



Annual General Meeting of Electors

MINUTES

**Thursday 8th February 2024, at 5.30pm, to be held at the
Kellerberrin Recreation Centre Cuolahan/Cottle Room**

Order of Business

- 1) Declaration of opening
- 2) Acknowledgement of Country
- 3) Announcement by Presiding Member without discussion
- 4) Record of Attendance
- 5) Receiving of previous Electors Meeting Minutes
- 6) Business arising from previous minutes
- 7) The receiving and consideration of the Annual Report for the year ended 30 June 2023 including.
 - Presidents Report
 - Chief Executive Officers Report
 - Auditors Report
 - Annual Financial Report
- 8) General Business
- 9) Closure

Please Note: Copies of the Annual Report are available from the Shire Administration Office and on the Shires website – www.kellerberrin.wa.gov.au

Matthew Steber

SHIRE PRESIDENT

1. **DECLARATION OF OPENING**

The Shire President opened the meeting at 5:32pm

2. **ACKNOWLEDGEMENT OF COUNTRY**

We begin today by acknowledging the Ballardong Noongar people as traditional custodians of the land and skies on which we gather, and we pay our respects to their elders, past, present and emerging.

3. **ANNOUNCEMENT BY PRESIDING PERSON WITHOUT DISCUSSION**

Mr Matthew Steber – President

You will all notice that our CEO Mr Raymond Griffiths is not with us this evening. He is on Council approved leave that was scheduled to ensure his attendance at the Electors meeting. Unfortunately, we had to move this meeting forward due to myself as President and Cr Ryan as Deputy President no longer being available after tomorrow night. We thought it is more important to have both the President and Deputy present at such an important meeting, given that we had a more than capable Acting CEO in Mr John Merrick. I would like to add, that Mr Griffiths wanted to alter his personal arrangements to be here. I as President said that this was unnecessary as we had an acting CEO to fulfil this role.

Prior to the commencement of this meeting, I would like to clarify some points that have been raised within the community and potentially discussed tonight and provide a timeline of events that have occurred with Council.

In October 2019 the Shire of Kellerberrin adopted a lease agreement that included the Medical Centre for Dr Van for a three-year period with an option for a two year extension which would take the lease agreement to November 2024. This lease is only facilities based and doesn't have anything to do with the operations of a GP service.

Subsequent to the meeting wherein the Lease agreement was finalised the Doctor provided additional correspondence to Council advising that his intentions was to work til age 75, health and circumstances permitting and that as part of the lease agreement he will provide 12 months' notice of intentions to finish working.

Council in November 2020 wrote to the doctor requested a meeting with Dr Van Ballegooyen at the request of a Councillor at the time to review the operational hours of the facility and/or provide a scheduled timeline to provide clarity to Council around the operating hours and other medical services that are required to be provided by the Doctor that remove him from the practice. Council also in the correspondence acknowledged that the lease agreement expires in 2024.

Council received correspondence in December 2020 providing information to Council around the full service the doctor provides to Council and the operating hours of the facility including work at the Kellerberrin Hospital and Dryandra.

Council in November 2022 wrote to the Doctor advising that the current lease agreement of three years expires and the two-year option to extend is available if the doctor wishes to exercise this option and would the doctor like to catch up with Council in accordance with the lease agreement.

Council in November 2022 received advice from the Doctor advising that he would like to take up the two years option in accordance with the lease agreement.

The doctor attended the December 2022 briefing session of Council and verbally advised that he wished to continue providing GP services to Kellerberrin for a further five (5) years AT THIS STAGE, which includes the extension of two years which would mean the doctor would stay on for an additional three years not the five as advised to the community.

The president at the time advised this is good news as we won't be required to seek the services of a doctor for the near future.

In around early 2023 Council was contacted by a GP asking when the lease for the Medical Centre was available as they would be interested in the facility for a GP service for a minimum of ten years with a further option.

This was then discussed informally with Council as nothing was official. It was at this point Council elected to have further discussions with the potential new lessee to ensure longevity of medical services to the Kellerberrin and wider communities as what we have been fortunate with from Dr Van Ballegooyen.

To reiterate Council didn't approach anyone, the approach was to Council therefore, my comments haven't been compromised.

In September 2023 Council wrote to the doctor seeking its annual meeting. The doctor attended the September briefing session wherein the doctor was advised that Council won't be renewing the current lease agreement expiring in November 2024 of the Kellerberrin Medical building. It was reiterated that we are not stopping Dr Van practising and advised that Council would assist in finding new premises to operate. The lease agreement is a fixed agreement, therefore, doesn't require a motion from Council as it is fixed. The only time it would go back to Council is if a new agreement was struck in accordance with Section 3.58 of the Local Government Act.

On the 23rd January 2024 the CEO spoke with the proposed new practitioner who advised that Dr Van Ballegooyen had been in touch seeking out who the new doctor will be. The new lessee (who has requested to remain confidential at this time) advised yes it was them and also advised that they contacted the Shire due to other practices within the Wheatbelt area becoming available.

It was during this discussion the ability to work together was mentioned. This item was to be discussed further at a meeting the following week.

The new potential lessee contacted Councils CEO on Thursday 1st February 2024 advising that they had met with Dr Van Ballegooyen and his wife Mrs Joy Van Ballegooyen on Wednesday 30th January 2024 to discuss the opportunity to work together as a transition. Councils CEO was advised the meeting went well and there

was an opportunity to work together and this would be a great outcome for the community. The two will come back together in a few weeks after consider options for the operations of the facility and then put this to Council to consider.

Council unfortunately couldn't at the time have similar conversations as the potential lessee wished to remain confidential and at this time still does due to their current employment complications.

I would like to reiterate to the community as done with the doctor this conversation and the option for a potential lessee hasn't been the easiest of decision for Council and it would easily be the hardest thing we have ever had to deal with. Council hasn't engaged with the correspondence in the community and information provided through respect for the doctor as his service to this community has been tremendous and all we are doing now is seeking that further continuation of this into the future.

Council understands that Dr Van Ballegooyen wishes to stay until 2027, though from that point in time where will we be. We have all seen the articles and news feeds around doctor shortages within the regions and the huge financial commitment Local Governments are having to make to attract and retain doctors.

Some Councils are looking at million dollar packages including housing, medical centres, vehicles and retainers from \$300,000 upwards. This Council wouldn't be able to afford this without compromising other services.

Therefore we strongly believe to take up this opportunity now with no additional cost to Council is the correct option for our community. It would have been gross negligence to reject this opportunity, which would have gone to another Shire.

4. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Officers

John Merrick – Acting Chief Executive Officer

Morgan Ware – Manager of Governance

Mick Jones – Manager of Works & Services

Michelle Wilson – Executive Assistant

Brett Taylor – Senior Finance Officer

Attendance

President Matthew Steber

Deputy President Emily Ryan

Cr Monica Gardiner

Cr Paul Brown

Cr Dennis Reid

Cr Kelsey Pryer

Cr David Leake

Marie McWhirter

Pam McColm

George Cram

Tony Downs
Beryl Otley
Leanne Jacobson
Dave Westcott
John Pearson
Colin Weston
Renza Bishop
Rod Forsyth
Mike McFarlane
Tracey Silver
Chris McDonald
Lindsay Tiller
Robert Watkins

Faith Watkins
Graeme Kessell
Pauline Scott
Charlotte Smith
Adrian Gamble
Marcia Gamble
Ellen Diana Gorfin
Nicole Brown
Val Martin
Mark Gwilliam
Susanne McFarlane
Andrew Van Ballegooyen
Dwight Van Ballegooyen
Joy Van Ballegooyen
Amanda Stewart
Ron Clarke
Patricia Coleman
Glenys Coleman
Richard Marek
Jim Kelly
Taryn Kelly
Dean Williams
Ric Newman
Margaret Grose
Rosemary Stevens
Larry Stewart
Col Herbertson
Sara Curtis
Phil Maisey
John Nicholls
Rod Tinker
John Ritchie
Joanne Stewart
Robert Stewart
John Coleman
Dave Fox
Sue Ireland
Graeme Ireland
William Gamble

Faith O’Ryan
Kirsten Ritchie
Karen Clarke
Shyra Coleman
Michelle McDonnell
Robert McCaffery
Teresa Brindley-Stevens
Jason Stevens
Carl Jacobson
Brittney Sutherland-Scott
Kim Simpson
Reynald McIntosh
Brenda McIntosh
Zenedelle Arancon
Yung Hong (Henry) Lau
Pete Graham
Merv McIntosh

Apology

Val Waddington
Robert Bradley

5. RECEIVING OF PREVIOUS ELECTORS MEETING MINTUES

That the minutes of the Electors meeting held on Wednesday 8th February 2023 be received as a true and correct record of the meeting.

Mover: Rick Newman

Seconder: Cr Gardiner

CARRIED

Renza Bishop – I would like to state that the minutes are not true and correct, there are questions that have been omitted.

President - Please when these are published on the website, advise Council at that time not 12 months later

Renza Bishop – I am noting it now, at the next meeting. I want it noted that there were omissions and there were omissions from last year also. Rose also mentioned this.

President – Which omission? Please state what was omitted.

Renza – Ok if someone writes a letter to the President or CEO what is the time frame on a reply. This was also asked last year but omitted.

President – Please refer to the customer service charter.

Rick Newman – Please can I note that some details are missing although these available to the public and should be brought to the attention of Council at the time of publication.

6. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

7. SHIRE OF KELLERBERRIN 2022/23 ANNUAL REPORT

That the Shire of Kellerberrin Annual report for the year ended 30 June 2023, incorporating the below be accepted.

- a. President's Report
- b. Chief Executive Officer's Report (Including Departmental Reports)
- c. Auditor's Report
- d. Annual Financial Report

Mover: Michelle McDonnell

Seconder: Tony Downs

CARRIED

8. GENERAL BUSINESS

President – There is correct process for general business. First of all, you must stand and when directed state your name and ask a question. No statements. You cannot make a statement. And please, one question only so we can answer it. If you have another question, we will then answer that. It is hard for the minute taker if you ask a multiple of questions. Myself, Council and any other nominated staff member will attempt to reply. If we cannot answer your question, we will take it on notice. There will be no allowance for statements, questions only. If there are question that have been answered in the above statement, I do have the privilege of saying it has already been answered.

Tony Downs: I read in the last minutes that the Council is paying 7k a month for a unit in Midland under the second-tier road network. If they are paying that per month, what is the benefit to the community over the period of the lease?

Acting CEO: The Shire of Kellerberrin has the managing responsibility for Wheatbelt Secondary Freight Network (WSFN), we handle all accounts for 37 other shires, that \$7,000 is rent paid by other shires for the officers that are associated with WSFN. It is not an expense to the council, it is fully funded by the Federal Government

President: We host WSFN and all the costs are reimbursed.

Tony Downs: What is the benefit to the community on being part of this?

CEO: Approx. \$50k, that is the benefit to the community.

Patricia Coleman: To get new doctors, will cost a lot of money, what is the difference to keeping Dr Van here, will it cost more money?

President: No

Patricia Coleman: It would cost the same, what is the difference, we all know Dr Van, why can't Dr Van stay then?

President – He can stay

Patricia Coleman: Where he currently is?

President: No, The Shire owns the medical centre, which is currently on a lease of three plus two-year extension.

Patricia Coleman: There will be about 400 that will not go and see that doctor they will want to see Dr Van.

President: We have offered and he can continue to practice medicine in Kellerberrin.

Patricia Coleman: Has he got a premise to practice?

President: He hasn't come to the Shire as yet.

Patricia Coleman: No, he hasn't, the other doctor has though, and knows nothing about anybody in town, absolutely nothing.

President – You have asked your question; we have answered it, and we need to move on.

Tony Allington – Did you all agree to get rid of Dr Van?

President: Once again, we are not getting rid of Dr Van.

Tony Allington: You're not carrying on his contract? Did you all agree?

President: It was a unanimous Council decision to go down the process.

Tony Allington: So, I know who to blame when I get sick.

Dr Andrew Van Ballegooyen: Have you asked the doctor if he approves of the plan, to relocate him somewhere else, when his business is here and take it down the road, and you want me to take everything out of there and put somewhere else. Get real.

President: This is a statement

Rod Tinker – What assistance are you lot going to give Dr Van to find another premise to operate and accommodate his patients sufficiently in Kellerberrin?

President – As I said in my statement, The new potential lessee contacted Council CEO on Thursday 1st February advising that they had met with Dr Van Ballegooyen on the 31st January to discuss opportunities to work together, as a transition. Councils CEO advised the meeting went well and if there was an opportunity to work together it would be a great outcome for the Kellerberrin community, so we potentially are going to have two doctors in town.

Rod Tinker – You have not answered the question, what assistance are you going to give Dr Van in finding a premise to operate?

Emily Ryan – We are prepared to work with Dr Van for them to stay in their residence and accommodate with a building.

Sue Ireland – What happens to our medical records that are held at the clinic here?

Acting CEO – In regard to the doctor's surgery and the medical records, the lease agreement signed by all parties. The Lessee hereby agrees to maintain the patient records provided by the Lessor. Patient records are to be maintained in an updated manner and at all times remain on the premises and remain the property of the Lessor (the Council). Access to records can only be by medical personnel.

Shyra Coleman – if there is a class action against you by Dr Van, the shire is going to have to pay a lot of money for this and this will cost the ratepayers, due to the uproar.

President – There has been legal argument, and our lawyer has answered those queries and we have acted within the law

Richard Marek – This was asked at last year's Electors Meeting. The Shire of Kellerberrin sign between Hanlon creek and Hanlon Road was demolished, this was five years ago if not more, may I ask when the signs will be reinstated and the Shire boundary sign? The CEO stated that the new signs are coming, this is part of the industrial area sign order. That was 12 months ago.

Mick Jones – That sign is in the yard, the reason being we cannot put it up is due to Main Roads and being too close to their road. Main Roads have to forward a traffic management plan to put in place as it is currently not allowed to be put up due to the size. Therefore, we are waiting for Main Roads to arrange to put the sign up and have been contacted.

Richard Marek – The Shire of Kellerberrin needs to rethink some parts of the budget that will include maintenance and replacement of shelter infrastructure at the Ski Lake. Some ideas include.

- Replacement of several bins on south side of ablution block with maybe two additional bins to the North side of the ablution block
- Removal and replacement of three shelters on the south side of the ablution block, one is partially constructed (posts erected but no roof for shade) and never completed while two others (or three) need to be replaced.
- The grading and maintenance of the two large carparks along with the main road at least twice a year. The carparks need attention now.
- May I suggest the removal of the several sand island within the carpark to allow better vehicle access?
- May I also suggest two signs near the turn off on GEH towards the Ski Lake on Ski Lake Road similar to others erected by the Shire?
- There is a steel frame that once houses a sign. Maybe this could be better utilised for some Shire information.

The Ski Lake area is an absolute jewel within this area and the Shire. It is enjoyed by many and if maintained to a respected level.

President – You have asked the question, and it has been considered in Council. We are limited in funds and has not been a priority at this stage.

Mick Jones – We empty bins, clean toilets, more and more people using it, I agree, although it is going to cost a lot of money. We can grade it, but it is going to cost funds. The parking and camping area could be graded, there is plenty of room to park currently but to get it up to speed its going to cost a lot of money.

Richard Marek – If the Shire spends a day down there; it will save them a year and at the moment the Shire is not.

Mick Jones – We are up there regularly.

President – Mr Marek, you are making a statement, we have to move on.

Pauline Scott – I am concerned that do the Council believe that during the debate with Dr Van Ballegooyen, that due process has been followed?

Council – Yes, absolutely.

Pauline Scott - Do you think that there is any part of this that could have been a little less emotive, had of Dr Van been actually brought together with the prospective new doctor?

President – The problem we have at the time is that this is a confidential process, we did reiterate that we were not going to renew the lease on the practice. The CEO made a big point that we are not replacing his service.

Col Herbertson – It seems to me that you had a basic agreement with Dr Van in late 2022, I think in your words you said that's fine we will sort it out and understand that another opportunity came up with another GP. But at that point perhaps there could have been a conversation with Dr Van before you went full tilt on basically hiring a new doctor?

President – We haven't hired a new Doctor; we have simply not renewed the lease.

Col Herbertson: That is a very disingenuous way of putting it, if you are taking his practice away from him, you're taking his business away particularly when you have insisted that you own the records. How can he practice if you have the medical records?

President – Any medical practitioner has access to them, not the Council.

Col Herbertson – To just say we are only taking the physical practice away from him, that is a very disingenuous way of saying it.

President – We had the opportunity to secure medical services for this community for ten plus years, if we didn't take it another town does.

Col Herbertson – Would it have been better to consult with community and Doctor given the years of service. There has been no consultation and no public comment and that's the issue.

President – It was confidential.

Col Herbertson – I'm not worried about the confidentiality of someone else's business; I'm worried about the Shire of Kellerberrin.

Acting CEO – the Council is equally concerned of the future, particularly as it relates to the doctor services. What we have at the moment, is that Dr Van is going to retire at 75 years of age health permitting. That gives us 2.5 years. You would have seen media reports about the Shire of Lake Grace, Shire of Quairading and others that have spent 1.2 million dollars securing a doctor. This Council didn't want to have an interruption between Dr Van retiring in 2027 and a new doctor at an exurbanite price. It was approached at an appropriate time, at an opportune time by a third party who can offer a further 10 years which secures doctor services in Keller for 15 years. Working with, and in conjunction with Dr Van, as he goes up to his retirement.

Col Herbertson- From my point of view there was no public consultation, and although there might be in confidence discussions held with the other party, surely you don't have to mention it was doctor whoever, but we are having a discussion about this, and I think it may have solved the problem. Why didn't that happen?

President. We are all elected to make decisions on behalf of community, that's why we are here. We are answerable at election time. This is the hardest decision we have had to make on my ten plus years on Council, and I stand by it, and believe we have acted in the best long-term interest for medical services for this community.

Dwight Van Ballegooyen * *Not an elector of the district*

I want to clarify regarding medical records. This is false, while they are in the premises at the moment, a group of people or Shire cannot own the records. The medical records are owned by the doctor, if people are worried about the records, they can request for a small fee to be transferred to another doctor. A Shire cannot own them or do anything with medical records, they have to keep for 7 years or 25 years, and that is state and federal law.

Rod Tinker – What guarantee and what can all you lot do, when you're here in 4-5 years that the quality of the doctor coming is of the same quality of services that the doctor has provided in the last 29 years?

President – I can ask you the same question, when Dr Van retires in 2027, what guarantee can you give that we can find a doctor.

Pauline Scott – Moving forward, what consideration was given to actually housing the new doctor in another premise somewhere and leaving the existing doctor where he is? What that given consideration?

Council – Yes, it was.

Pauline Scott: Why was the new doctor not going to a new premise in the interim period and is there going to be a new medical centre built.

President – The money is in trust from the sale of Dryandra and can only be used for like for like. It is logical to think that the money will be put towards the medical centre development. We don't have control of it and that money is strict to where it can go for a specific purpose.

Pauline Scott – Is that in your long-term plan? Will the GP at that point in time ultimately go to a new facility?

President – Ultimately, yes. This could be 5, 10, 15 years.

Pauline Scott – The reason why you decided to remove Dr Van from the medical centre?

President - For the long-term interest of medical services, this is the best way forward to ensure longevity of medical services in the community.

Pauline Scott – Is there any opportunity for two doctors to coincide and work together. I heard it said that Dr Van had made the approach to a GP, to confide in perhaps or ask support from but he initiated that, but I'm not sure what Dr Vans take on that would be, but I urge you as group to reconsider the possibility of Dr Van remaining in the facility.

Leanne Jacobson – If you have a new doctor come to town are you aware that the doctors has to apply to have admitting rights for A&E and inpatients. We have quite a few hospitals in the area that have new doctors but have not applied for admitting rights for A&E or admitting patients. So, you may have an emergency in town and although there is a doctor in town they will not be allowed to come to the hospital. Dr Van has kept his scope of practice up, and we also have an aged care home in town. 43 the last I know of residents. We have a few doctors in the area, such as Narembeen that the doctor doesn't want anything to do with aged care. Now we have a doctor in town at the moment that goes down there, and if they come to hospital even during afterhours, we can contact him at any time.

President – The potential new lessee of the practice is fully aware of what is required, and we are confident they can fulfill these duties.

Leanne Jacobson – Cunderdin etc have all these doctors but have not applied for A&E rights or admitting rights to actually go to the hospital. If they don't, they might as well have a doctor online and write a script. The skills that Andrew has are amazing, work in this scenario you would know its tremendous and that he can help. It's terrible to think they may have to use ETS even though they are great, but great when you can have someone standing by your side. A lot of places seem to employ doctors thinking this might happen and it doesn't.

Robert Elms – What guarantee at 10pm at night is this new doctor going to come see a patient like Dr Van, and how many days a week?

President – They have guaranteed 4 days.

Robert Elms – How many votes do you need to keep Dr Van here?

President – I have said in my statement, we have not cancelled Andrew's ability to practice. and we haven't taken it lightly to warrant the long-term services of medical services.

Lindsay Tiller – If the community is obviously not for it, what are the chances of the Council to turn this around and go back to 2027 and let Dr Van carry on where he is?

President – can I ask you in 2027, when we may not be able to find a doctor, how you would feel?

Dwight Van Ballegooyen – * *Not an elector of the district* - Dr Van clarified that numerous times in his letter to you, that there was a transition period.

President – This is a statement, and it was never said at any meetings that there was a transition plan.

Pauline Scott - Is there a deed of agreement?

President – There is a deed of understanding. No there is not, I retract that, there is not.

Pauline Scott - When you draw up the new agreement, can you be 100% sure that the doctor is tied into ten years?

President - When the new lease agreement is advertised, public comment will be invited.

Pauline Scott– Are you able to make that agreement or lease such that this person is bound to serve for ten years? Or if in three to four year's time when they decide to leave are they at liberty to leave?

President – Anyone can break a lease at some point.

Pauline Scott – Is there anything you can do, and in that, can you ensure that they are prepared to have admitting rights to the hospital in the agreement.

President – Yes

Shyra Coleman – Can we approach Mia Davies?

President – You can approach Mia, yes.

Carl Jacobson – If you're going to bring two doctors here, supposedly a lot of the gear in the surgery belongs to Andrew. What about the new doctor for a trial period, for a couple of years? They get the new premises and Andrew keeps the old one. Dr Andrew should be able to run his course, his loyalty is a great thing, 29 years and Andrew should be able to leave on his own terms.

President – You have made your statement.

Adrian Gamble – Did Dr Van have a contract written until 2027?

President – No, his lease agreement is for the building/premises.

Adrian Gamble – Not a contract for the doctor?

President – No, a lease agreement for the premises.

Renza Bishop – I'm not saying this new doctor is not good or whatever, but does it speak the Australian language we can understand?

President – I can assure you they speak English.

Renza Bishop – You said they, how many are we getting?

President – The new lessee, one doctor.

John Nicholls – That building is about 45 years old, around 1980. In the sale of Dryandra when are we looking at a new facility or revamp? Can you do that if there is a doctor in residence?

President – It is in the long-term plan. There are funds in dryandra that have to be used for a specific purpose, the medical centre is the obvious purpose.

John Nicholls – Timeframe roughly, 2-5 years?

President – The funds still haven't been finalised.

Acting CEO – the Dryandra board has asked for two quotes for the construction phase, have received one, the other quote has at the last minute backed out. Gone for a second quote and awaiting. In terms of approving the use of funds at the next board meeting I would say they would make a decision on the construction.

Dr Andrew Van Ballegooyen – You stated that I have met with the other doctor. the dealings with the other doctors are contingent on my lease being renewed. Do you want me to stay? Am I willing to work with another doctor with all the happenings, lots of dishonesty, lies, secrecy, under the table and I would find it difficult working with a new doctor under those circumstances. Knowing my lease agreement is contingent on my lease being renewed, no guarantee. And then if that's not the case, I'll be out by the end of the year.

President – That is not a question, that was a statement.

Dr Andrew Van Ballegooyen – The question is, do you want me to stay?

President - Yes

Dr Andrew Van Ballegooyen – Nothing of all this has been discussed with me, its all been secret, under the table and you dropped a bombshell in September last year. You expect me to leave my building that I lease to conduct my business and go somewhere. That's not a reality. It's very disrespectful to kick someone out of their business if they lease a building. Its hugely disrespectful.

President – You have made you statement, any other questions?

Richard Marek – I did ask you Mr President 12 months ago in respect to the park that I'm constructing in Leake Street. I asked about water, you said to me that the Shire doesn't have a plan. I would like to advise you that plan has been found thanks to Mr Mick Jones, that was found last month. 12 months later I still do not have water. When can I ask Council to put water in that god damn park so I can get a move on?

Mick Jones – The plumbing has been over there to connect water. Joel Innes has been engaged to connect that and the excavator has been there. Its all there. As far as I am aware, its all been done.

Richard Marek – The pipe has been put in ground, but has not been connected to water, not been connected to water troughs and not connected to retic.

Mick Jones – What has to happen is a no return valve to be put there as it will be for dog water. That could be the delay, we will find out and get back to you.

Richard Marek – Mr Joel Innes said he was going to get back to me and said he would by end of day but hasn't, sorry but no response.

Patricia Coleman – How many people would it take to keep Dr Van here? Do we have a say? How many signatures do you need? Doesn't matter how many signatures are needed you have made up your mind.

President – You have had your say and your questions have been answered.

Renza Bishop – Because I have so many people complain to me due to noise and dust coming from the industrial area which was expanded after the Shire knew there was a problem. After 2 years, the Shire decided to look like it was going to do something. I offered to have a noise metre installed at my house. I got a letter from John Merrick after being installed by Laura (EHO) who said I just picked this up from being calibrated.

Renza read aloud letter as per below.

I am writing to inform you about the recent developments regarding the noise monitoring at your premise. During the laboratory analysis, it has come to our attention that there was a malfunction with the noise monitor during the recording process, this was most likely due to the corded recording button not functioning which may have occurred during the transport process.

Despite the malfunction, pressure waves were still picked up by the monitor, indicating potential noise disturbances above regulated levels. Unfortunately, due to the malfunction, we were unable to accurately determine the precise location and source of these noises.

We have consulted with the Department of Water and Environmental Regulation (DWER) regarding this matter. While they have advised that no legal action can be taken at this time, we have taken proactive steps to address the issue. Attached to this letter, you will find a copy of the correspondence we have sent to all industries in the area, advising them of the situation and urging compliance with noise regulations.

Should these noise disturbances persist, we will conduct further in hand monitoring to identify the source and take appropriate action as necessary. Our goal remains to mitigate any adverse effects on the community and uphold environmental standards to the best of our ability.

Now this is the letter to the businesses.

Please be advised that the Shire has received ongoing noise disturbance complaints. This resulted in noise monitoring in the area, which has indicated potential disturbances above regulated levels. Although the precise sources have been challenging to pinpoint due to technical issues with the monitoring equipment. We believe it is essential to collaborate with industries in the vicinity to mitigate potential noise disruptions to our neighbours.

While we understand the necessity of certain activities, we also recognise the importance of minimising disruptions to our neighbours, especially during nighttime.

We kindly ask that your industry prioritise noise reduction measures during nighttime operations. This may include:

- 1. Conducting maintenance and operations with reduced machinery noise levels including fans.*
- 2. Ensure that night activities, which includes transport loading is conducted quietly to minimise disturbance during night hours.*

By proactively addressing noise concerns and prioritising quieter operations during the night, we can contribute to a more peaceful and harmonious living environment for everyone in our community.

Renza Bishop – Apart from the fact that the noise has continued and some cases louder. And I have continued to monitor noise, either these letters haven't been sent or Australia post has lost them, or the businesses have taken no notice. What is the Shire going to do about the noise and dust problem?

Acting CEO – When we found out that the noise monitor was faulty, we asked our EHO Laura to get another monitor, to follow up. We have made every endeavour to reduce the problem, we wrote to businesses to help resolve the issue. As soon as we can get hold of another noise monitor, we will have it out to pinpoint exactly where the noise is coming from.

Renza Bishop - 80 is as you know over the recommended level. 20 is the level, and 80 is well above. What is the Shire doing to reduce the noise?

President – Once we get access to another noise monitor, we will send it out to pinpoint.

Renza Bishop – What are you going to do between now and then?

President - We have sent letters out.

Lauren Piercen – * *Not an elector of the district* - We will all agree that medical is probably one of life's most vital things we go through, my question is, how does one go about voting a complete lack of confidence in the entire Shire.

President – At the next election.

Rod Tinker – I endorse the comment of Lauren. The lack of confidence of you lot and what you do to the community is totally against our beliefs. What have you got to say? Sit up there like monkeys and say nothing.

Rick Newman - How many people in this room are prepared to nominate for Council at the next election?

Phil Maisey – I did prepare a statement, although I won't read that. Dr Van won't be here forever; and I would like to applaud the Council for being proactive and seeking other services. I know that Dr Van is good at a lot of things, but I want to applaud you.

President – Thank you Phil, I'm sorry but it has to be a question.

Kirsten Ritche - Is the Shire prepared to work with the doctor in the proposed transition period for a new Doctor to then take over when he retires?

President – That's a gamble, us as a Council weren't prepared to take that sort of risk.

Rod Tinker – You stated there was no guarantee on this new doctor that they would stay the full term, why can't you guarantee in his contract that he will stay the full term or there will be a penalty?

President – There is always a penalty for breach of contract, but you cannot stop people breaching a contract.

Renza Bishop – Does the Shire have any time limit on when someone writes to you, and you have to get back to them?

President – It's in the customer service charter. We will take that on notice.

Renza Bishop – I have asked the Shire to come and look at run off from Lion's Den next door that runs into my property. And the CEO said he will send out engineer and he sent the painter to inspect the damage, and this has been over 12 months?

President – Apologies Renza, this is the first I have heard of this, we can take this on notice.

Patricia Coleman – Is there any way this decision on the doctor can be challenged, or decision changed?

President - No

Richard Marek – In respect to previous correspondence, I wrote to the Shire on the 4th of April last year, in respect to garden beds and monumental rocks, The soldiers

have been approved but am waiting on the Shire to approve the garden bed and monumental rocks?

President – We are awaiting engineer approval.

Richard Marek – I still haven't seen any correspondence to say I can proceed with my work?

President - We are waiting on engineer approval. The problem we have is that we have to meet all the legal requirements in case someone gets hurt. That is out of our control.

Richard Marek – How long do I have to wait for Mr President?

President – The first engineer that the CEO got up, you had a disagreement with, so we had to go get another one which cost time and Shire money.

Pauline Scott – One final thing, Emily did I hear you say something along the lines of the house may be part of the contract, that Andrew will be able to remain in the house?

Deputy President – His residence, yes.

Pauline – I understand what you're saying about longevity and yes you can be applauded for thinking that way. You're not going to re-neg on steps that have taken place so far. But would you consider as Council looking at the possibility of everything of Dr Vans contract remaining as such until the end of time that he plans to serve. If you could consider that and not be so adamant about him leaving his current lease/building. That's a question that maybe you can consider for the future.

President – Once again, there has been communications with the new potential lessee for them to work together and we are open to all suggestions.

Renza Bishop – On behalf of Beryl Otley when is she getting her islands, in Gregory Street?

President – It's in the budget.

Renza Bishop – I've heard that, which budget, which year?

President – It's in this year's budget.

Renza Bishop – So it will be done before when? She was promised this ten years ago, you need to do something.

President - They are currently working on Hammond Street and Connelly Street. It's in the budget this year and its being acted on and will be done.

John Nicholls – The recipients for Aus Day awards, can these names be put up on boards. For people that can't always make the Australia Day awards can the citations for the recipients be put in the pipeline the next time its printed, so we can all see what these people have done.

President – Good idea, Thank you John.

Rod Tinker – When is the Council going to do some maintenance on Bedford Street There is wear and tear on the road near my place. Do the maintenance now or the Council will be spending a lot of money now. I urge the Council to do maintenance, as they have done no maintenance on what they have done, as if they leave It for another year, it will be a lot worse

President – Unfortunately Bedford Street was all prepared for sealing and the contractor did not arrive and we got a rain event. We will take that on board.

Teresa Brindley-Stevens – Is there anything in the Council works to have a look and maintain the footpaths around town.

President – We do have a footpath reserve.

Teresa Brindley-Stevens - The footpaths on the south side of town are horrendous and can't walk on them as trees are growing through them.

President – There used to be a pool of funding, it has been re-enacted and it will be applied for

Robert McCaffery - Could you elaborate on the responsibility of shop owners and Council on footpaths and awnings?

President – Shop owners are responsible for awning and Council are responsible footpaths.

Marcia Gamble – Who is responsible for drainage in front of shops that go onto the roads on main street. Its full of dirt.

Acting CEO – Myself, and Mick Jones will go and look at this tomorrow.

President – Please submit complaints through the complaints process, this register comes to Council.

Robert McCaffrey – I was looking the other day, and the surveyors were saying that the highway is sinking. Is the highway sinking?

President – This is Main Roads and the road is maintained by Main Roads.

Robert McCaffrey – What about the buildings on the precinct side, in the last few years the cracks and damage being done is quite bad, I've had structural engineers in to ascertain what is happening. We know there is underground moisture that is affecting the foundations. So, the environmentalists and conservationist that have come to assess, said that when the gumtrees were removed from the other side the root system actually supported the buildings. So, the question is, who is responsible? Who do I contact?

President – Contact the minister for Main Roads Hon Rita Saffioti.

Renza Bishop – We had a homeless woman here for several nights, do we have anything available for homeless people in this town, is there anywhere they can go?

Acting CEO – If there was an emergency situation, we can act. We did go and speak with the lady as she obviously had some issues, we were unable to do anything, so this was given to the Sargent. He was able to get her relocated so she can get some treatment and support.

9. CLOSURE OF MEETING

There being no further business the Shire President thanked everyone for their attendance and declared the meeting closed at 7:03pm.