. I am going to assume that it is because it is not in a built up area, but we want to find out why they have said no. Council could write to the Minister if they want, I'm sure Council have done this with speed issues before. This is probably how Hampton Street here and in the other towns along South Western Highway became 40km. It would have been a ministerial decision not a Main Roads decision. They didn't support it from day one but the Minister overrode them. Under our ministerial system council can seek reconsideration by the Minister. We really need formal notice from Main Roads outlining their decision so Council can seek reconsideration. You can move a motion now on the assumption that it is going to be formally refused so it can go to Council at the next meeting. By then we should have the reasons given by Main Roads.

Motion Moved N Maxfield, Seconded Cr Pratico
E.05/0222 That Council seek the support of the Minister for Transport to review the decision by Main Roads Western Australia not to reduce the speed limit along Peninsula Road from South Western Highway to Maslin Reserve.
Carried

N Maxfield

Commented on the recent Hester bushfire and thanked Pat Dunne from the Shire for his proactive approach in getting water to the fire fighters.

B Bebbington

In regard to the Steere Street Stewart Street issue of the advertisement of 5 additional parking bays, would it be possible to get a commitment from the Shire that if it is confirmed that is what was advertised, 5 additional parking bays along Steere Street being provided, that the work will not proceed and it will be readvertised to ensure that the community are fully aware of the changes?

Shire President Response – I cannot make that commitment Mr Bebbington, however you can move a motion to that effect.

Motion Moved B Bebbington, Seconded Cr Pratico

E.06/0222 The Shire to review the advertising (both newspaper and website), comments and submissions of the Steere Street, Stewart Street & Civic Lane Community Consultation to establish whether the advertising gave an indication of the addition of 5 parking bays in Steere Street rather than the intended 5 parking bays on Stewart Street and that if it is confirmed that it was incorrectly advertised, that Council prevents the work from commencing and readvertises to ensure the community is made aware of the correct proposal.

Carried

B Bebbington

In relation to a matter I raised at the Special Council Meeting regarding audit review timeframes for presentation to the Minister and advertisement of the review, the 2019/20 audit review was passed by council on 28 February 2021, yet it was not advertised as being available until June 2021. When was it presented to the Minister? Was it advertised within 14 days under the Act? If there was a delay in sending it to the Minister, why was there a delay?

Shire President Response – That question will be taken on notice.

7. Closure

The Shire President closed the meeting at 6.42pm.

8. List of Attachments

Attachment	Item No.	Details
1	3	Minutes of the AGM of Electors held 4 March 2021
2	4	Annual Report & Annual Financial Report for the year ended 30 June 2021

Minute Papers checked and authorised by CEO, T Clynch		21 March 2022
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