



# COUNCIL MINUTES

CONFIRMED: 21 AUGUST 2024

## Ordinary Meeting of Council

7pm, Wednesday 17 July 2024

Council Chambers, 6177 Great Northern Highway, Bindoon

## PUBLIC QUESTION TIME

### 1. Time Permitted

A minimum of 15 minutes is permitted for Public Question Time at Council Meetings. If there are not sufficient questions to fill the allocated time, the Presiding Member will move to the next item. If there are more questions to be considered within 15 minutes, the Presiding Member will determine whether to extend Public Question Time. Each person seeking to ask questions during Public Question Time may address the Council for a maximum of two minutes each.

### 2. Protocol

No member of the public may interrupt the Council Meeting proceedings or enter into conversation.

Members of the public wishing to participate in Public Question Time at the Council Meeting who wish to submit written questions, are requested to lodge them with the Chief Executive Officer the Tuesday by **5pm on the day before the meeting**

The Presiding Member will control Public Question time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. Members of the public wishing to ask a question must state his or her name and address before asking a question. If the question relates to an item of the Agenda, the item number and title should be stated.

### 3. General Rules

The following general rules apply to Public Question Time:

- Public Questions should only relate to the business of the local government and should not be a personal statement or opinion.
- Only questions relating to matters affecting the local government will be considered at a Council Meeting, and only questions that relate to the purpose of the meeting will be considered at a Special Council Meeting.
- Questions may be take on notice and responded to after the meeting.
- Questions may not be directed to specific Elected Members or a Shire employee.
- Questions are not to be framed in such a way as to reflect adversely on a particular Elected Member or Shire employee.
- First priority will be given to persons who have submitted their questions in writing.
- Second priority will be given to persons who are asking questions relating to items on the current Council Meeting Agenda.

## DEPUTATIONS

### 1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

### 2. Protocol

No member of the public may interrupt the Council Meeting proceedings or enter into conversation.

Members of the public make a Deputation at the Council Meeting are requested to lodge them with the Chief Executive Officer the Tuesday by **5pm on the day before the meeting**

The Presiding Member will control Deputation time and ensure that each person wishing to ask a question is given a fair and equal opportunity to do so. Members of the public making a Deputation must state his or her name, company (if applicable) and address before commencing. Members must also state the item number and title on the Agenda.

### 3. General Rules

The following rules apply when making a Deputation:

- (a) Deputation is not to exceed five persons, only two of whom may address the Council, although others may respond to specific questions from Members.
- (b) Deputations must not exceed 10 minutes without the agreement of the Council.
- (c) Additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

## RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

### **Objective**

To ensure that there is a process in place to outline access to the recorded proceedings of Council.

To emphasise that the reason for the recording of Council Meetings is to ensure the accuracy of Council Minutes and that any reproduction is for the sole purpose of Council business.

### **Recording of Proceedings**

1. Proceedings for meetings of the Council, Electors, and Public Question Time during Council meetings shall be recorded by the Shire on sound recording equipment, except in the case of meetings of the Council where the Council closes the meeting to the public.
2. Notwithstanding clause 1, proceedings of a meeting of the Council which is closed to the public shall be recorded where the Council resolves to do so.
3. No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without approval as per ***Local Government (Council Meetings) Local Law 2014***, c6.15.

### **Access to Recordings**

4. The record of proceedings is to be loaded on to the Shire's website once the minutes have been made available.

### **Retention of Recordings**

5. Recordings pertaining to the proceedings of Council Meetings shall be retained in accordance with the ***State Records Act 2000***.

**During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.**

**Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.**

**Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.**

#### PREFACE

When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

The "Confirmed" minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Ordinary Meeting of Council are put together as an addendum to these Minutes.

#### UNCONFIRMED MINUTES

These minutes were approved for distribution on 19 July 2024.



**Melinda Prinsloo**  
Chief Executive Officer

#### CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 21 August 2024.



Signed \_\_\_\_\_

NOTE: the Presiding Member at the meeting at which these minutes are confirmed is the person who signs above.

#### Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the *Local Government Act 1995* (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Chittering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.



## CONTENTS

<b>ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS.....</b>	<b>7</b>
<b>ITEM 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE / ANNOUNCEMENTS .</b>	<b>7</b>
Attendance .....	7
Apologies .....	7
Approved leave of absence.....	7
Announcements .....	8
<b>ITEM 3. DISCLOSURE OF INTEREST.....</b>	<b>9</b>
<b>ITEM 4. PUBLIC QUESTION TIME .....</b>	<b>9</b>
Response to previous public questions taken on notice .....	9
PQT01 – 06/24 Dawn Lynn, Lower Chittering.....	9
Public question time .....	10
<b>ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS .....</b>	<b>10</b>
Petitions .....	10
Presentations .....	10
Deputations .....	10
<b>ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>10</b>
<b>ITEM 7. CONFIRMATION OF MINUTES .....</b>	<b>11</b>
Ordinary Meeting of Council: 19 June 2024.....	11
<b>ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER .....</b>	<b>11</b>
<b>ITEM 9. REPORTS .....</b>	<b>11</b>
<b>DEVELOPMENT SERVICES.....</b>	<b>12</b>
DS01 – 07/24 Bridle Trail Reference Group – Terms of Reference.....	12
DS02 – 07/24 Proposed Scheme Amendment No. 74 – Rezoning of Lots 1456 and 50 Great Northern Highway, Muchea from ‘Agricultural Resource’ zone to ‘General Industry’ zone .....	15
<b>TECHNICAL SERVICES .....</b>	<b>23</b>
<b>CORPORATE SERVICES.....</b>	<b>24</b>
CS01 – 07/24 List of Accounts Paid for the Period Ending 30 June 2024 .....	24
CS02 – 07/24 Interim Monthly Financial Report for the Period Ending 30 June 2024 .....	26
<b>CHIEF EXECUTIVE OFFICER.....</b>	<b>29</b>
CEO01 – 07/24 Work Health and Safety Statistics Report – Quarter Ending June 2024.....	29
CEO02 – 07/24 Delegations Register Review.....	32
<b>ITEM 10. REPORTS OF COMMITTEES .....</b>	<b>36</b>
COM01 – 07/24 Membership of the Chittering Bush Fire Advisory Committee & Unconfirmed Minutes from Tuesday, 11 June 2024.....	36
COM02 – 07/24 Appointment of Bush Fire Control Officers 2024/25.....	40
<b>ITEM 11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>44</b>
<b>ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE .....</b>	<b>44</b>
QMWN01 – 07/24 Cr John Curtis.....	44
<b>ITEM 13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....</b>	<b>44</b>

<b>ITEM 14. MEETING CLOSED TO THE PUBLIC .....</b>	<b>45</b>
Matters for which the meeting may be closed .....	45
CON01 – 07/24 Purchase of Lot 22 (4) Casuarina Close, Bindoon .....	45
<b>ITEM 15. CLOSURE .....</b>	<b>46</b>

*Good evening ladies and gentlemen, we wish to acknowledge the traditional custodians of the land within the Shire of Chittering, the Yued and Whadjuk peoples. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.*

## **ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS**

The Presiding Member declared the meeting open at 7.00pm.

## **ITEM 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE / ANNOUNCEMENTS**

### **Attendance**

The following members will be in attendance:

Cr Aaron King	President
Cr Mary Angus	Deputy President
Cr David Dewar	
Cr Carmel Ross	
Cr Mark Campbell	(via video link)
Cr John Curtis	

The following staff will be in attendance:

Melinda Prinsloo	Chief Executive Officer
Scott Clayton	Deputy Chief Executive Officer
Jake Whistler	Executive Manager Development Services
Leo Pudhota	Executive Manager Technical Services
Denaye Kerr	Executive Assistant

Members of the General Public: 1

Media: 0

### **Apologies**

Cr Kylie Hughes

### **Approved leave of absence**

Nil

**Announcements**

*Councillors to advise of their attendance in their role as an Elected Member at community activities and meetings. As the Chief Executive Officer's office looks after some (not all) appointments for the President and Deputy President; the Agenda includes only those meetings. Councillors are therefore requested to provide additional information at the Ordinary Meeting of Council for inclusion in the minutes.*

**Cr Aaron King**

19 June 2024           Councillor Information Session  
Ordinary Meeting of Council  
21 June 2024           Avon Midland Zone Meeting  
1-6 July 2024          ALGA 2024 National General Assembly – Canberra  
10 July 2024          Councillor Information Session  
Agenda Forum  
13 July 2024          Bindoon Mountain Bike Park Open Day

**Cr Mary Angus**

19 June 2024           Councillor Information Session  
Ordinary Meeting of Council  
10 July 2024          Councillor Information Session  
Agenda Forum  
13 July 2024          Bindoon Mountain Bike Park Open Day

**Cr Kylie Hughes**

19 June 2024           Councillor Information Session  
Ordinary Meeting of Council  
10 July 2024          Councillor Information Session  
Agenda Forum

**Cr Carmel Ross**

19 June 2024           Councillor Information Session  
Ordinary Meeting of Council  
10 July 2024          Councillor Information Session  
Agenda Forum  
13 July 2024          Bindoon Mountain Bike Park Open Day

**Cr John Curtis**

8 July 2024           Bindoon and Districts Historical Society Meeting  
10 July 2024          Councillor Information Session  
Agenda Forum  
13 July 2024          Bindoon Mountain Bike Park Open Day

**Cr Mark Campbell**

19 June 2024           Councillor Information Session  
Ordinary Meeting of Council  
10 July 2024          Councillor Information Session  
Agenda Forum



12 July 2024 Chittering Tourist and Business Association – Business After Hours  
13 July 2024 Bindoon Mountain Bike Park Open Day

*Cr David Dewar*

19 June 2024 Councillor Information Session  
Ordinary Meeting of Council  
10 July 2024 Councillor Information Session  
Agenda Forum  
13 July 2024 Bindoon Mountain Bike Park Open Day

### ITEM 3. DISCLOSURE OF INTEREST

Nil

### ITEM 4. PUBLIC QUESTION TIME

#### Response to previous public questions taken on notice

#### **PQT01 – 06/24 Dawn Lynn, Lower Chittering**

Question: Does the Shire have a Risk Management Plan for the Proposed Bridle Trail, particularly around barbed wire, the embankment and liability for any injury caused to horse or rider from being spooked?

Who is responsible for maintaining the trail from branches and debris?

Will there be dedicated parking for the horse floats as I have heard they will be parking at the playground on Sussex Bend. Will this not be a safety issue for children at the playground or will it deter families from attending the playground?

The Shire spent money in the last couple of years for a bridal trail on Muclea East Road which is still there, why is that not being utilised rather than spending more money on a new trail?

Response: *The Shire is establishing the Bridle Trails for a 12-month trial period, as well as a Reference Group to monitor and report back to the Shire on the progress of the trails.*

*A risk management plan has not been developed for the 12-month trial period, however, Shire staff have undertaken an assessment of the risks of the identified trail routes. This assessment was a practical undertaking that has modified the trail routes slightly to provide a route that is considered to be suitably safe for its intended purpose.*

*Additionally, the 12-month trial period will assist in identifying any risks not originally identified, but can be addressed through consultation with the assistance of the Reference Group.*

*It is anticipated that through the 12-month trial period and consultation with the Reference Group, should it be considered that the Bridal Trails be opened to the public permanently, the need for a detailed Risk Management Plan can be considered by Council at this stage.*

*Ongoing maintenance of the trails is the responsibility of the Shire. These trail routes are fire access tracks where the Shire has existing maintenance responsibilities.*

**Public question time**

Nil

**ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS**

**Petitions**

Nil

**Presentations**

Nil

**Deputations**

Nil

**ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## ITEM 7. CONFIRMATION OF MINUTES

### Ordinary Meeting of Council: 19 June 2024

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 010724**

Moved Cr Ross, seconded Cr Dewar

That the minutes of the Ordinary Meeting of Council held on Wednesday 19 June 2024, as published on the Shire website, be confirmed.

**CARRIED 6 / 0**

TIME: 7.06PM

*For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis*

*Against: Nil*

## ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

- This month the CWA of Western Australia has celebrated its centenary. In the Shire of Chittering, we have three CWA groups, the Chittering Bindoon Branch, established in 1945; the Koorunga Branch, established in 1982; and the Bindoon Belles, established in 2019. We extend our congratulations to the CWA and our gratitude to the three branches operating within this Shire. The CWA is a community service organisation and without a doubt, each branch has provided valuable support to those in need in our community. We look forward to each CWA branch having a long and successful future, uniting women and strengthening communities.
- Speaking of women, the Shire won the National Local Government Award for the category 'Women in Local Government', and proudly accepted the award presented by Prime Minister Anthony Albanese during the prestigious awards evening at Parliament House, Canberra.

The award was for the program to provide traineeships to women at the Shire in various roles.

- On Saturday 13th July the Shire proudly hosted the official opening event of the Bindoon Mountain Bike Park in conjunction with West Cycle. The family day was well attended and showcased the potential of the fully developed park for our community and visitors.

## ITEM 9. REPORTS

**DEVELOPMENT SERVICES****DS01 – 07/24 Bridle Trail Reference Group – Terms of Reference**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	SOCR-1845402348-39061
<b>Author</b>	Executive Manager Development Services
<b>Authorising Officer</b>	Authorising Officer Title
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Draft Terms of Reference

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	<b>Executive</b>	<b><i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i></b>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

**Executive Summary**

Council is requested to consider establishing a Bridle Trail Reference Group for conducting a 12-month trial of operating bridle trails in the Shire of Chittering, appoint a Council delegate and approve a Terms of Reference.

**Background**

At its meeting held 19<sup>th</sup> June 2024, Council considered the establishment of bridle trails within Lower Chittering locality and resolved to endorse a 12-month trial of two bridle trail routes. In addition, Council resolved to establish a Reference Group whereby any concerns held by community members during the trial can be filtered through the Reference Group. Council's resolution stated:

*That Council:*

- 1. Receives the 'Community Survey Assessment – Lower Chittering Bridle Trail Network' (Attachment 1);*
- 2. Endorses the recommendation to implement both proposed trails for a 12-month trial period to then be brought back before Council for final consideration at the conclusion of the trial period;*
- 3. Endorses the provision that the 12-month trial period can be suspended at any time by Council should it have reason to do so;*
- 4. Endorses community engagement during the trial period, particularly with the owners of properties that abut a trail route, to communicate the avenues within the Shire where issues and concerns can be raised; and*

5. That a reference group including members of the local community and equine riders be formed for the trial period, with a proposed terms of reference to be presented to Council at the July OCM.

In accordance with condition 5 of the resolution above, a draft Terms of Reference is presented to Council for consideration and endorsement and attached to this report.

Recommendations and actions endorsed by the Reference Group can be presented to Council at appropriate times for a Council decision.

### Consultation Summary

#### Local

Should Council endorse the Terms of Reference for the Bridle Trail Reference Group, the Shire will commence communications with the community to call for nominations to form the Reference Group.

#### State

Nil

### Legislative Implications

#### State

Nil

#### Local

Nil

### Policy Implications

#### State

Nil

#### Local

Nil

### Financial Implications

Nil

### Strategic Assessment / Implications

- Strategic Community Plan 2022-2032

Focus area: Our community

Objective: S1.1 An active and supportive community

Strategy: S1.1.1 Events and groups to bring the community together and assist connections

### Site Inspection

Site inspection undertaken: N/A

### Environmental Consideration

Environment consideration given: N/A

### Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
People: The risk of involving a problematic person on a reference	Low	Insignificant	Minor	Review nominations for reference group for suitability.

group				
<b>Opportunity:</b> Engaging with community members on the matter of bridle trails can increase the knowledge base and ideas on this subject matter, that the Shire administration and Council don't necessarily possess.				

**Officer Comment/Details**

A Terms of Reference is required to be endorsed by Council to establish clear parameters, roles and responsibilities under which a Reference Group can operate.

The draft Terms of Reference contains the roles and responsibilities that would be required during the 12-month trial period for the bridle trails in Lower Chittering.

There are tangible benefits in establishing a reference group for such a project. Involving members of the equine community who have a working knowledge of horse related activities will be invaluable in determining the suitability of the trails, and the infrastructure required to ensure their ongoing usability. They will also offer insight into potential community concerns that may be raised during the trial period and can offer mitigation to any issues encountered.

It is recommended that Council formally establish the Bridle Trail Reference Group, nominate a Council delegate and proxy to serve and chair the Reference Group, and commence the process to seek nominations for community members to serve on the Group.

<p><b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020724</b></p> <p><b>Moved Cr Campbell, seconded Cr Angus</b></p> <p><b>That Council:</b></p> <ol style="list-style-type: none"><li><b>1. Establish a Bridle Trail Reference Group for the extent of the 12-month trial period for the bridle trails in Lower Chittering as identified in the endorsed 'Community Survey Assessment – Lower Chittering Bridle Trail Network in the Shire of Chittering;</b></li><li><b>2. Adopts the Terms of Reference (Attachment 1) for the purpose of the Bridle Trail Reference Group;</b></li><li><b>3. Nominate Councillor Mark Campbell as the Council delegate for the Bridle Trail Reference Group and Councillor Mary Angus as the proxy delegate for the Bridle Trail Reference Group;</b></li><li><b>4. Instructs the Chief Executive Officer to seek public nominations of up to six (6) community members to serve on the Reference Group; and</b></li><li><b>5. Authorise the Chief Executive Officer to select up to six (6) suitable members of the community to serve on the Bridle Trail Reference Group.</b></li></ol> <p style="text-align: right;"><b>CARRIED 5 / 1</b> TIME: 7.14PM</p> <p style="text-align: center;"><b><i>For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar</i></b> <b><i>Against: Cr Curtis</i></b></p>
--

**DS02 – 07/24 Proposed Scheme Amendment No. 74 – Rezoning of Lots 1456 and 50 Great Northern Highway, Muchea from ‘Agricultural Resource’ zone to ‘General Industry’ zone**

**Applicant** Tomahawk Property  
**File ref** PLN.SA.74  
**Author** Executive Manager Development Services  
**Authorising Officer** Chief Executive Officer  
**Disclosure of interest** Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure  
**Voting requirements** Simple Majority  
**Attachments** 1. Scheme Amendment 74 Document  
 2. EPA Advice  
 3. Schedule of Submissions  
 4. Updated Bushfire Management Plan

	<b>Authority / Discretion</b>	<b>Definition</b>
<input checked="" type="checkbox"/>	<b>Advocacy</b>	<b><i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i></b>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person’s rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to ‘note’ only)</i>

**Executive Summary**

Council is requested to support the proposed Scheme Amendment No. 74 for the rezoning of Lots 1456 and 50 Great Northern Highway, Muchea from the ‘Agricultural Resource’ zone to the ‘General Industry’ zone.

**Location Plan**



**Background**

In January 2022, a proposal for an amendment to the Shire’s Local Planning Scheme No. 6 (LPS6) and a local structure plan were submitted to Shire for the rezoning of Lots 1456 and 50 Great Northern Highway, Muchea from the ‘Agricultural Resource’ zone to the ‘General Industry’ zone. The area captured by this proposal is illustrated in the above locality plan and is often referred to as ‘Precinct 2A’. While several matters relating to the Structure Plan are still to be considered and refined by the proponent at the request of the Shire, Council considered the Scheme amendment on its own merits.

At its meeting held 15 March 2023, Council resolved:

*That Council:*

1. Pursuant to Section 75 of the Planning and Development Act 2005, initiates an Amendment to the Shire of Chittering Local Planning Scheme No. 6 by:
  - a. Rezoning Lots M1456 and Lot 50 Great Northern Highway, Muchea from ‘Agricultural Resource’ zone to the ‘General Industry’ zone and amending the scheme map accordingly;
  - b. Amending Schedule 11 – Muchea Employment Node Special Control Area by including provisions for Precinct 2A of the Muchea Industrial Precinct as follows:



NO	DESCRIPTION OF LAND	CONDITIONS
3	Precinct 2A (P2A) of the Muchea Industrial Park – Lot M1456 (3488) and Lot 50 Great Northern Highway, Muchea	<p>General planning matters applicable to the Muchea Industrial Park are set out in clauses 4.9, 4.20 and 5.7 of the Scheme. The purpose of this schedule is to identify more detailed planning matters relevant to this precinct.</p> <p><b>1. Structure Plan</b></p> <p>1.1 Prior to the subdivision and development of the land, a structure plan is to be prepared and approved in accordance with Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and relevant Scheme requirements.</p> <p>1.2 Part 1 of the Structure Plan is to make provision for –</p> <ul style="list-style-type: none"> <li>i. A centrally aligned loop road designed to carry Class 10 Restricted Access Vehicles (RAV10), having regard to the general requirements of the Muchea Industrial Park Structure Plan.</li> <li>ii. A functional movement network providing for: <ul style="list-style-type: none"> <li>a. suitable road reserve widths for accommodating road, footpath and verge drainage infrastructure in a manner consistent with projected traffic volumes, functionality and integration with the broader road (RAV10) network;</li> <li>b. limited number of access points to Great Northern Highway and the loop road; and</li> <li>c. an indicative lot layout that demonstrates capability to accommodate efficient RAV10 access to all General Industry lots within the precinct.</li> </ul> </li> <li>iii. Staging details to facilitate orderly development within the precinct. Details to address temporary access arrangements, road upgrades, construction of an appropriate footpath network, intersection treatments, public land requirements and cost sharing responsibilities.</li> <li>iv. Identification of reserves for conservation, foreshore management, drainage and/or public open space.</li> <li>v. The identification of any significant features and management strategies to retain features and/or respond to how potential impacts are to be avoided or managed within acceptable limits, to the satisfaction of the local government and in consultation with relevant agencies. These features may include, but not be limited to: <ul style="list-style-type: none"> <li>a. Environmental Features;</li> <li>b. Aboriginal Heritage; and/or</li> <li>c. Heritage listed sites.</li> </ul> </li> <li>vi. Servicing strategy to include concept earthworks and design fill levels; communications, water and power supply; wastewater disposal and drainage.</li> <li>vii. Reasonable and sustainable fill requirements for anticipated industrial uses and development, and details for timing, implementation and responsibility.</li> <li>viii. A Landscape Master Plan to be prepared and submitted to provide the landscaping strategy, species selection and plant density for: <ul style="list-style-type: none"> <li>a. Preservation of rural character including retaining large original trees in prominent locations along Great Northern Highway and Muchea East Road, where identified as contributing to visual landscape character;</li> <li>b. Conservation, foreshore management and/or public open space reserves;</li> <li>c. Swales and basins based on the recommendations in the <i>Vegetation Guidelines for Stormwater Biofilters in the South-West of Western Australia</i>;</li> <li>d. Effluent irrigation areas; and</li> <li>e. On-site landscaped areas.</li> </ul> </li> <li>ix. A Local Water Management Strategy providing additional detail for the structure plan, to ensure that surface and ground water is managed in accordance with State Planning Policy, <i>Better Urban Water Management</i>, <i>Government Sewerage Policy</i>, the <i>Muchea Industrial Structure Plan</i> and its <i>Regional Water Management Strategy</i>. The Local Water Management Strategy shall provide, but not be limited to, details of: <ul style="list-style-type: none"> <li>a. Water supply and water efficiency measures for land uses;</li> <li>b. Land capability for on-site effluent treatment with nutrient retention and disposal, having regard to the <i>Government Sewerage Policy</i>;</li> <li>c. Stormwater management strategy that identifies sub-catchments and land requirements (including within road reserves and swales) for drainage, bioretention and infiltration, in accordance with water sensitive urban design principles;</li> <li>d. Groundwater management strategy including information about pollutant and nutrient management; and</li> </ul> </li> </ul>

NO	DESCRIPTION OF LAND	CONDITIONS
		<p>e. Landscaping strategy.</p> <p><b>2. Subdivision requirements</b></p> <p>2.1 Plans and information, including but not limited to the following, are to be prepared in accordance with the following conditions:</p> <ul style="list-style-type: none"> <li>i. A Site and Soil Evaluation demonstrating appropriate site level requirements and wastewater disposal in accordance with the <i>Government Sewerage Policy</i> and Local Water Management Strategy.</li> <li>ii. A Transport Impact Statement (TIS) or Transport Impact Assessment (TIA) to be prepared and submitted as a component of a subdivision application. The Western Australian Planning Commission's <i>Transport Impact Assessment Guidelines</i> be used to determine the level of assessment required. The TIA/TIS shall identify the extent and suitability of road network modifications to accommodate the creation of the proposed lots as a component of a subdivision application.</li> <li>iii. An Urban Water Management Plan (UWMP) be prepared and approved prior to the commencement of subdivisional works.</li> <li>iv. A Bushfire Management Plan.</li> </ul> <p>2.2 A reticulated water and power supply, operated by licensed operators, shall be provided at the first stage of subdivision.</p> <p><b>3. Development</b></p> <p>3.1 Development shall be in accordance with any restrictions and notifications, if applicable, to the lot.</p> <p>3.2 Development applications to provide details of any emissions and mitigation.</p> <p>3.3 Development footprints and effluent disposal areas shall be filled in accordance with the relevant Site and Soil Evaluation and Urban Water Management Plan.</p> <p><b>4. Additional Uses</b></p> <p>4.1 The following are additional uses in Precinct 2A:</p> <ul style="list-style-type: none"> <li>• Restaurant – D use</li> <li>• Tavern – D use</li> </ul> <p>4.1 Development to be generally in accordance with the Scheme and approved Structure Plan for Precinct 2A of the Muchea Industrial Park.</p> <p>4.2 The location and suitability of land use and development shall not interfere with the:</p> <ul style="list-style-type: none"> <li>i. Establishment and operation of general industry land uses in Precinct 2A of the Muchea Industrial Park; and/or</li> <li>ii. Safe operation and function of the existing or proposed road network which prioritises RAV10 vehicle movements.</li> </ul> <p><b>5. Other</b></p> <p>5.1 Pursuant to clause 34 of <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> where reserves for roads, conservation, foreshore management, drainage and/or public open space have been ceded, these may be incorporated onto the Scheme Map as local scheme reserves by means of a basic amendment to the Scheme.</p>

c. Amending the 'List of Contents' and undertaking any other necessary formatting and administrative edits accordingly.

2. Pursuant to Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determined that the amendment is a 'Standard Amendment' for the following reasons:
- a. The Amendment is consistent with the *Muchea Industrial Park Structure Plan (April 2022)*; and
  - b. The Amendment is consistent with the *Shire of Chittering Local Planning Strategy (October 2019)* that has been endorsed by the Commission.

Pursuant to the above resolution and the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), Scheme amendment 74 was advertised after receiving advice from the Environmental Protection Agency that the amendment did not require formal assessment under *Environmental Protection Act 1986* (Attachment 2).

### **Consultation Summary**

#### Local and State

Advertising of Scheme amendment 74 was conducted between 1<sup>st</sup> September 2023 and 13<sup>th</sup> October 2023 in the following ways:

- A notice was sent to landowners within a 1.5km radius of Precinct 2A;
- A notice of the Scheme amendment and Structure Plan on the Shire's website; and
- Notices sent to the following agencies inviting comment:
  - Chittering Landcare;
  - Department of Planning, Lands and Heritage;
  - Department of Fire and Emergency Services;
  - Department of Mines, Industry Regulations and Safety;
  - Department of Primary Industries and Regional Development;
  - Department of Biodiversity, Conservation and Attractions;
  - Department of Water and Environmental Regulation;
  - Department of Health;
  - Main Roads WA;
  - Department of Defence; and
  - Civil Aviation Safety Authority.

Responses to the advertising period for the Scheme amendment are contained in a schedule of submissions appended to this report (Attachment 3). The responses are accompanied with the applicant's position of each response, and Shire officer comment.

Many of the responses received raised issues that are pertinent to the approval of a Structure Plan. As noted in the background of this report, a Structure Plan is being prepared by the proponent. The proposed Scheme Amendment 74 contains provisions that do not permit any subdivision or development to occur without an approved Structure Plan in place. It also contains provisions that details the requirements and matters to be addressed within a Structure Plan.

The key matters that were raised during the period of advertising include:

- Updated Local Water Management Strategy (LWMS) required to address existing waterways running through the site and future stormwater management systems connecting adjoining land areas outside of Precinct 2A. Additionally, further refinement and justification needs to be made to the LWMS;
- Modifications required to the Bushfire Management Plan; and
- The proposed Additional Uses of 'Restaurant' and 'Tavern' may create higher vehicle trip generation and cause traffic issues.

It is also noted that the Shire has consulted with the Department of Planning, Lands and Heritage on the wording and structuring of Scheme Amendment No. 74, outside of the formal advertising process.

### **Legislative Implications**

#### State

- *Planning and Development Act 2005*

Council's opportunity to modify its Local Planning Scheme is empowered through Section 75 of the *Planning and Development Act 2005*.

- *Planning and Development (Local Planning Schemes Regulations) 2015*

The Regulations dictates the formal process for amending a local planning Scheme.

Part 5, Division 3, Regulation 50(3)(a) of the Regulations directs local government to do one of the following three –

- (a) to support the amendment without modification; or
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or
- (c) not to support the amendment.

The above three options are available to Council when making a resolution on this application.

Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**

Local

The Shire's Local Planning Strategy 2019 (the Strategy) and the Mueha Industrial Park Structure Plan provides the strategic basis for the subdivision and development of the subject lot and identifies the lots as accommodating general industry uses. Clauses 3.4.2 and 3.5.5 of the Strategy seek to consolidate industrial development within the MIP through consolidating all industrial zonings.

State

The Mueha Industrial Park Structure Plan (MIPSP) sets the planning framework to coordinate future development of the industrial park. The MIPSP identifies the subject lots as part of Precinct 2, and provides for predominantly general industry uses.

**Site Inspection**

Site inspection undertaken: No

**Environmental Consideration**

Environment consideration given: Yes

Through the development of the Local Water Management Strategy and Environmental Assessment, the key environmental factors are address including the protection of the groundwater and nearby waterways and preservation of existing vegetation on the site. These documents will be further refined at the structure planning stage, which will occur prior to any on-site works occurring.

An opportunity also exists to improve the natural environment through the proposed rezoning and transitioning this historical agricultural land to industrial development. The land forms part of the

Ellenbrook catchment which is a receiving environment for a high level of nitrogen and phosphorus, contributed by surrounding farming practices. This has adverse environmental impacts on the health of the Ellenbrook ecosystem and the receiving Swan-Canning River system. Transitioning the land to the industrial zoning will remove those agricultural practices which could lead to a reduction of agricultural generated pollutants entering the Ellenbrook.

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Natural Environment:</b> Industrial developments have the potential for adverse impacts on the environment (pollutants, contaminants etc.)	Rare	Minor	Low	Through local structure planning, subdivision and development stages, provisions are made to ensure the ongoing protection of the environment.
<b>Opportunity:</b> To improve the natural environment through removal of high nutrient generating agricultural activities and replace them with correctly planned industrial development.				

**Officer Comment/Details**

The proposed Scheme amendment is considered to be consistent with the relevant elements of the planning framework including the Shire’s Local Planning Strategy and the MIP Structure Plan, which identify the land for future industrial development. It includes provisions that prevent any development or subdivision from occurring, until such time that an approved local structure plan is in place.

This Scheme amendment also seeks to introduce two non-industrial land uses into the Precinct 2A area. Both the ‘Tavern’ and ‘Restaurant’ land uses are proposed to be ‘D’ (discretionary) within this part of the MIP, which will give them the ability to be approved in appropriate locations. It will be necessary to identify the location of these uses in the local structure plan, to ensure they do not create conflict with the industrial activities, being the primary purpose of the land. From a strategic perspective, non-industrial land uses have been identified in the MIP Structure Plan as a necessary, albeit small, percentage of future development. Historically, non-industrial land uses such as lunch bars and other commercial outlets that offer amenities and services, have been located in industrial precincts where they service the needs of the industrial employees. It is considered that a ‘Tavern’ and ‘Restaurant’ land use within Precinct 2A is not contrary to the strategic intent of the land as guided by the MIP Structure Plan.

There were concerns that were raised by MRWA regarding these additional, non-industrial land uses as they have the potential to create a higher generation of traffic than anticipated for an industrial area. Shire officers agree with the comments of MRWA and are cautious that an inappropriately located non-industrial business can create traffic issues. It is however contended, that through the local structure planning process, appropriate locations can be identified for the ‘Restaurant’ and ‘Tavern’ land uses to minimise the impacts these developments may have on the traffic flow throughout the MIP. The identification of suitable locations for these land uses will be accompanied with suitable traffic reporting justifying their location. Furthermore, each individual development (‘Restaurant’ and ‘Tavern’) will also be subject to a Development Approval process, whereby the specifics of traffic movements and trip generation will need to be verified to not impact the industrial land uses, to a degree where the decision-maker (i.e. Local Government) is comfortable. If the decision-maker is not satisfied that a proposed ‘Restaurant’ or ‘Tavern’ can coexist safely with surrounding industrial land uses, then there will be an option for refusing these proposals, given they will have ‘Discretionary’ permissibility within Precinct 2A.

Other key concerns that were raised during the advertising period referenced modifications required to the Bushfire Management Plan and modifications and further information required to the accompanying Local Water Management Strategy. It is acknowledged that these documents will require updating (the BMP has been updated and is contained as Appendix 4 to this report), however the general principles within these documents provide a level of comfort that the land is suitable to being rezoned. The finer details contained within these documents can be refined and further reviewed at the local structure planning stage, where a clearer picture of how the land will be developed (i.e. key road locations, drainage lines, lot configuration etc.) will be identified.

Council's role at this point of the Scheme Amendment is to play an advocacy role. It is to provide a recommendation to the Western Australian Planning Commission (on behalf of the minister) whether or not it supports the Scheme Amendment, and whether modifications are required. The final decision for endorsement of the Scheme Amendment is to be made by the Minister for Planning.

Pursuant to Part 5, Division 3, Regulation 50(3)(a) of the Regulations, it is recommended that Council resolve to support Scheme Amendment 74 without modifications.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 030724**

**Moved Cr Ross, seconded Cr King**

**That Council pursuant to Part 5, Division 3, Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), advises the Western Australian Planning Commission that it supports proposed Scheme Amendment No. 74 to the Shire of Chittering Local Planning Scheme No. 6 (LPS6) without modifications.**

**CARRIED 6 / 0**

TIME: 7.17PM

***For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis***

***Against: Nil***

**TECHNICAL SERVICES**

Nil

**CORPORATE SERVICES****CS01 – 07/24 List of Accounts Paid for the Period Ending 30 June 2024**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	12/03/4
<b>Author</b>	Finance Officer - Accounts
<b>Authorising Officer</b>	Deputy Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. List of Accounts Paid as at 30 June 2024

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<b><i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i></b>

**Executive Summary**

To present the list of accounts paid by the Chief Executive Officer under delegated authority for the period ending 30 June 2024.

To present the List of Payments made by authorised employees using credit, debit and other purchasing cards for the period ending 30 June 2024.

**Background**

Pursuant to *Local Government Act 1995 Section 6.8 (2)(b)*, where expenditure has been incurred by a local government, it is to be reported to the next ordinary meeting of Council.

**Consultation/Communication Implications**Local

Deputy Chief Executive Officer

State

Nil

**Legislative Implications**State

Local Government Act 1995



Local Government (Financial Management) Regulations

Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

All expenditure has been approved via adoption of the 2023-2024 Annual Budget, or resulting from a Council resolution for a budget amendment.

**Strategic Implications**

State

Nil

Local

Nil

**Site Inspection**

Not applicable

**Environmental Consideration**

Not applicable

**Risk Assessment/Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance	Low	Minor	Low	Quality Assurance prior to publishing
<b>Opportunity:</b> None				

**Officer Comment/Details**

The attached "List of Accounts Paid as at 30 June 2024" is presented to Council, inclusive of payments made using credit, debit or other purchasing cards.

<p><b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040724</b>  <b>Moved Cr Curtis, seconded Cr Angus</b>  <b>That Council receive the List of Accounts Paid as per Attachment 1 totalling \$1,472,122.79, inclusive of payments made using credit, debit or other purchasing cards for the period ending 30 June 2024:</b></p> <ol style="list-style-type: none"> <li>1. PR6604, PR6609;</li> <li>2. EFT27024 – EFT27164;</li> <li>3. Direct Debits, Cheques as listed; and</li> <li>4. Purchasing Card as listed.</li> </ol> <p style="text-align: right;"><b>CARRIED 6 / 0</b>  <small>TIME: 7.20PM</small>  <b>For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis</b>  <b>Against: Nil</b></p>
---

**CS02 – 07/24 Interim Monthly Financial Report for the Period Ending 30 June 2024**

<b>File ref</b>	12/03/4
<b>Author</b>	Finance Manager
<b>Authorised by</b>	Deputy Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Interim Monthly Financial Report for the Period Ending 30 June 2024

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<b><i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i></b>

**Executive Summary**

Council is requested to consider the interim financial statement for the period ending 30 June 2024, as at 11 July 2024. Please note this report is subject to change due to the required end of financial year balance day adjustments.

**Background**

In accordance with *Local Government (Financial Management) Regulations 1996*, the Financial Activity Statement has been prepared in compliance with the following:

*“Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, which requires a local government to prepare a statement of financial activity each month, presented according to nature and type, by program, or by business unit. For the 2019/20 financial year the statement of financial activity will be presented by nature and type.*

*Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, which requires a local government to adopt a percentage or value, calculated in accordance with Australian Accounting Standards, to be used in statements of financial activity for reporting material variances. For the 2019/20 financial year 10% and a value greater than \$100,000 will be used for the reporting of variances.”*

**Consultation/Communication Implications**

This document has been prepared in consultation with Responsible Officers for review and analysis.

**Legislative Implications**

State

This interim monthly financial report complies with *Section 6.4 of the Act and Regulations 34(5) of the Local Government (Financial Management) Regulations 1996.*

Local

Nil

**Policy Implications**

Local

- Finance Policy 2.1 Budget Preparation
- Finance Policy 2.2 Investment of Funds
- Finance Policy 2.7 Significant Accounting Policies

**Financial Implications**

Nil

**Strategic Implications**

- Strategic Community Plan 2022-2032
  - Focus area: Strong leadership
  - Objective: S5.2 Strong partnerships and relationships
  - Strategy: S5.2.1 Built effective partnerships with stakeholders
  - Objective: S5.3 Accountable governance
  - Strategy: S5.3.1 Good governance, which supports efficient and effective service delivery

**Site Inspection**

Not applicable

**Environmental Consideration**

Not applicable

**Risk Assessment/Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Compliance</b>	Rare	Minor	Low	Quality Assurance prior to publishing
<b>Opportunity:</b> None				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputation:</b> Providing transparent, accurate financial records.	Unlikely	Minor	Low	Adequate training for all Finance Officers, to ensure balanced reports each month.
<b>Opportunity:</b> None				

**Officer Comment/Details**

Council adopted the Annual Budget for the 2023/24 financial year on 21 June 2023 (Resolution 090623). The figures in this report are compared to the Adopted Budget.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050724**

**Moved Cr Ross, seconded Cr King**

**That Council receives the Interim Monthly Financial Report for period ending 30 June 2024, as per Attachment 1.**

**CARRIED 6 / 0**

TIME: 7.22PM

***For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis***

***Against: Nil***

**CHIEF EXECUTIVE OFFICER****CEO01 – 07/24 Work Health and Safety Statistics Report – Quarter Ending June 2024**

<b>Applicant</b>	N/A
<b>File ref</b>	GOV.REP.OSH
<b>Author</b>	Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. WHS Statistics Report – June 2. WHS Statistics Report – Quarter Ending June 2024

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<b><i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i></b>

**Executive Summary**

Council is requested to receive the Shire of Chittering's Work Health and Safety Statistics Report for quarter ending June 2024.

**Background**

At the Ordinary Meeting of Council held 17 November 2021, Council adopted the following resolution:

<p><b>MOTION / COUNCIL RESOLUTION 231121</b>  Moved Cr King, seconded Cr Angus  That:</p> <ol style="list-style-type: none"> <li>1. "The Shire of Chittering" adopts the following position statement: "Council cares about the employees of the shire and want to ensure that all employees arrive safely home each day. This requires that everyone commits to their role in ensuring a safe workplace, starting with Council".</li> <li>2. Council requires the Chief Executive Officer to provide a quarterly report (February (previous quarter), April, July and October of each calendar year) of the following key safety performance indicators (KPI's) for the Shire workforce and contractors; including but not limited to: <ol style="list-style-type: none"> <li>a. Number of safety observations;</li> <li>b. Number of safety audits and inspections;</li> <li>c. Number of working hours (total, workforce and contractors)</li> <li>d. Number of training hours;</li> <li>e. Number of toolbox talks;</li> </ol> </li> </ol>
--

- f. Number of equipment breakdowns;  
g. Average overtime per person by department.
3. Council requires the Chief Executive Officer to provide a monthly report to be tabled at each Ordinary Council Meeting, the following key safety performance indicators (KPI's) for the Shire workforce and contractors ; including but not limited to:
- a. Number of Drug and Alcohol tests performed;  
b. Number of positive Drug test and BAC Exceedances;  
c. Number of worker compensation claims;  
d. Number of "current" worker compensation claims;  
e. Number of Near Misses;  
f. Number of Medically Treated Injuries;  
g. Number of Restricted Work Injuries;  
h. Number of Lost Time Injuries.

CARRIED UNANIMOUSLY 7 / 0

TIME: 9.53pm

### Consultation Summary

#### Local

Nil

#### State

Nil

### Legislative Implications

#### State

- Work Health and Safety Act 2020

#### Local

Nil

### Policy Implications

#### State

Nil

#### Local

- Shire of Chittering Policy 3.7 Work Health and Safety (WHS)

### Financial Implications

Nil

### Strategic Assessment / Implications

#### Local

- Strategic Community Plan 2022-2032

Focus area: Accountable governance

Objective: S5.3 Accountable Governance

Strategy: S5.3.1 Good governance which supports efficient and effective service delivery

#### State

Nil

### Site Inspection

Not applicable

**Environmental Consideration**

Not applicable

**Risk Assessment / Implications**

Nil

**Officer Comment/Details**

Nil

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060724**

Moved Cr Angus, seconded Cr Ross

That Council receive the Shire of Chittering Work Health and Safety Statistics Report for June 2024 which includes:

1. Monthly Statistics June 2024
2. Near Miss, Incident and Damage Report
3. WHS Training
4. Quarterly Statistics April – June 2024
5. Site Inspections
6. Safety Observations

**CARRIED 6 / 0**

TIME: 7.23PM

*For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis*

*Against: Nil*

**CEO02 – 07/24 Delegations Register Review**

<b>Applicant</b>	N/A
<b>File ref</b>	SOCR-1845402348-39424
<b>Author</b>	Manager Governance and Corporate Performance
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	1. Delegations Register Amendments 2. New Delegations

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input checked="" type="checkbox"/>	<b>Legislative</b>	<b><i>When Council initiates or adopts a policy position, or a local law</i></b>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

**Executive Summary**

For Council to endorse the reviewed Delegations Register as shown in **Attachment 1**; that includes five new delegations listed in **Attachment 2**.

**Background**

In accordance with Section 5.46 of the Local Government Act 1995, delegations are to be reviewed at least once every financial year. The last review was presented to Council on 21 June 2023.

The Chief Executive Officer and the Executive Management Team have undertaken a review of the Delegations Register.

**Consultation Summary**Local

Chief Executive Officer and Executive Management Team.

State

WALGA

**Legislative Implications**State

- *Local Government Act 1995*  
5.46. *Register of, and records relevant to, delegations to CEO and employees*



- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

- *Building Act 2011*
- *Bush Fires Act 1954 and regulations and local laws created under that Act*
- *Cat Act 2011 and regulations*
- *Dog Act 1974 and regulations*
- *Food Act 2008*
- *Graffiti Vandalism Act 2016*
- *Public Health Act 2016*
- *Planning and Development Act 2005 including regulations and adopted policies*
- *Environmental Protection Act 1986*
- *Main Roads Act 1930*
- *Road Traffic (Vehicles) Act 2012*

Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**

Local

- *Strategic Community Plan 2022-2032*
  - Focus area: Administration and Governance
  - Objective: Accountable and transparent governance
  - Strategy: Become a leader in the areas of transparency, disclosure and public accountability

State

Nil

**Site Inspection**

Not applicable

**Environmental Consideration**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance requirements (statutory & regulatory)	Rare	Insignificant	Low	The creation of and regular review of the Delegations Register reduces the risk of non-compliance.
<b>Opportunity:</b>				

**Officer Comment/Details**

Council, as Delegator, is required to review their Delegations annually. In accordance with the Local Government Act 1995, s5.46(2) delegations made under Division 4 of Part 5 of the Act are to be reviewed by the delegator at least once during the financial year.

A comprehensive review and overhaul of the Delegations Register was conducted in 2020 and an extensive review was again carried out in 2021 and 2022, in line with changes to legislation and reforms under the Local Government Amendment Act 2019 (Amendment Act). The 2023 review required some administrative amendments.

The current annual review of the Shire of Chittering's Delegation Register resulted in the following delegations requiring administrative amendments and the inclusion of five new delegations.

**1. Administrative amendments****1.1. Incorrect reference numbers aligned to relevant Council Policies:**

Update '2.12 Purchasing Policy' to '2.5 Purchasing & Procurement Policy':

- a. **Page 24:** Delegation 1.2.15 Expressions of Interest for Goods and Services.
- b. **Page 25:** Delegation 1.2.16 Tenders for Goods and Services

Update '2.2: Investment of Funds' to '2.1: Investment of Funds Policy':

- a. **Page 29:** 1.2.19 Power to Invest and Manage Investments.

Update '2.6: Rating Policy' and '2.17: Financial Hardship Policy' to '2.2: Rating' and '2.8: Financial Hardship Policy':

- a. **Page 31:** 1.2.21 Agreement as to payment of rates and service charges.
- b. **Page 32:** 1.2.22 Determine due dates for rates or service charges.
- c. **Page 33:** 1.2.23 Recovery of rates or service charges.
- d. **Page 34:** 1.2.24 Recovery of rates debts – actions to take possession of the land.

**1.2. Incorrect reference numbers aligned to relevant Delegations:**

Delegation: 1.2.18 Defer, Grant Discounts, Waive or Write Off Debts:

- a. **Page 28:** change reference made to '1.1.21 Agreement as to Payment of Rates and Service Charges' to '1.2.21 Agreement as to Payment of Rates and Service Charges'.
- b. **Page 28:** change reference made to '1.1.23 Recovery of Rates or Service Charges' to '1.2.23 Recovery of Rates or Service Charges'.
- c. **Page 28:** change reference made to '1.1.24 Recovery of Rates Debts – Actions to Take Possession of the Land' to '1.2.24 Recovery of Rates Debts – Actions to Take Possession of the Land'.

**1.3. Change references made to an amount of \$150,000 to \$250,000 to ensure that we are aligned with the previously approved Purchase & Procurement Policy (Council Resolution 170623) and Financial Regulations.**

- a. **Page 25 & 26:** Delegation 1.2.16 Tenders for Goods and Services.

## 2. New delegations aligned to the WALGA Template

### Local Government Act 1995 Delegations:

- **Page 9:** 1.2.1 Authorise a Persons to Perform Specified Functions under the Local Government Act 1995

### Delegations under other legislation:

#### Building Act 2011

- **Page 44:** 2.1.4 Designate Employees as Authorised Persons
- **Page 45:** 2.1.5 Designate Contractors as Authorised Persons (Inspectors)
- **Page 49:** 2.1.8 Authorise persons to commence proceedings
- **Page 53:** 2.1.12 Appoint approved officers and authorised officers

During the next annual review, we'll conduct a thorough assessment, with assistance from WALGA.

#### **OFFICER RECOMMENDATION / COUNCIL RESOLUTION 070724**

**Moved Cr Ross, seconded Cr King**

**That Council by an ABSOLUTE MAJORITY endorses the updated Delegations Register, provided as Attachment 1, and the five new delegations listed in Attachment 2.**

**CARRIED BY ABSOLUTE MAJORITY 6 / 0**

TIME: 7.26PM

***For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis***

***Against: Nil***

**ITEM 10. REPORTS OF COMMITTEES****COM01 – 07/24 Membership of the Chittering Bush Fire Advisory Committee & Unconfirmed Minutes from Tuesday, 11 June 2024**

<b>File ref</b>	SOCR-1845402348-39012
<b>Author</b>	Development Services Support Officer
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	The Author has an impartiality interest as a member of the Upper Chittering Volunteer Bushfire Brigade
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Unconfirmed Minutes of CBFAC Meeting held 11 June 2024

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<b><i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i></b>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input checked="" type="checkbox"/>	Information	<b><i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i></b>

**Executive Summary**

Council is requested to endorse the Chittering Bushfire Advisory Committee meeting membership for the financial year 2024/25 and to receive the unconfirmed minutes from the meeting held Tuesday, 11 June 2024.

**Background**

The Chittering Bush Fire Advisory Committee (CBFAC) met on Tuesday, 11 June 2024 and during the meeting the membership for the Committee was carried:

*That the Chittering Bush Fire Advisory Committee recommends to Council that membership effective 11 June 2024 is as follows:*

<b>Member</b>	<b>Deputy</b>
<i>Cr Carmel Ross</i>	<i>Cr David Dewar</i>
<i>Melinda Prinsloo, Chief Executive Officer</i>	<i>Scott Clayton, Deputy Chief Executive Officer</i>
<i>Graham Furlong, Chief Bush Fire Control Officer</i>	<i>Nil</i>
<i>Kim Haeusler, Deputy Chief Bush Fire Control Officer - Northern Region</i>	<i>Nil</i>
<i>Neil Harvey, Bindoon Volunteer Bush Fire Brigade</i>	<i>Dennis Badcock, Bindoon Volunteer Bush Fire Brigade</i>

<i>Donald Jamieson, Lower Chittering Volunteer Bush Fire Brigade</i>	<i>Graham Furlong, Lower Chittering Volunteer Bush Fire Brigade</i>
<i>Shelly Pannell, Muchea Volunteer Bush Fire Brigade</i>	<i>James Marotta, Muchea Volunteer Bush Fire Brigade</i>
<i>Aaron Cover, Upper Chittering Volunteer Bush Fire Brigade</i>	<i>Will Lee, Upper Chittering Volunteer Bush Fire Brigade</i>
<i>Clayton Smith, Wannamal Volunteer Bush Fire Brigade</i>	<i>Daniel Smith, Wannamal Volunteer Bush Fire Brigade</i>
<i>Paul Groves, Chittering Incident Support Brigade</i>	<i>Ian Wright, Chittering Incident Support Brigade</i>

*CARRIED UNANIMOUSLY*

**Consultation Summary**

Local

Chittering Bush Fire Advisory Committee

State

Nil

**Legislative Implications**

State

- *Local Government Act 1995, sections 5.8, 5.11, 5.12 and s5.13*
- *Bush Fires Act 1954 – Section 67*

Local

- *Shire of Chittering Brigades Local Law 2012*  
In accordance with c13.12 the Committee is to make recommendations to the local government on all motions received by the Committee from the bushfire brigades.

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**

- *Strategic Community Plan 2022-2032*  
Focus area: Our natural environment  
Objective: S2.3 Protection of life and property  
Strategy: S2.3.1 Improve Bush Fire preparedness and recovery

**Site Inspection**

Not applicable

**Environmental Consideration**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational:</b> Members bringing the Shire into disrepute.	Rare	Moderate	Low	Clear and transparent communication with members.
<b>Opportunity:</b> Build strong relationships with officers of the Chittering Fire Services.				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Natural Environment:</b> Making sure the natural environment of the Shire is protected as much as possible	Possible	Minor	Moderate	Ensuring requirements are met through holding the scheduled meetings
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

The officer's recommendation is reflective of the motion passed at the Committee meeting held Tuesday, 11 June 2024. The next meeting of the Chittering Bush Fire Advisory Committee is scheduled for Tuesday, 10 October 2024.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 080724**

Moved Cr Ross, seconded Cr Curtis

That Council:

1. Endorse the membership of the Chittering Bush Fire Advisory Committee for 2024/25 as follows:

<b>Delegate</b>	<b>Deputy</b>
Cr Carmel Ross	Cr David Dewar
Melinda Prinsloo, Chief Executive Officer	Scott Clayton, Deputy Chief Executive Officer
Graham Furlong, Chief Bush Fire Control Officer	Nil
Kim Haeusler, Deputy Chief Bush Fire Control Officer - Northern Region	Nil
Neil Harvey, Bindoon Volunteer Bush Fire Brigade	Dennis Badcock, Bindoon Volunteer Bush Fire Brigade
Donald Jamieson, Lower Chittering Volunteer Bush Fire Brigade	Graham Furlong, Lower Chittering Volunteer Bush Fire Brigade
Shelly Pannell, Muchea Volunteer Bush Fire Brigade	James Marotta, Muchea Volunteer Bush Fire Brigade
Aaron Cover, Upper Chittering Volunteer Bush Fire Brigade	Will Lee, Upper Chittering Volunteer Bush Fire Brigade
Clayton Smith, Wannamal Volunteer Bush Fire Brigade	Daniel Smith, Wannamal Volunteer Bush Fire Brigade
Paul Groves, Chittering Incident Support Brigade	Ian Wright, Chittering Incident Support Brigade

2. Receives the “unconfirmed” Chittering Bush Fire Advisory Committee Minutes from the meeting held on Tuesday, 11 June 2024.

**CARRIED 6 / 0**

TIME: 7.29PM

*For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis*

*Against: Nil*

**COM02 – 07/24 Appointment of Bush Fire Control Officers 2024/25**

<b>File ref</b>	SOCR-1845402348-39012
<b>Author</b>	Development Services Support Officer
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	The Author has an impartiality interest as a member of the Upper Chittering Volunteer Bushfire Brigade
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Unconfirmed Minutes of CBFAC Meeting held 11 June 2024.

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<b><i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i></b>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

**Executive Summary**

Council is requested to endorse the appointment of Bush Fire Control Officers for 2024/2025.

**Background**

Bush Fire Control Officer positions from each Brigade become vacant annually in May. The following recommendation was carried at the Committee meeting held Tuesday, 11 June 2024:

<i>That the Committee recommend to Council the following appointments:</i>	
1.	<i>Fire Control Officer:</i>
	<i>a. James Marotta and Tammy Foster representing Muchea Volunteer Bush Fire Brigade.</i>
	<i>b. Graham Furlong representing Lower Chittering Volunteer Bush Fire Brigade.</i>
	<i>c. Aaron Cover representing Upper Chittering Volunteer Bush Fire Brigade.</i>
	<i>d. Dennis Badcock and Paul Groves representing Bindoon Volunteer Bush Fire Brigade.</i>
	<i>e. Clayton Smith representing Wannamal Volunteer Bush Fire Brigade.</i>
	<i>f. Barry Cilliers, Bruce Gilbert, Robert Butler and Zane Keighley representing the Shire of Chittering.</i>
2.	<i>Captain and Fire Control Officer:</i>
	<i>a. Shelly Pannell, Captain of Muchea Volunteer Bush Fire Brigade.</i>
	<i>b. Donald Jamieson, Captain of Lower Chittering Volunteer Bush Fire Brigade.</i>
	<i>c. Will Lee, Captain of Upper Chittering Volunteer Bush Fire Brigade.</i>
	<i>d. Neil Harvey, Captain of Bindoon Volunteer Bush Fire Brigade.</i>
3.	<i>Deputy Chief Bush Fire Control Officer:</i>
	<i>a. Kim Haeusler representing the North Region.</i>
4.	<i>Graham Furlong as the Chief Bush Fire Control Officer for the Shire of Chittering</i>
<b>CARRIED UNANIMOUSLY</b>	



Local

- Bush Fire Brigades Local Law 2012

**3.6 Holding of annual general meeting**

*A bush fire brigade is to hold its annual general meeting during the month of May each year.*

**3.7 Nomination of bush fire control officers to Bush Fire Advisory Committee**

*At the annual general meeting of a bush fire brigade, brigade member/s are to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade until the next brigade annual general meeting.*

**3.8 Minutes to be tabled before the Bush Fire Advisory Committee**

- (1) *The brigade Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.*
- (2) *The Chief Bush Fire Control Officer is to table the minutes of the bush fire brigade's annual general meeting at the next meet of the—*
  - (a) *Bush Fire Advisory Committee; or*
  - (b) *Council, if there is no Bush Fire Advisory Committee.**following their receipt under subclause (1)*

**3.9 Functions of Advisory Committee**

*The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as determined by the local government.*

**3.10 Advisory Committee to nominate bush fire control officers**

*As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government from the persons nominated by each bush fire brigade a person for the position of a bush fire control officer for the brigade area.*

**3.11 Local government to have regard to nominees**

*When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.*

**3.12 Advisory Committee to consider bush fire brigade motions**

*The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.*

State

- Bush Fires Act 1954

**43. Election and duties of officers of bush fire brigades**

*A local government which establishes a bush fire brigade shall by its local laws provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.*

*[Section 43 amended by No.51 of 1979 s.5; No.14 of 1996 s.4.]*

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

There will be costs incurred for the advertising of the appointed Fire Control Officers, which has been allowed for in the Shire’s adopted 2023/2024 Annual Budget.

**Strategic Assessment / Implications**

Local

- *Strategic Community Plan 2022-2032*

Focus area: Our community  
 Objective: S1.2 Strong sense of community  
 Strategy: S1.2.1 Actively support community, volunteer groups and networks

Objective: S1.3 A safe and healthy community  
 Strategy: S1.3.1 Improve the safety of our community

Focus area: Our natural environment  
 Objective: S2.3 Protection of life and property  
 Strategy: S2.3.1 Improve Bush Fire preparedness and recovery

State

Nil

**Site Inspection**

Not applicable

**Environmental Consideration**

Not applicable.

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational:</b> Fire Control Officers bringing the Shire into disrepute	Rare	Moderate	Low	Clear and transparent communication with Fire Control Officers as well as annual refreshers.
<b>Opportunity:</b> Build strong relationships with Fire Control Officers and have strong representation in the community.				

**Officer Comment/Details**

The Officer Recommendation is reflective of the motion passed at the Chittering Bush Fire Advisory Committee meeting held Tuesday, 11 June 2024.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 090724**

Moved Cr Curtis, seconded Cr Ross

That Council endorses the following appointments for the 2024/25 financial period:

1. Fire Control Officers:
  - a. James Marotta and Tammy Foster representing Muchea Volunteer Bush Fire Brigade.
  - b. Graham Furlong representing Lower Chittering Volunteer Bush Fire Brigade.
  - c. Aaron Cover representing Upper Chittering Volunteer Bush Fire Brigade.
  - d. Dennis Badcock and Paul Groves representing Bindoon Volunteer Bush Fire Brigade.
  - e. Clayton Smith representing Wannamal Volunteer Bush Fire Brigade.
  - f. Barry Cilliers, Bruce Gilbert, Robert Butler and Zane Keighley representing the Shire of Chittering.
2. Captain and Fire Control Officer:
  - a. Shelly Pannell, Captain of Muchea Volunteer Bush Fire Brigade.
  - b. Donald Jamieson, Captain of Lower Chittering Volunteer Bush Fire Brigade.
  - c. Will Lee, Captain of Upper Chittering Volunteer Bush Fire Brigade.
  - d. Neil Harvey, Captain of Bindoon Volunteer Bush Fire Brigade.
3. Deputy Chief Bush Fire Control Officer:
  - a. Kim Haeusler representing the North Region.
4. Graham Furlong as the Chief Bush Fire Control Officer for the Shire of Chittering

**CARRIED 6 / 0**

TIME: 7.32PM

*For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis*

*Against: Nil*

**ITEM 11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE**

**QMWN01 – 07/24 Cr John Curtis**

Question: What is the total cost the Shire has spent for the Good Sammy's compound in Muchea and Bindoon?

Response: *The Chief Executive Officer advised that this would be taken on notice.*

The following response was sent to Cr Curtis on 8 August 2024:

*Please see the total costs to the Shire for preparing the areas for the containers to be placed at Muchea and Bindoon:*

***Muchea:***

Total Labour including Overheads	1,431
Total Plant	371
Integrity Fencing & Gates Invoices	4,886
Gravel	0
<b>Total for Muchea Landfill</b>	<b>\$6,688</b>

***Bindoon:***

Total Labour including Overheads	470.10
Total Plant	316.11
Integrity Fencing & Gates Invoices	4,463.64
Gravel	426.35
<b>Total for Bindoon Landfill</b>	<b>\$9,522</b>

*As per the original council resolution, Good Sammys will be paying for half of the fencing and gates.*

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

Nil

## ITEM 14. MEETING CLOSED TO THE PUBLIC

### Matters for which the meeting may be closed

#### OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100724

Moved Cr Ross, seconded Cr Angus

That Council moves into a confidential session to discuss the following item:

- CON01 – 07/24 Purchase of Lot 22 (4) Casuarina Close, Bindoon

Under the terms of the *Local Government Act 1995, Section 5.23(2)(c)*:

*“(2) If a meeting is being held by a council or a committee, the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:*

*(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting*

**CARRIED 6 / 0**

TIME: 7.35PM

*For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis*

*Against: Nil*

### CON01 – 07/24 Purchase of Lot 22 (4) Casuarina Close, Bindoon

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	A9550
<b>Author</b>	Executive Manager Development Services
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	1. Project Plan 2. Department of Communities Valuation Report 3. Valuation of Lot 23 Casuarina Close

### Reason for Confidentiality

*Local Government Act 1995, Section 5.23(2)(e) Meetings generally open to public*

*(2) If a meeting is being held by a council or a committee, the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:*

*(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting*

The report contains information regarding a contract which the Council is yet to enter into and negotiations with the landowner regarding this matter are confidential.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110724**

Moved Cr Curtis, seconded Cr King

That Council BY AN ABSOLUTE MAJORITY:

1. Resolve to proceed with the purchase of Lot 22 Casuarina Close, Bindoon (Lot 22 on Deposited Plan 77873) as per the attached draft contract; and
2. Authorise the Chief Executive Officer and Shire President to sign and apply the Common Seal on any documents associated with the purchase of the subject property in accordance with Council Policy 1.14 – ‘Execution of Documents and Use of the Common Seal’.

**CARRIED 6 / 0**

TIME: 7.40PM

*For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis*

*Against: Nil*

**PROCEDURAL MOTION / COUNCIL RESOLUTION 120724**

Moved Cr Angus, seconded Cr Ross

That Council come out from behind closed doors.

**CARRIED BY ABSOLUTE MAJORITY 6 / 0**

TIME: 7.41PM

*For: Cr King, Cr Angus, Cr Ross, Cr Campbell, Cr Dewar, Cr Curtis*

*Against: Nil*

*The President read aloud the Resolution.*

**ITEM 15. CLOSURE**

The Presiding Member declared the meeting closed at 7.42pm.