



# COUNCIL MINUTES

## Ordinary Meeting of Council

7pm, Wednesday 19 June 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 taken 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 making 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 21 June 2024



**Melinda Prinsloo**  
Chief Executive Officer

#### CONFIRMED MINUTES

These minutes were confirmed at a meeting held on \_\_\_\_\_

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.



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*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	
Cr Kylie Hughes	

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
Sue Mills	Finance Manager
Denaye Kerr	Executive Assistant

Members of the General Public: 8

Media: 0

### **Apologies**

Nil

### **Approved leave of absence**

Cr John Curtis

**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**

15 May 2024 Councillor Information Session  
Ordinary Meeting of Council  
29 May 2024 Budget Workshop  
7 June 2024 President & CEO Meeting  
12 June 2024 Councillor Information Session  
Budget Workshop  
Agenda Forum  
14 June 2024 Citizenship Ceremony  
15 June 2024 Chittering Fire Services Recognition Event – Muchea

**Cr Mary Angus**

15 May 2024 Councillor Information Session  
Ordinary Meeting of Council  
17 May 2024 Disability Inclusion Workshop  
23-25 May 2024 Australasian Reporting Awards – Sydney  
29 May 2024 Budget Workshop  
31 May 2024 Strategic Decision Making at WALGA  
7 June 2024 President & CEO Meeting  
12 June 2024 Councillor Information Session  
Budget Workshop  
Agenda Forum  
14 June 2024 Citizenship Ceremony  
15 June 2024 Youth Krew Meeting  
Chittering Fire Services Recognition Event – Muchea  
17 June 2024 WALGA Zoom – Strategic Decision Making

**Cr Kylie Hughes**

15 May 2024 Councillor Information Session  
Ordinary Meeting of Council  
16 May 2024 Sandown Park User Group Meeting  
22 May 2024 Local Emergency Management Committee – Emergency Evacuation Centre Exercise  
27 May 2024 Ellen Brockman Integrated Catchment Committee Meeting  
Chittering Landcare Group Meeting  
29 May 2024 Budget Workshop  
12 June 2024 Councillor Information Session  
Budget Workshop  
Agenda Forum  
15 June 2024 Chittering Fire Services Recognition Event – Muchea

**Cr Carmel Ross**

15 May 2024 Councillor Information Session  
Ordinary Meeting of Council  
17 May 2024 Chittering Tourism and Business Association, Business After Hours  
28 May 2024 Good Sammy's Recycling Centre Visit – Balcatta



29 May 2024 Budget Workshop  
11 June 2024 Chittering Bushfire Advisory Committee  
12 June 2024 Councillor Information Session  
Budget Workshop  
Agenda Forum

Cr John Curtis

15 May 2024 Councillor Information Session  
Ordinary Meeting of Council  
28 May 2024 Good Sammy's Recycling Centre Visit – Balcatta

Cr Mark Campbell

15 May 2024 Councillor Information Session  
Ordinary Meeting of Council  
16 May 2024 Sandown Park User Group Meeting  
17 May 2024 Chittering Tourism and Business Association, Business After Hours  
18 May 2024 Release Stage 4 – Merryville Heights  
25 May 2024 Volunteer Day  
29 May 2024 Budget Workshop  
12 June 2024 Councillor Information Session  
Budget Workshop  
Agenda Forum  
15 June 2024 Chittering Fire Services Recognition Event – Muchea

Cr David Dewar

15 May 2024 Councillor Information Session  
Ordinary Meeting of Council  
29 May 2024 Budget Workshop  
12 June 2024 Councillor Information Session  
Budget Workshop  
Agenda Forum  
15 June 2024 Youth Krew Meeting  
Chittering Fire Services Recognition Event – Muchea

**ITEM 3. DISCLOSURE OF INTEREST**

Nil

**ITEM 4. PUBLIC QUESTION TIME**

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

Nil

**Public question time**

**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 Muchea East Road which is still there, why is that not being utilised rather than spending more money on a new trail?

*Response: The President advised that these questions would be taken on notice.*

**PQT02 – 06/24 Natalie Scibilia, Lower Chittering**

Question: Are the Shire going to establish a working reference group for the Lower Chittering Bridal Trail?

Is there a way that we will be able to communicate positive feedback to Council to highlight benefits so that you are not just hearing negative issues?

*Response: The President responded that there is no reference group at the moment, but it is something that can be looked into. The Chief Executive Officer advised that any feedback, positive or negative, can be sent through to our chatter email, and if addressed to the Council will be recorded and relayed to Council accordingly.*

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

**Petitions**

Nil

**Presentations**

Nil

**Deputations**

**DEP01 – 06/24 Dawn Lynn, Lower Chittering**

Dawn spoke against officer recommendation DS01 – 06/24 Lower Chittering Bridle Trails Network.

**DEP02 – 06/24 Natalie, Lower Chittering**

Natalie spoke for officer recommendation DS01 – 06/24 Lower Chittering Bridle Trails Network.

**DEP03 – 06/24 Carmen Jones, Chittering**

Carmen spoke for officer recommendation DS01 – 06/24 Lower Chittering Bridle Trails Network.

**DEP04 – 06/24 Hayley Nepia, Chittering**

Hayley spoke against officer recommendation DS02 – 06/24 Application for Development Approval – Oversized Outbuilding: 24 (Lot 170) Narik Grove, Chittering.

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

**MOTION / COUNCIL RESOLUTION 010624**

Moved Cr Ross, seconded Cr Angus

That the following leave of absence be approved:

- Cr Carmel ROSS – Sunday 30 June through to Saturday 6 July 2024 (inclusive).

**CARRIED 6 / 0**

TIME: 7.44PM

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

*Against: Nil*

**ITEM 7. CONFIRMATION OF MINUTES**

**Ordinary Meeting of Council: 15 May 2024**

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020624**

Moved Cr Campbell, seconded Cr Ross

That the minutes of the Ordinary Meeting of Council held on Wednesday 15 May 2024, as published on the Shire website, be confirmed.

**CARRIED 6 / 0**

TIME: 7.45PM

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

*Against: Nil*

## ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

- On behalf of Council and the Shire, I would like to send my condolences to the family on the passing of Lawrence William Bush (Laurie) who served on the Shire of Chittering Council from 1999 through to 2003 and was also a long-standing volunteer in the bushfire brigade.
- Tonight marks the annual adoption of the Shire of Chittering Budget and I would like to thank Councillors and shire staff for producing this balanced budget.
- We are thrilled to announce that The Shire has been recognised for its commitment to transparency, earning the prestigious Silver Award at the 2024 Australasian Reporting Awards (ARA), a worldwide benchmark in annual reporting. This accolade was achieved with our Annual Report 2022/23, marking our first entry into these esteemed awards.

Chittering stands out as the only Shire among the 13 Western Australian local governments to enter the Awards, showcasing our strong commitment to accountability. Of the 12 first-time entrants, Chittering did best by receiving the sole Silver Award. Remarkably, Chittering is the smallest council by population to achieve this honour.

The ARA acknowledges organisations for their excellence, continuous improvement, effective communication, responsiveness to stakeholders, attention to detail, and accuracy.

The Silver Award signifies the quality coverage of most ARA Criteria aspects, good disclosure of key business elements, and adherence to current legislative and regulatory requirements.

We are immensely proud of this achievement and remain committed to maintaining and improving our standards of excellence in reporting.

## ITEM 9. REPORTS

**DEVELOPMENT SERVICES****DS01 – 06/24 Lower Chittering Bridle Trails Network**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	SOCR-1845402348-39062
<b>Author</b>	Senior Planning Officer
<b>Authorising Officer</b>	Executive Manager Development Services
<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. Community Survey Assessment – Lower Chittering Bridle Trail Network

	<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 accepting the 'Lower Chittering Bridle Trails Network Assessment'. This assessment details the outcome of the community consultation survey conducted for two proposed bridle trail networks within the Shire of Chittering.

**Background**

The Shire is undertaking the necessary assessment for a bridle trail network within the Shire of Chittering in line with population growth and demand and informed by the results of a community survey. Attachment 1 is a review of the demand for bridle trails within the Shire of Chittering and the availability of trail routes that are suitable to be utilised as bridle trails.

A bridle trail is a path or track along which horse riders have the right of way and is not typically suitable for vehicles to travel along. A bridle trail is typically only used for horses and not for other recreational activities, such as motorbike riding, as the noise that the motorbikes emit is highly likely to startle the horses and create an unsafe environment.

As part of this assessment, two bridle trail routes have been identified via the use of Shire owned strategic firebreaks, within Maryville Downs and the Powderbark Estate.

As part of the investigation process, the Shire contacted the Department of Planning, Lands and Heritage to determine the legality of using the proposed strategic firebreaks for bridle trail purposes. An officer from

the Lands Department provided information to indicate that a request can be made to the Department to reserve the lots that encompass the routes for bridle trail purposes and to also serve as a firebreak for emergency service vehicles.

The Shire previously investigated the possibility of opening Bridle Trails along this same proposed network within Maryville Downs in 2014. Council decided to conduct a 12-month trial period starting 1 August 2016 for the Bridle Trails, however no formal trails were established following this trial as it is understood there were privacy concerns held from some residents abutting the trails.

The purpose of this assessment is to inform Council on the outcome of the community survey and identify if there is a strong community desire for bridle trails within the Shire of Chittering. This information is contained within Attachment 1 to this report. Should the assessment be accepted, it will be used by the Shire's administration to inform the formalisation of bridle trails.

### **Consultation Summary**

#### Local

The Shire of Chittering conducted an online survey of residents which commenced on 20 March 2024 and concluded on 8 April 2024. This survey was conducted online and distributed to the public via the Shire's social media outlets and the Shire's website.

This online survey received a total of 264 responses, with all responses being received directly via the online survey. There was a strong level of support for the bridle trails, with 92% of respondents expressing their support for the bridle trails.

Concerns over the project were also received via the online survey. These concerns are based around the issues of privacy, motorbikes, dogs and float parking. These concerns and a detailed analysis of the results from the consultation period are further explained within Attachment 1.

#### State

The Shire of Chittering contacted the Department of Planning, Lands and Heritage (DPLH) to determine the legality of using the proposed strategic firebreaks for bridle trail purposes. The information received from the Lands Department indicates that the identified routes can currently be used for bridle trail purposes, however these trail routes can also be requested to be reserved explicitly for bridle trail purposes and emergency access ways.

### **Legislative Implications**

#### State

The Shire of Chittering obtained comment from the Lands Department for the use of the strategic firebreaks for the bridle trail network. Whilst the comments provided by the officer of the Lands Department indicates that these strategic firebreaks can currently be used for bridle trail purposes, they are also currently identified as Pedestrian Access Ways (PAW). The proposed trail routes can be redesignated via a request to DPLH to reserve the lots that encompass the trail routes for bridle trail purposes and emergency access ways.

#### Local

Nil

### **Policy Implications**

#### State

Nil

Local

Nil

**Financial Implications**

The acceptance of this Assessment does not bind Council to any financial implications, or any commitments within the future 2024/2025 budget. Any consideration towards developing bridle trails and the cost implications will be determined during the 2024/2025 (or proceeding) budget adoption process.

**Strategic Assessment / Implications**

Local

- Strategic Community Plan 2022-2032
  - Focus area: Our community
  - Objective: S1.1 An active and supportive community
  - Strategy: S1.1.2 Social hubs to bring the community together

State

Nil

**Site Inspection**

Site inspection undertaken: Yes – Included as part of the Assessment.

**Environmental Consideration**

Environment consideration given: Yes – Environmental consideration has been given to the potential ‘waste’ of horse faeces that will potentially be left on the proposed trail routes. Shire officers do not expect the amount of waste on the trails to be significant, and that this waste is expected to break down via natural processes.

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational</b> Prioritising one area over another for a bridle trail.	Possible	Minor	Moderate	Acceptance of the Assessment does not preclude from other localities having a bridle trail network established at a later date.
<b>Opportunity:</b> To provide an additional facility to the community.				

**Officer Comment/Details**

A bridle trail network will provide many residents within the Shire of Chittering with a safe space to walk and ride their horses away from the roads. It will also allow horse owners to come together in a social setting and interact over a common interest and facilitate further social networking within the community.

The trails identified within the Assessment are considered preferable as they have the correct land tenure for public use and they are already established, meaning minimal further infrastructure will be required to establish them as bridle trails. They are also located in an area where the community survey component of the Assessment indicated there was the greatest need.

Maintenance of Trails and Traffic Safety

As the proposed trail routes are along existing strategic firebreaks, consideration was given to the potential for the horses to damage the firebreaks and require further maintenance by the Shire’s Technical Services

team. An officer from the Shire's Technical Services team has given reassurance that the annual maintenance program of grading the surface once a year will be sufficient for the upkeep of the proposed trail routes.

The Shire's Technical Services department has advised that signage would also be required at any road crossings along either of the trail routes, which would advise vehicles along the Maryville Downs trail (Santa Gertrudis Drive) and the Powderbark trail (Powderbark Road) that there is an animal/horse crossing ahead. Likewise, signage would be placed at these crossing points to make horse riders aware that it is a road crossing and that oncoming cars have the right of way.

As road signage differs from the signage quotes that have been obtained, further research into signage quotes for road signs will be undertaken if Council endorse this Assessment.

#### Additional Infrastructure

The two proposed trail routes would require 11 'large gate signs' and 11 'post and signs' to advise members of the public that the strategic firebreaks are only to be used for bridle trail purposes and emergency service vehicles.

#### Privacy and Security Concerns

As part of the consultation period, multiple respondents indicated their level of concern with the proposed trail routes, with issues of privacy and security their largest concern. Due to the nature of how the survey was distributed, it is difficult to ascertain the properties of the survey respondents who expressed their concerns of the project. Whilst Shire Officers do not know which properties have objected to the project, it is likely that the majority of 'objectors' are properties which directly adjoin either of the proposed trail routes.

One solution that Council can proceed with to identify the properties who have concerns over the proposal, is to conduct further consultation with all of the 46 properties which directly adjoin either of the proposed trail routes. This will allow the Shire to understand any specific concerns that these landowners have with the proposal. Following this further consultation period, any submissions will be brought back to before Council for final direction.

The attached Assessment provides details of a community survey and all relevant considerations given to the proposed bridle trail network. This Assessment is not a commitment from Council for the funding of a bridle trail network (as this will occur as part of budget discussions and adoption) but provides a guide should Council wish to allocate funds to such a facility.

There are multiple options which Council may choose to proceed with, including:

1. Implement both proposed trails for a 12-month trial period and include a budget allocation in the 2024/25 budget for the formalisation of the bridle trail network. This will involve the installation of specialised gates and signage at appropriate locations. At the conclusion of the 12-month trial, the proposal will be brought back before Council;
2. Implement the Maryville Downs trail only (with investigation into the Marbling Brook Loop) and include a budget allocation in the 2024/25 budget for the formalisation of these trails;
3. Conduct further consultation with landowners whom adjoin any of the proposed bridle trails to understand any specific concerns. Following this specific consultation, any submissions received will be brought back before Council for final direction; or
4. Not endorse the bridle trail network and no further action is to be taken.

The community consultation demonstrated a strong appetite from the community for formalised bridle trails to be developed by the Shire. It is considered however, that the historical privacy and security



concerns and the new concerns raised, warrant a further period of targeted consultation with landowners who may be affected by the proposed bridle trail routes. The consultation can include details of the specialised horse gates and signage proposed to mitigate against unauthorised vehicle access. This additional layer of consultation can then be assessed by the Shire and Council before making a final decision on the suitability of the proposed bridle trail network.

The recommendation for further consultation to be conducted prior to formalisation of the trails is included in the attached Assessment. Should Council wish to adopt an alternative approach, the Assessment will be modified to reflect Council's direction.

**OFFICER RECOMMENDATION**

Moved Cr Campbell, seconded Cr Ross

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; and
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.

**AMENDMENT**

Moved Cr Hughes, seconded

That the Officer Recommendation be amended to include:

1. Instructs the Chief Executive Officer to include provision in the 12-month trial period for suggested safe car and horse float parking areas associated with the two bridle trails, and communicate these locations to the community during the 12-month trial.

LAPSED FOR WANT OF A SECONDER

**AMENDMENT**

Moved Cr Angus, seconded Cr Campbell

That the Officer Recommendation be amended to include:

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.

CARRIED 6 / 0

TIME: 8.08PM

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

*Against: Nil*

**MOTION**

Moved Cr King, seconded Cr Ross

That Council suspend standing orders.

CARRIED 6 / 0

TIME: 7.58PM

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

*Against: Nil*

MOTION

Moved Cr Angus, seconded Cr Campbell  
That Council resume standing orders.

CARRIED 6 / 0

TIME: 8.07PM

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

*Against: Nil*

**SUBSTANTIVE MOTION / COUNCIL RESOLUTION 030624**

Moved Cr Campbell, seconded Cr Ross

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.

CARRIED 5 / 1

TIME: 8.11PM

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

*Against: Cr Hughes*

**DS02 – 06/24 Application for Development Approval – Oversized Outbuilding: 24 (Lot 170) Narik Grove, Chittering**

<b>Applicant</b>	Spinifex Sheds Pty Ltd
<b>File ref</b>	A11828
<b>Author</b>	Principal Planning Officer
<b>Authorising Officer</b>	Executive Manager Development Services
<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. Development Plans

	<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 checked="" type="checkbox"/>	Quasi-Judicial	<b><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></b>
<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 an Application for Development Approval for a residential outbuilding at 24 (Lot 170) Narik Grove, Chittering (in Wildflower Ridge Estate). The proposed outbuilding size exceeds the limits prescribed by Local Planning Policy 7 – Outbuildings.

Figure 1 - Location Plan

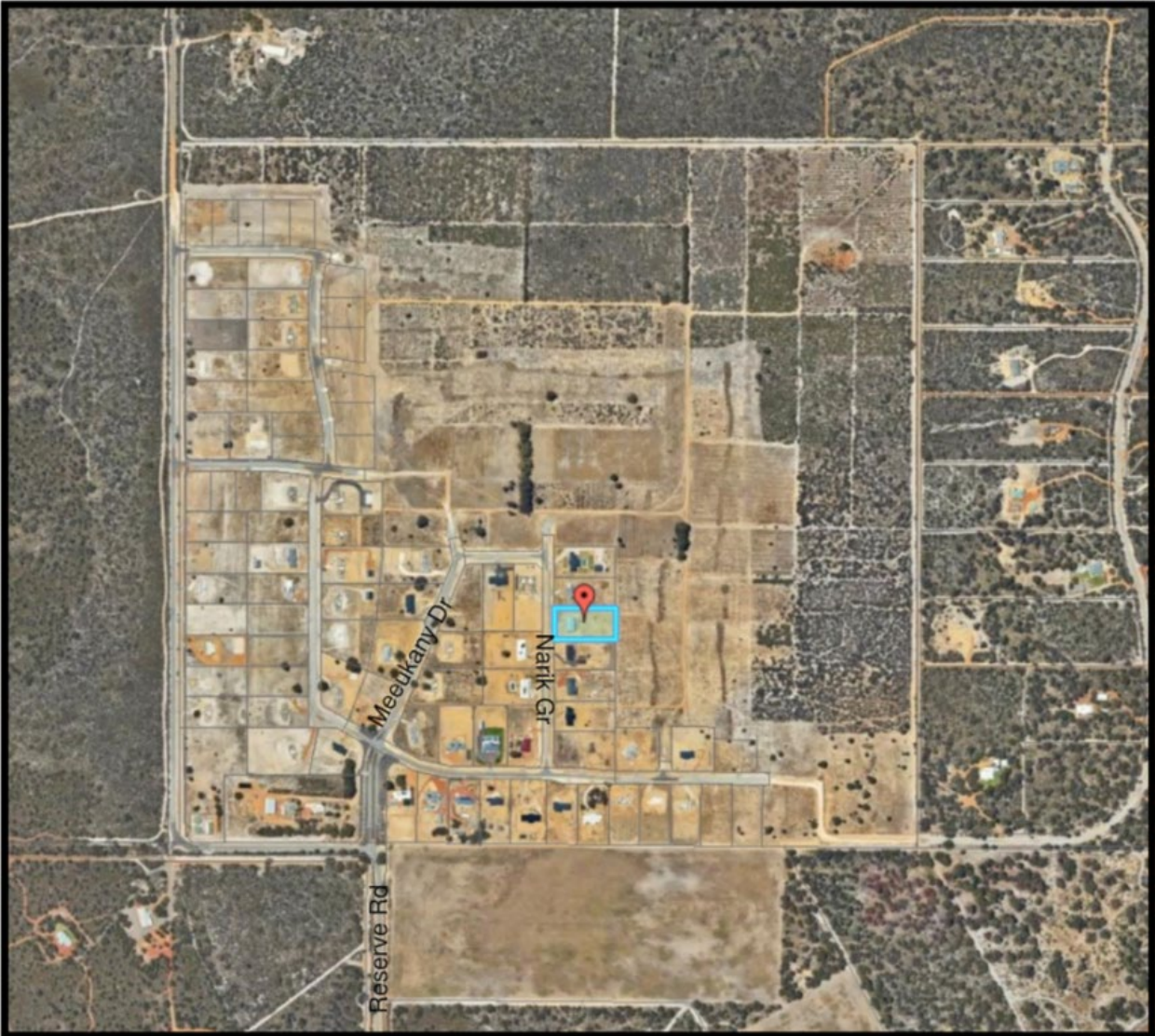
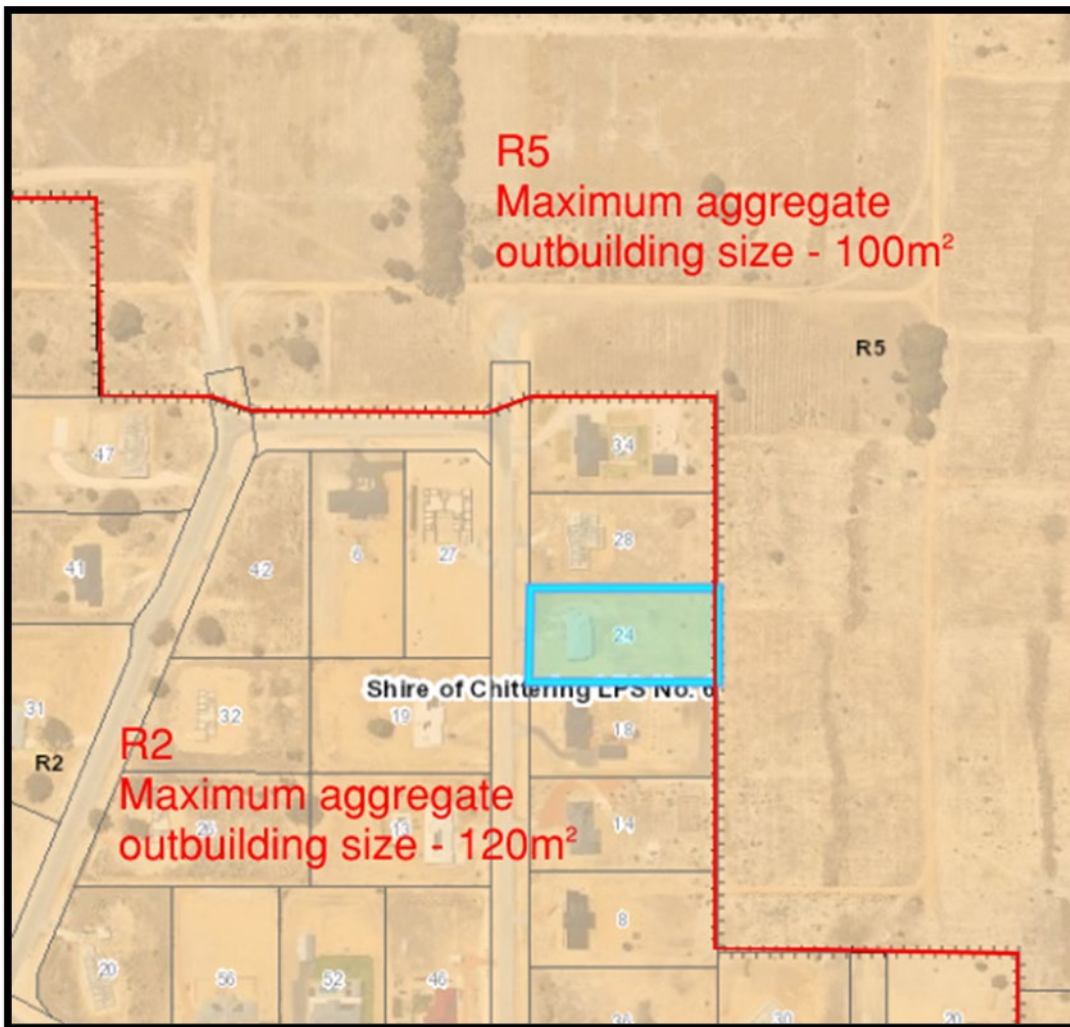


Figure 2 - Zoning Plan



**Background**

Lot 170 (subject land) is located within Stage 1 of the Wildflower Ridge Estate. The subject land is 5,000m<sup>2</sup> in area and is zoned Residential – R2 under Local Planning Scheme No. 6 (LPS 6). It is also subject to the Military Considerations Special Control Area (SCA) which places restrictions and noise attenuation measures on development in the area.

The proposed outbuilding is 119.7m<sup>2</sup> in floor area with an attached lean-to of 39.9m<sup>2</sup>, totalling 159.6m<sup>2</sup>. The proposed outbuilding has a wall height of 3.5m, and a ridge height of 4.3m, and is to be set back 5 metres from the side property boundary. The outbuilding is considered non-compliant with Local Planning Policy 7 – Outbuildings (LPP 7), which provides for a maximum gross total area of 120m<sup>2</sup> in the R2 zone which includes patios, carports and lean-tos attached to the outbuilding. This is explained further in the Policy Implications sections of this report.

The policy requirements and what is proposed through this application are summarised in the below table:

	Proposed	Maximum under LPP 7	Compliant (Yes/No)
Gross Total Area	159.6m <sup>2</sup>	120m <sup>2</sup>	No
Wall height	3.5 metres	3.5 metres	Yes
Ridge height	4.3 metres	4.5 metres	Yes
Side setback	5 metres	3 metres (to account for firebreak)	Yes

The applicant's reasoning and justification for the outbuilding size is as follows:

- The shed itself, without the inclusion of the lean-to, is below 120m<sup>2</sup> (119.7m<sup>2</sup>) and therefore complies with LPP 7;
- The lean-to should not be included in the total outbuilding size as per the definitions of an outbuilding, which is '*an enclosed, non-habitable structure that is detached from any dwelling*';
- An unenclosed roof-only structure, such as a lean-to, carport or patio, is not considered to impact the open space of a lot as per the R-Codes and are not considered to impact the total aggregate outbuilding floor size in other local governments in WA;
- The applicant does not believe that there will be any negative impact from allowing the lean-to to be included within the application and considers that it does not impact the visual amenity of the area, nor increase the impact of building bulk impact the neighbours, nor the streetscape.

Shire officers disagree with the above reasons and do not support the application. The reasons for this are discussed in the Officers Comment section of this report.

Council resolved at the OCM in May 2021 to refuse an application for an oversized outbuilding on a neighbouring property in Wildflower Ridge, and through a separate resolution, updated LPP 7 to limit outbuildings and attached carports, patios and lean-tos to 120m<sup>2</sup> in the R2 zone. Since then, no applications that vary the limits provided for in LPP 7 have been considered or approved by Shire officers. Therefore, Council's decision on this application may set a new precedent as to whether variations to LPP 7 can be considered in Wildflower Ridge Estate, and to what extent.

### **Consultation Summary**

#### Local

The application was advertised to neighbouring landowners for 21 days in accordance with clause 64 of the deemed provisions under the *Planning and Development (Local Planning Schemes) Regulations 2015*. One objection was received from the developer of the Wildflower Ridge Estate, as the neighbouring landowner of the balance of undeveloped land in Wildflower Ridge.

The objection stated:

*"As Project Manager for Riverside Investments, the developer of Wildflower Ridge Estate I advise that the Variations proposed are not supported."*

#### State

Nil

### **Legislative Implications**

#### State

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

In considering an application for development approval the local government is to have due regard to Schedule 2, Part 9, Clause 67 of the Regulations – 'Matters to be considered'. The primary matters of consideration relevant to the application have been listed and discussed below:

(c) *Any approved State Planning Policy*

State Planning Policy 7.3 – Residential design codes (R-Codes) applies to the subject land. This policy is discussed further under Policy Implications.

(g) *Any local planning policy for the Scheme area*

*Local Planning Policy No. 7 – Outbuildings* (LPP 7) guides the Shire’s decision-making with regard to outbuildings. This policy is discussed further under Policy Implications.

(m) *the compatibility of the development with its setting including –*

- (i) *The compatibility of the development with the desired future character of its setting; and*
- (ii) *The relationship of the development to development on adjoining land or on other land in the locality, including, but not limited, the likely effect of the height, bulk, scale, orientation and appearance of the development*

The lean-to that triggers non-compliance with LPP 7 is located on the southern side of the proposed outbuilding, facing away from the closest adjoining neighbour, which means that the lean-to does not add any visual bulk to the outbuilding from the perspectives of adjoining neighbour on the north and south sides.

The future adjoining property to the rear/east (which is currently the undeveloped balance of the Estate) may be impacted by the added bulk, as the lean-to as well as the shorter edge of the outbuilding will be visible at the rear of the lot(s), as well as any use of the space under the lean-to for storage of vehicles, items or other uses. Future lots to the east of the subject land are to be developed at the higher ‘R5’ density which provides for lots that are a minimum of 2,000m<sup>2</sup>, meaning more lots will potentially be affected by the bulk of the proposed outbuilding (refer to Figure 2 – Zoning Plan). R5 lots are subject to a maximum gross total area of 100m<sup>2</sup> for outbuildings under LPP 7 rather than the 120m<sup>2</sup> applicable to the subject land (being R2), meaning it is likely that the effect of the bulk, scale, orientation and appearance of the proposed outbuilding on the future surrounding development will be detrimental to the desired future character of the area.

Local

Nil

**Policy Implications**

State

- State Planning Policy 7.3 – Residential Design Codes

State Planning Policy 7.3 – Residential Design Codes (R-codes) is the guiding policy for all residential development within a residential zone.

The overarching objectives for building design as per the R-Codes are to protect privacy, optimise comfortable living with regard to place and local conditions, and to maintain the amenity of streetscapes (the collective appearance of all buildings, footpaths, gardens and landscaping along a street). Objective C seeks to ensure that outbuildings do not detract from the streetscape and are not visually intrusive to neighbouring properties or adjoining public spaces.

As summarised above, the application complies with the setback requirements prescribed under the R-Codes. Maximum size and height requirements apply under LPP7, discussed below.

Local

- Local Planning Policy 7 – Outbuildings

The objectives of LPP 7 are to ensure a balance between storage requirements of landowners and potential amenity and landscape impacts; and to allow for appropriate outbuildings that do not have adverse impacts on the streetscape, character, amenity or environmental attributes of the surrounding area.

Clause 6.3 of LPP 7 states with regard to maximum gross total area:

*“The gross total area is cumulative and includes any lean-tos, carports or patio structures attached to the outbuilding(s).”*

As per Clause 6.3 and the maximum gross total area for R2 zoned land under LPP 7, the proposed outbuilding exceeds the limit of 120m<sup>2</sup> and does not comply with this requirement of LPP 7.

### Financial Implications

Nil

### Strategic Assessment / Implications

Nil

### Site Inspection

Site inspection undertaken: Yes

A drive-by inspection was undertaken. The subject land contains an existing residential dwelling, and is surrounded by other developed lots on three sides. To the rear of the subject land is undeveloped land which will form future stages of Wildflower Ridge Estate.

### Environmental Consideration

Environment consideration given: Not applicable

### Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Built Environment</b> If the application is approved, the limits prescribed in LPP 7 effectively no longer apply, and there is no longer any limit to the size of patios, carports and lean-tos attached to outbuildings.	Likely	Proliferation of outbuildings and non-residential structures in Wildflower Ridge Estate, creating an ‘industrial’ feel.	Moderate	Uphold limits to outbuilding sizes and associated carport, patio and lean-tos provided for in LPP 7, by refusing the application.

### Officer Comment/Details

There are two aspects of this proposal that need to be considered:

1. The proposal itself and the assessment on its merits, including the impacts of the oversized outbuildings on neighbours and the streetscape, which has been discussed earlier in this report; and
2. The precedent that the decision on this application will set and the impact on the future development and built form/character in Wildflower Ridge Estate.

#### 1. The proposal & applicant’s justification

The applicant’s argument is that the lean-to does not form part of the outbuilding and should not be included in the outbuilding size calculation. The justification for this is that a lean-to does not meet the definition of an outbuilding, which is *‘an enclosed, non-habitable structure that is detached from any dwelling’*. However, Clause 6.3 of LPP 7 specifically states that the *‘gross total area of an outbuilding is cumulative and includes any lean-tos, carports or patio structures attached to the outbuilding’*. Therefore,



Shire officers are satisfied that the lean-to forms part of the proposed outbuilding and should be guided by LPP 7.

If the lean-to was determined to not form part of the outbuilding, the question it then raises is 'what is the structure?' (if not included as part of the outbuilding), what is it intended to be used for (for the purposes of defining it under the R-Codes) and how is it exempt from Development Approval? If the structure was a free-standing structure next to the outbuilding, it would not be exempt from Development Approval as it does not meet any of the exemptions under the Regulations or the R-Codes, and would simply be 'development' that the Shire assesses against the 'matters for consideration' under the Regulations. If this were the case, Shire officers would still not support the application for the same reasons. The intent of LPP 7 is to capture aggregate outbuilding area and associated structures in order to preserve amenity from the street and between neighbouring properties and prevent the proliferation and domination of outbuildings on the landscape. Shire officers are comfortable that the lean-to forms part of the proposed outbuilding and should be guided by LPP 7. If Council do exempt the lean-to from the gross total area, it would set a precedent that there are no limits to the area of patios, lean-tos and carports associated with an outbuilding in Wildflower Ridge Estate.

## **2. Precedent and future character of Wildflower Ridge Estate**

At its Ordinary Council Meeting in April 2021, Council refused an application for a 147.5m<sup>2</sup> outbuilding on a nearby property, 34 Narik Grove, which set a precedent to not support outbuildings that exceed the limits prescribed under LPP 7 in Wildflower Ridge Estate. At the same meeting, Council resolved to amend LPP 7 to increase the outbuilding size and height limits in the R2 zone from the 60m<sup>2</sup> limit provided for under the R-Codes to 120m<sup>2</sup>. The reasons for the amendment, and for 120m<sup>2</sup> being deemed an acceptable and appropriate limit, were:

- Large lot sizes within Wildflower Ridge (minimum 5000m<sup>2</sup> in the R2 zone) and the need to accommodate community/purchaser expectations for larger outbuildings on such lots;
- Provide for larger outbuildings commensurate with larger lot sizes whilst protecting visual amenity and avoiding the visual domination of outbuildings on the landscape, creating an 'industrial' feel
- A limit of 120m<sup>2</sup> is consistent with the limits provided for Townsite zoned lots with an R-coding of R2, which are of a comparable size and setting.

Since this Council decision and precedent set in 2021, Shire officers have enforced the limits provided in LPP 7 and have not considered or approved any variations to the policy in order to apply the policy consistently and fairly to all Wildflower Ridge residents and landowners. If Council approves this application, it is likely to create ambiguity as to the extent of variations to LPP 7 that can be accepted and in what circumstances. It is also likely to lead to a lower level of coordination of outbuilding development in Wildflower Ridge Estate, which since the first stages and development have occurred, has been highly coordinated, consistent and organised. If Council approves the application, it is likely to warrant an amendment to LPP 7 in order to guide Shire officers on what is acceptable to Council.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040624**

**Moved Cr Hughes, seconded Cr Ross**

**That Council refuses to grant approval to the application for Development Approval for an outbuilding on 24 (Lot 170) Narik Grove, Chittering, for the following reasons:**

- **The proposal is inconsistent with Local Planning Policy 7 – Outbuildings as it exceeds the maximum gross total area for R2 lots; and**
- **The proposal is inconsistent with the desired future character of its setting.**

**CARRIED 4 / 2**

TIME: 8.29PM

***For: Cr King, Cr Angus, Cr Ross, Cr Hughes***

***Against: Cr Campbell, Cr Dewar***

**TECHNICAL SERVICES**

Nil

**CORPORATE SERVICES****CS01 – 06/24 List of Accounts Paid for the Period Ending 31 May 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 31 May 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 31 May 2024.

To present the List of Payments made by authorised employees using credit, debit and other purchasing cards for the period ending 31 May 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 31 May 2024" is presented to Council, inclusive of payments made using credit, debit or other purchasing cards.

<p><b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050624</b>  <b>Moved Cr Angus, seconded Cr Ross</b>  <b>That Council receive the List of Accounts Paid as per Attachment 1 totalling \$1,549,370.17, inclusive of payments made using credit, debit or other purchasing cards for the period ending 31 May 2024:</b></p> <ol style="list-style-type: none"> <li>1. PR6581, PR6583;</li> <li>2. EFT26852 – EFT27023;</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: 8.31PM</small></p> <p style="text-align: center;"><b>For: Cr King, Cr Angus, Cr Ross, Cr Hughes, Cr Campbell, Cr Dewar</b></p> <p style="text-align: right;"><b>Against: Nil</b></p>
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**CS02 – 06/24 Monthly Financial Report for the Period Ending 31 May 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. Monthly Financial Report for the Period Ending 31 May 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 financial statement for the period ending 31 May 2024.

**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 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 060624**

**Moved Cr Campbell, seconded Cr Dewar**

**That Council receives the Monthly Financial Report for period ending 31 May 2024, as per Attachment 1.**

**CARRIED 6 / 0**

TIME: 8.32PM

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

***Against: Nil***



**CS03 – 06/24 Adoption of the 2024-25 Annual Budget**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	SOCR-1845402348-24084
<b>Author</b>	Finance Manager
<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>	<b>Absolute Majority</b>
<b>Attachments</b>	1. 2024-25 Draft Statutory Budget 2. 2024-25 Fees and Charges Schedule

	<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 adopt the 2024-25 Draft Budget as presented.

**Background**

Local Government must prepare annual budgets in the format prescribed in the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

*The Shire of Chittering commenced the 2024-25 budget process in May. The budgeting process and Council engagement were aimed at ensuring complete transparency and knowledge sharing throughout all engagements. The draft budget and Corporate Business Plan upon which it is based was presented to Council and extensively interrogated to ensure all aspects contained within each document is fully known.*

**Consultation/Communication Implications**Local

Budget Workshops with Councillors and the Executive Management Team were held.

State

Nil

**Legislative Implications**

State

Local Government Act 1995

Local Government (Financial Management) Regulations 1996 (as amended)

Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

This agenda item provides for the adoption of the budget and the imposition of rates and fees and charges for the 2024-25 financial year.

**Strategic Implications**

State

Nil

Local

Nil

**Site Inspection**

Not applicable

**Environmental Consideration**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Compliance Damage to the Shire's Reputation.</b>	Low	Moderate	Low	Statutory budget is prepared for adoption in accordance with Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996. Workshops with Council to ensure transparency.
<b>Opportunity:</b> Presenting a balanced budget aligned to the Integrated Plans of the Shire to ensure transparency and accountability.				

## **Officer Comment/Details**

### Budget

The 2024-25 budget is informed by the Annual Operational Plan, which is a subset of the deliverables outlined in our Corporate Business Plan 2024-2028. These initiatives align with our shared vision of developing the Shire of Chittering as an appealing place to live in a rural environment, in harmony with nature.

The key areas of focus in this budget are:

Bushfire mitigation projects, supported by mitigation funding.

A continuation of the *Plants for Rural Properties* program which involves distributing indigenous trees and shrubs to residents.

Fauna and flora studies in areas where trails will be developed, as well as revegetation of suitably identified Shire-owned land which has previously been cleared for grazing has also been included in the budget.

The road infrastructure program will focus on maintaining and improving our roads network to provide reliable and secure transportation options, with a focus this year being on the progression of works on Wandena Road, Mooliabeenee Road, Dewars Pool Road, Muchea South Road and Maddern Road.

Recognising the needs of our aging community members wishing to scale down, provision has been made for the investigation and development of Independent Living Unit sites within the Bindoon townsite.

A continued focus on supporting small business development, attracting investment, and exploring opportunities for growth will be evident in the Economic Development budget, and increasing tourism by implementing an events program designed to attract visitors to the Shire will be funded under Tourism.

The Landfill Access/Maintenance Rate unchanged at \$60. Commercial fees will continue to be charged for all rubbish deemed to not be domestic waste.

Council continues to allocate funds to reserves to cater for the rehabilitation of our waste sites when it reaches its end of life.

### Highlights of the budget include

- **Schedule 4 – Governance**
  - Funding for feasibility studies (as per Strategic Community Plan)
  - Funding for Independent Living Units Development Sites
  - Funding for Reconciliation Action Plan
  
- **Schedule 5 – Law Order Public Safety**
  - Continued focus on Fire, Safety and Animal Control activities
  - Substantial Grant-funded Fire Mitigation works
  
- **Schedule 7 – Health**
  - Funding for consultants to prepare a Strategic Waste Management Plan
  
- **Schedule 8 – Education and Welfare**
  - Funding for Education Scholarships
  - Funding for Youth Services (Youth Events, Youth Development Program, School Holiday Activities, Youth Sponsorship and Youth Chaplaincy)
  - Funding for Events (Shire support for the Volunteer Day/Week Promotions)
  - Funding to support localised Community Events

- Ongoing provision of Community Assistance Grants and sponsorships for community groups
- **Schedule 9 – Housing**
  - Scheduled maintenance works for senior housing
  - Scheduled maintenance works for community housing
- **Schedule 10 – Community Amenities**
  - Funding to upgrade the Bindoon Landfill building with air-conditioning and generator for power
  - Funds transferred to Waste Management Reserve for tip rehabilitation
  - Continued support of the Chittering Landcare
  - Funding for Coee Waste Data Collection Service
  - Funding for consultants for groundwater monitoring at both Bindoon and Muehea refuse sites
  - Funding to review two Local Planning Policies
  - Funding for Joint Venture Housing subdivision
  - Funding to upgrade the electrical meter box at the Cemetery Public Convenience
  - Funding to upgrade the ATU at the Bindoon Public Convenience
- **Schedule 11 – Recreation and Culture**
  - Funding carry over for patios at the Bindoon and Wannamal
  - Funding to create a separate room inside the Bindoon Hall
  - Funding for automatic reticulation at Sandown Park
  - Lighting upgrade and solar panels at the Brockman Centre
  - Funding to install a water tank at Sussex Bend Reserve
  - Funding for Mountain Bike Park revegetation program
  - Funding to install a Water tank at Chinkabee Hill
  - Funding for the playground at the Muehea redevelopment site
  - Funding to investigate a solution to roofing issues at Muehea Recreation Centre
  - Funding to install shelters at Muehea Recreation Centre courts
  - Funding to install Dump Point and ATU in Bindoon townsite
  - Funding carry over for Flora study, clearing permit and trail refurbishment at Djidi Djidi Ridge
  - Continued funding for our popular Bindoon Library services and activities
  - Funding for new Library Management System
  - Funding for Australia Day and other Events throughout the Shire
  - Continuation of the Community Courtesy Bus Program
  - Continuation of the Community Assistance Transport Scheme
- **Schedule 12 – Transport**
  - Council funded roadworks at:
    - Teatree Road
    - Wandena Road
    - Forrest Hills Parade
    - Bagley Street
    - McGlew Road
  - Wheatbelt Freight Network on:
    - Mooliabeenee Road
  - Regional Road Group (RRG) works on:
    - Bindoon-Dewars Pool Road
    - Wells Glover Road
  - Roads to Recovery works on:
    - Steer Street
  - Local Roads & Community Infrastructure grant works on Wandena Road

- Black Spot Roadworks on:
  - Blue Plains Road
  - Muchea Road South
- Street Lighting upgrades
  - McGlew
- Plant purchases as per the 10-year Plant Replacement Plan
  
- **Schedule 13 – Economic Services**
  - Continued support of the Taste of Chittering Event
  - Continuation of the Shop Local Campaign
  - Continued support for tourism and area promotion, as well as visitor centre
  - Continued support for our local businesses through the Business development service
  - Funding for Trees for Residents Program
  
- **Schedule 14 – Other Property and Services**
  - Continue to provide improved customer services through increased self-service channels and streamlined processes
  - Continue upgrade of Council website to provide a platform for interactive customer service

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 070624**

**Moved Cr Ross, seconded Cr Angus**

**That Council;**

1. Pursuant to the provision of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, adopts the budget for the Shire of Chittering for the 2023-2024 financial year which includes the following:
  - a. Statement of Comprehensive Income by Nature;
  - b. Statement of Cash Flows;
  - c. Statement of Financial Activity by Nature;
  - d. Index of Notes to the budget;
  - e. Schedule of Fees and Charges.
  
2. Pursuant to Sections 6.32, 6.34 and 6.35 of the *Local Government Act 1995* impose the following:
  - a. Where the General Rate is to apply, for all rateable properties with Gross Rental Valuations a rate in the dollar of 0.079079, with a minimum rate of \$1,150.00 be imposed; and
  - b. Where the General Rate is to apply, for all rateable properties with Unimproved Valuations a rate in the dollar of 0.005424, with a minimum rate of \$1,100.00 be imposed.
  
3. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest rate of 8% for rates (and charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.
  
4. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest rate of 2.5% where the owner has elected to pay rates and charges through an instalment option and 8% upon default.
  
5. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, offer the following payment options:
  - a. Option 1  
To pay the total of rates and charges included on the rate notice in full by the due date 27 August 2024, which is not earlier than 35 days after the date of service. Failure to pay will

attract penalty charges.

b. **Option 2**

To pay by instalments. Details of these dates and amounts are included on the rate notice. Failure to pay such costs by the due dates will attract penalty charges. This option can only be selected where the first instalment including all arrears (if any) is paid by the due date. Payment dates are 27 August 2024, 29 October 2024, 2 January 2025 and 6 March 2025.

6. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, adopts an instalment charge where the owner has elected to pay rates (and charges) through an instalment option of \$10.00 for each instalment after the initial instalment is paid.
7. Pursuant to Section 67 of the *Waste Avoidance and Resource Recovery Act 2007*, impose a Waste Collection & Disposal Fee in the compulsory areas, as following:
  - a. \$359.50 per annum – for one refuse mobile garbage bin (collected weekly) and one recycling mobile garbage bin (collected fortnightly);
  - b. \$162.50 per annum – for any additional recycling mobile garbage bins (collected fortnightly); and
  - c. \$198.00 per annum – for any additional refuse mobile garbage bins (collected weekly).
8. Pursuant to Section 66 of the *Waste Avoidance and Resource Recovery Act 2007*, adopts the following waste services rate and minimum payment to fund the operations of the Bindoon and Muchea Landfill Centres:
  - a. GRV base rate \$0.000038;
  - b. UV base rate \$0.0000038; and a
  - c. Minimum payment of \$60.00 to apply to both GRV and UV rated land.
9. Adopts as part of the budgetary process, the attached Fees and Charges Schedule.
10. Pursuant to the *Salaries and Allowances Tribunal determination dated 5 April 2024*, adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:
  - a. President \$23,590; and
  - b. Councillors \$16,406
11. Pursuant to the *Salaries and Allowances Tribunal determination dated 5 April 2024*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
  - a. President \$15,646
12. Pursuant to the *Salaries and Allowances Tribunal determination dated 5 April 2024*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
  - a. Deputy President \$3,911
13. In accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and AASB 1031 Materiality, adopts a variance of 10% and a minimum of \$10,000.00 to be used in the statements of financial activity and annual budget review.
14. Pursuant to Section 6.11 of the *Local Government Act 1995*;
  - a. Establish a new Reserve Account entitled “Housing Reserve” with the purpose of the reserve

to be “to fund repairs, improvements, extensions or construction of shire owned dwellings”,  
and;

- b. Repurpose the balance of the Community Housing Reserve as at 30 June 2024 to the Housing Reserve, and;
- c. Repurpose the balance of the Seniors Housing Reserve as at 30 June 2024 to the Housing Reserve.

**CARRIED 6 / 0**

TIME: 8.39PM

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

*Against: Nil*

**CHIEF EXECUTIVE OFFICER****CEO01 – 06/24 Work Health and Safety Statistics Report – May 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 – May 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 May 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> <li>f. Number of equipment breakdowns;</li> </ol> </li> </ol>
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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 080624**

**Moved Cr King, seconded Cr Ross**

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

- 1. Monthly Statistics Report May 2024;**
- 2. Near Miss, Incident Report;**
- 3. WHS Training Report;**
- 4. Site Inspections Report; and**
- 5. Safety Observations Report.**

**CARRIED 6 / 0**

TIME: 8.43PM

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

***Against: Nil***

## CEO02 – 06/24 October 2024 Agenda Forum – Change of Date

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	GOV.CM.2024
<b>Author</b>	Executive Assistant
<b>Authorised by</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>	Nil

	<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 consider changing the date of the October Agenda Forum to Thursday 10 October 2024.

**Background**

Currently the October Agenda Forum is scheduled for Wednesday 9 October 2024, however, WALGA have recently announced that their 2024 WALGA Local Government Convention will be held from 8 – 10 October with the main Gala Dinner being held on Wednesday 9 October. To allow Councillors to attend the Convention it is proposed that the Agenda Forum be held a day later on Thursday 10 October 2024.

**Consultation/Communication Implications**

Local

Nil

State

Nil

**Legislative Implications**

State

Nil

Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Implications**

Local

- Strategic Community Plan 2022-2032

Focus area: Administration and Governance

Objective: S5.2 Accountable and Transparent Governance

Strategy: S5.2.1 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**

Nil

**Officer Comment/Details**

Nil

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 090624**

**Moved Cr Dewar, seconded Cr Angus**

**That Council:**

- 1. Endorses the change of the October Agenda Forum to now be held on Thursday 10 October 2024; and**
- 2. Instructs the Chief Executive Officer to advertise this change on the shire website and Facebook page.**

**CARRIED 6 / 0**

TIME: 8.44PM

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

**Against: Nil**

## CEO03 – 06/24 2024 Organisation Culture Survey Results

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	SOCR-1845402348-34415
<b>Author</b>	Executive Assistant
<b>Authorised by</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. Results of the 2024 Organisation Culture Survey with comparisons to the 2021 Organisation Culture Survey Results

	<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 receive the results of the 2024 Organisation Culture Survey.

**Background**

In May the Shire of Chittering completed a Culture Survey, with an excellent response rate of 44 participants.

The Survey results have improved significantly from 2021, 34 (poor), to 2024, 77 (good), with potentially limiting values dropping from 6 to 0.

Three out of four departments were rated either good or very good. Technical Services is fair (40), a significant improvement from very poor (19) in 2021.

The Personal, Current and Desired Survey culture maps have a similar pattern of values, and the number of matches between personal/current culture and desired culture increased significantly, suggesting that people are largely operating in an aligned environment, this is also demonstrated in the significant reduction in cultural entropy.

The cultural entropy (the amount of energy consumed in doing unproductive or unnecessary work) has notably reduced from 29% to 15%, with Technical Services reducing from 39% to 27%. Cultural entropy is

influenced by the fear-based actions and behaviours of the leaders, managers, and supervisors. The target for cultural entropy is below 10%.

A significant point to note is the lack of values recorded at level three for all maps, considering the entropy values noted, this is likely to be a blind spot and would be a good area to focus improvement activities.

**Consultation/Communication Implications**

Local

Nil

State

Nil

**Legislative Implications**

State

Nil

Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Implications**

Local

- Strategic Community Plan 2022-2032  
Focus area: Administration and Governance  
Objective: S5.2 Accountable and Transparent Governance  
Strategy: S5.2.1 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**

Nil

**Officer Comment/Details**

Nil

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100624**

**Moved Cr Ross, seconded Cr Angus**

**That Council receive the results of the Shire of Chittering's 2024 Organisation Culture Survey.**

**CARRIED 6 / 0**

TIME: 8.48PM

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

***Against: Nil***

## CEO04 – 06/24 2024-2034 Strategic Community Plan

Applicant	N/A
File ref	
Author	Manger Governance and Corporate Performance
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	<b>Absolute Majority</b>
Attachments	1. 2024-2034 Strategic Community Plan

	<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**

For Council to adopt the Strategic Community Plan (SCP) 2024-2034, following a minor review (desktop study).

**Background**

A SCP is a requirement of all local governments in Western Australia under the Local Government Act 1995. Under the Act, strategic community plans must:

- Set the vision, aspirations and objectives of the community;
- Cover a period of at least 10 years;
- Contain a description of community consultation activities undertaken in its development (major review);
- A major review to occur at least every four years and a minor every two years.

Council adopted its first 10-year SCP in 2017, followed by a major review during 2021/22. The major review of the SCP was conducted in 2021/22 in consultation with Elected Members, the community and relevant stakeholders.

This review, a desktop study (minor review) builds upon the 2022 findings, ensuring alignment with the community aspirations. By simplifying the alignment of community aspirations and council priorities, the Shire aims to work collaboratively toward achieving their shared vision.



The next major review is planned for 2025/26 which will include another robust community engagement process.

The Strategic Community Plan require adoption by an absolute majority Council.

### **Consultation Summary**

#### Local

Consultation were undertaken with the Executive Management Team and key stakeholders. The desktop study is based on the outcomes from the community consultation conducted in 2021 as part of the major review of the SCP.

#### State

Nil.

### **Legislative Implications**

#### State

Section 5.56 of the *Local Government Act 1995* requires local government to plan for the future.

Division 3 of the *Local Government (Administration) Regulations 1996*, outlines the form of the Plan for the Future. Under Section 19C, a Strategic Community Plan is required, which must be for ten years and reviewed every four years.

#### Local

Nil.

### **Policy Implications**

#### State

Nil

#### Local

Nil

### **Financial Implications**

The draft 10-Year SCP is operationalised through the Shire's 4-Year Corporate Business Plan and Annual Budget. Financial and budget implications associated with implementation of the 10-Year SCP will be subject to normal budgetary approval processes. Long-term financial implications will be considered as part of the Shire's 10-Year Financial Plan.

### **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**

Site inspection undertaken: No

**Environmental Consideration**

Environment consideration given: No

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance requirements (statutory & regulatory)	Possible	Moderate	Moderate	By reviewing and updating these documents regularly, and bringing them through Council for adoption the risks are being mitigated and compliance is being met.
<b>Opportunity:</b> Nil.				

**Officer Comment/Details**

It should be noted that this was a desktop study (minor review) of the Shire’s SCP and therefore no major changes were conducted. This desktop study was conducted to simplify the alignment between the community aspirations and Council’s strategic objectives. The review was based on the community engagement conducted in 2021 as part of the major review of the SCP.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110624**  
**Moved Cr King, seconded Cr Campbell**  
**That Council by an ABSOLUTE MAJORITY adopts the Strategic Community Plan 2024-2034, provided as Attachment 1 to this report.**

**Advice Note:**  
**1. This Plan will be subject to copyedit prior to being published.**

**CARRIED 6 / 0**  
TIME: 8.51PM  
**For: Cr King, Cr Angus, Cr Ross, Cr Hughes, Cr Campbell, Cr Dewar**  
**Against: Nil**

## CEO05 – 06/24 Corporate Business Plan 2024/25-2027/28

Applicant	N/A
File ref	
Author	Manger Governance and Corporate Performance
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	<b>Absolute Majority</b>
Attachments	1. 2024/25-2027/28 Corporate Business Plan

	<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**

For Council to adopt the Corporate Business Plan (CBP) 2024/25-2027/28 as shown in Attachment 1 to this report.

**Background**

The four-year CBP is the Shire's medium-term planning document which contains the services, projects and activities that have been developed in response to the vision, aspirations and strategies set out in the 10-year Strategic Community Plan (SCP). The CBP activates the ten-year vision and community aspirations set out in the Shire's SCP.

In accordance with the Local Government (Administration) Regulations 1996, the Shire is required to review the plan annually and submit it to Council for adoption by an absolute majority.

The CBP is fully integrated with all Council adopted Strategies and Plans which enables a cross-functional planning process and a consistent approach towards planning and budgeting. The CBP is aligned to the Shire's operational planning and resourcing process that addresses asset management, financial management and workforce management.

Reviewed on an annual basis and aligned with the budgeting process, the CBP (**Attachment 1**) contains the four-year priorities and key projects for each of these years. The CBP also provides an overview of the range of services that will be delivered during this timeframe.

The CBP is cascaded through operational plans that provide a detailed view of core business activities

planned for the forthcoming financial year.

Whilst not a statutory requirement, operational planning supports the implementation of the CBP and enables prioritisation of workforce, asset, and financial resources through a consideration of the service levels, and additional projects or initiatives for the year.

### Consultation Summary

#### Local

This document has been prepared based on consultation with Council Members (annual budget workshops), the Executive Management Team and subject matter staff members through workshops.

#### State

Nil

### Legislative Implications

#### State

- Local Government Act 1995

- **5.56. Planning for the future**

- (1) *A local government is to plan for the future of the district.*

- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

- Local Government (Administration) Regulations 1996

- **19DA. Corporate business plans, requirements for (Acts. 5.56)**

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*

- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*

- (3) *A corporate business plan for a district is to—*

- (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*

- (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*

- (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*

- (4) *A local government is to review the current corporate business plan for its district every year.*

- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*

- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

- \*Absolute majority required.

- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

- [Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

Local

Nil

**Policy Implications**

There are no direct policy implications. The effect of a Corporate Business Plan is to set the direction for the organisation and to determine the medium-term priorities for the future.

**Financial Implications**

There is no direct financial implication from the adoption of a Corporate Business Plan, however the purpose of such a plan is to guide the allocation of resources and assist Council with its annual budget process.

**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**

Site inspection undertaken: No

**Environmental Consideration**

Environment consideration given: No

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Risk Category:</b> Compliance	Possible	Moderate	Moderate	By reviewing and updating these documents regularly, and bringing them through Council for adoption the risks are being mitigated and compliance is being met.
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

That Council adopts by an absolute majority, the Corporate Business Plan.

While the Corporate Business Plan is an essential medium term (4 Year) planning document, it is important to note that the adoption of such a plan does not commit Council to funding particular projects or initiatives; that can only occur as part of the annual budget process.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 120624**

**Moved Cr King, seconded Cr Angus**

**That Council by an ABSOLUTE MAJORITY adopts the Corporate Business Plan 2024/25-2027/28, provided as Attachment 1 to this report.**

***Advice Note:***

- 1. This Plan will be subject to copyedit prior to being published.**

**CARRIED 6 / 0**

TIME: 8.53PM

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

***Against: Nil***

**ITEM 10. REPORTS OF COMMITTEES****COM01 – 06/24 Chittering Tourist Advisory Group February Meeting Minutes**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	SOCR-1845402348-35053
<b>Author</b>	Tourism, Events & Marketing Officer
<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. Meeting Minutes

	<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 minutes of the Chittering Tourist Advisory Group (CTAG) meeting held 2 May 2024.

**Background**

CTAG officially became an advisory group to Council at the September 2020 Ordinary Council Meeting. New members were elected in November 2023 as per the Terms of Reference.

**OBJECTIVES OF THE TOURISM ADVISORY GROUP**

To make recommendations and advise Council on select matters relating to tourism;

- To make recommendations on economic development strategies related to tourism
- To suggest targets and track the progress made by the Shire in undertaking tourism development activities.

The Advisory Group will advise Council on all matters in tourism relating to:

- Stakeholder engagement
- Marketing
- Business support & development
- Investment attraction & infrastructure implementation

- Visitor satisfaction
- Undertaking major projects
- Shire-led tourism-focused events coordination

Membership is made up of:

- a. One Shire of Chittering Councillor as member and one Councillor as proxy – Cr Mark Campbell & Cr Carmel Ross, respectively.
- b. One Chittering Tourism Association representative as a member – Tamiaka Preston
- c. Four tourism industry personnel from the Chittering local government area – Chris Evans (RDA), Evelyn Brown (Alan & Eves B&B), Natalie Vallance (Muchea Tree Farm) and Chris Waldie (Bindoon & Districts Historical Society).

The Terms of Reference states that:

*“At each Ordinary Council Election, all positions will be declared vacant and; expressions of interest for committee positions will be advertised every two years in line with Council Elections, at the first meeting following the Elections”.*

The CTAG meeting held Thursday 2<sup>nd</sup> May 2024 was the second meeting with the newly elected members.

#### **Consultation Summary**

##### Local

Nil

##### State

Nil

#### **Legislative Implications**

##### State

Nil

##### Local

Nil

#### **Policy Implications**

##### State

Nil

##### Local

Nil

If not applicable

#### **Financial Implications**

Nil

#### **Strategic Assessment / Implications**

##### Local

- Strategic Community Plan 2017-2027  
Objective: S4.3 Increased Visitors



Strategy: S4.3.1 Support and promote accommodation options  
 S4.3.3 Facilitate, promote and support ecotourism

State

Nil

**Site Inspection**

Not Applicable.

**Environmental Consideration**

Not Applicable.

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation	Unlikely	Insignificant	Low	Ensuring positive collaboration and partnerships with Tourism, Business and Council.
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

At the CTAG meeting held on Thursday, 2 May 2024, discussions included visitor numbers, feedback from Amazing Co customers, updates on the Taste of Chittering, and the Bindoon Mountain Bike Park.

No formal resolutions requiring Council consideration were passed at the meeting; therefore, the minutes are provided for Council information only.

<p><b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 130624</b>                  Moved Cr Campbell, seconded Cr Ross                  That Council receives the unconfirmed minutes of the Chittering Tourist Advisory Group held 2 May 2024.</p> <p style="text-align: right;"><b>CARRIED 6 / 0</b>                  TIME: 8.58PM</p> <p style="text-align: center;"><i>For: Cr King, Cr Angus, Cr Ross, Cr Hughes, Cr Campbell, Cr Dewar</i>  <b>Against: Nil</b></p>
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**ITEM 11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

**QMWN – 06/24 Cr Mark Campbell**

Question: Has the public been notified through social media about the Containers for Change coming into effect on 1 July 2024?

Response: *The Chief Executive Officer advised that there is going to be an entire communications campaign, we have commenced, however, it will ramp up the closer we get to Good Sammy's taking over on 1 July.*

**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**

Nil

**ITEM 15. CLOSURE**

The Presiding Member declared the meeting closed at 9.00pm.