



COUNCIL MINUTES

Ordinary Meeting of Council

7pm, Wednesday 21 April 2021

Council Chambers, 6177 Great Northern Highway, Bindoon

PUBLIC QUESTION TIME

1. Time Permitted

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

2. Protocol

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

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

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

3. General Rules

The following general rules apply to Public Question Time:

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

DEPUTATIONS

1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

2. Protocol

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

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

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

3. General Rules

The following rules apply when making a Deputation:

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

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

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

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

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

Recording of Proceedings

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

Access to Recordings

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

Retention of Recordings

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

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

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

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

PREFACE

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

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

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

UNCONFIRMED MINUTES

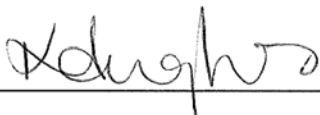
These minutes were approved for distribution on 29 April 2021.



Matthew Gilfellon
Chief Executive Officer

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 19 May 2021

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 Councillors, staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Yued people. 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

Cr Hughes 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 Kylie Hughes	Presiding Member
Cr Carmel Ross	
Cr Peter Osborn	
Cr John Curtis	
Cr Mary Angus	
Cr Rebecca Foulkes-Taylor	

The following staff will be in attendance:

Matthew Gilfellow	Chief Executive Officer
Melinda Prinsloo	Executive Manager Corporate Services
Peter Stuart	Executive Manager Development Services
Jim Garrett	Executive Manager Technical Services
Jake Whistler	Senior Planning Officer
Denaye Kerr	Executive Assistant to the CEO

Members of the General Public: 5

Media: 0

Apologies

Cr Mark Campbell

Approved leave of absence

Nil

Announcements

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

Cr Kylie Hughes

17 March 2021 Audit and Risk Committee Meeting
Ordinary Council Meeting
22 March 2021 President and CEO Meeting;
Exit Meeting with Auditors; and
Bindoon Community Forum
7 April 2021 President and CEO Meeting
14 April 2021 Audit and Risk Committee Meeting; and
Agenda Forum
19 April 2021 Governor General Visit to LCVBFB; and
Wannamal Community Forum
21 April 2021 President and CEO Meeting

Cr Carmel Ross

17 March 2021 Ordinary Council Meeting
29 March 2021 Lower Chittering Community Forum
31 March 2021 Citizenship Ceremony
7 April 2021 President and CEO Meeting
9 April 2021 Meeting with CEO re Performance Review Process
14 April 2021 Audit and Risk Committee Meeting; and
Agenda Forum
19 April 2021 Wannamal Community Forum & Committee Meeting
21 April 2021 President and CEO Meeting

Cr Peter Osborn

17 March 2021 Ordinary Council Meeting
14 April 2021 Audit and Risk Committee Meeting; and
Agenda Forum
16 April 2021 Chamber of Commerce Sundowner
19 April 2021 Wannamal Community Forum & Committee Meeting
Governor Generals Visit

Cr John Curtis

17 March 2021 Ordinary Council Meeting
14 April 2021 Audit and Risk Committee Meeting; and
Agenda Forum
22 March 2021 Bindoon Community Forum
12 April 2021 Bindoon Historical Society Meeting

Cr Mary Angus

17 March 2021 Ordinary Council Meeting
22 March 2021 Bindoon Community Forum
29 March 2021 Lower Chittering Community Forum
31 March 2021 Citizenship Ceremony
14 April 2021 Audit and Risk Committee Meeting; and
Agenda Forum

Cr Mark Campbell

17 March 2021 Ordinary Council Meeting
 22 March 2021 Bindoon Community Forum
 29 March 2021 Lower Chittering Community Forum
 14 April 2021 Audit and Risk Committee Meeting; and
 Agenda Forum

Cr Rebecca Foulkes-Taylor

14 April 2021 Agenda Forum
 19 April 2021 Governor Generals Visit

ITEM 3. DISCLOSURE OF INTEREST

CON02 – 04/21 - Disposal of Property: Lot 171 (RN 29) Binda Place, Bindoon		
Councillor	Type of Interest	Nature / Extent of Interest
Cr Peter Osborn	Impartiality	Nature: Friends with the Proponent Extent: Trade with the Proponent

ITEM 4. PUBLIC QUESTION TIME

Response to previous public questions taken on notice

PQT01 – 04/21 Clint O'Neil

Taking into consideration the nuances of technicalities under which the Shire and Council operates, I am lodging the below question on notice for the April 2021 Council meeting.

Question 1: **Could the Council President identify when my works/development proposal 07/03, lodged under Council policy 10.4.26, accepted as a valid planning consent application, will be presented to Council to consider the terms and conditions of approval, now that the EPA Chairman has made the decision (July 2019) referred to below.**

Response 1: The Environmental Protection Agency have confirmed that the July 2019 decision pertains to a 50,000kl taking for the purposes of “commercial water supply to community facility – water supply defined as supplying other users with water”. The works proposals referred relate to the referral of “Application 15/04”, which according to the EPA, remains in abeyance pending environmental studies.

The EPA have not confirmed whether a timeline exists for the Chairman to be making a decision on the environmental merits for the application referred to in the question. Notwithstanding, I will invite the CEO to write to you regarding the status of the planning applications, and confirm the status of your approval from Council at its Ordinary Meeting of 7 February 2002.

Question 2: Could the Council President identify when she will be lifting off the table the resolution of the Special Council meeting of Council, 18 April 2005, that was laid on the table pending a decision of the EPA Chairman, resolution (3) – *‘in accordance with the Shire’s obligations under s38 of the Environmental Protection Act 1986, refers Application 15/04 to the Environmental Protection Authority for assessment’*, for Council to consider the terms and conditions of approval now that the EPA Chairman has made the decision (July 2019) referred to below.

Response 2: *The application was not “laid on the table”, and therefore does not warrant referral back to Council for “raising from the table” in order for the application to be determined. Regardless, EPA have advised that the Chairman has not issued a determination on whether the volume of water requested to be extracted pursuant the application heard by Council in 2005 is environmentally sustainable. Therefore the application is assumed to remain as held in abeyance until the determination is made.*

Question 3: The EPA Chairman made a written decision on 3 July 2019 determining that taking a specified volume of groundwater from my authorised constructed water supply infrastructure located at GPS location 413165E 6508074N, *was unlikely, if implemented, to have a significant effect on the environment. Therefore, the proposal does not represent a ‘significant proposal’ under the Environmental Protection Act 1986 (EP Act) and therefore does not warrant a referral to the EPA from a decision making authority’.*

Response 3: *As above, Council understands that this determination pertains to an application dated April 2019, submitted directly to DWER (Swan Avon Region) applying to take groundwater for commercial water supply to community facility – water supply defined as supplying other users with water. Council congratulates you on the milestone determination, though I note that there is currently no community facility proposed in Lower Chittering.*

PQT02 – 04/21 Parkwood Properties Pty Ltd



Question 1: Post construction of the proposed Bindoon Bypass Road, including construction of the intersection with Tea Tree Road, which agency will be responsible for upgrading that portion of Tea Tree Road that remains gravel west of the bypass road works and east of where the Tea Tree Road bitumen currently ends? (Sketch attached for clarity)

Response 1: Main Roads are responsible for upgrading any local roads within their corridor, including Teatree Road. Outside of this the Local Authority has care and control of its local roads. Where development occurs, it is the responsibility of the developer to ensure appropriate access upgrades are installed as necessary.

Question 2: Could Council please advise what the maximum projected traffic volume is (both directions) along Tea Tree Road, once the bypass road is completed and fully operational, in a location east of the proposed bypass road and west of Windemere Way?

Response 2: No such studies currently exist.

Public question time

PQT03 – 04/21 Clint O'Neil

It is my understanding that Council has previously and continues to be bound by the uniform code of conduct governance standards, the general principles and practices of Australian administrative law and will be considering being further bound by the governance 'model code of conduct' (CEO agenda item CEO03 – 04/21).

Question 1: Could the Council President confirm written advice received from DWER that the Shire of Chittering has not and will never grant any of my registered business entities legal access to any land under the control and management of the Shire, inclusive of my existing authorised water supply infrastructure works and any service corridors provided for under the State's utility providers code of practice for the installation of water service mains.

Response 1: The President advised that this question would be taken on notice.

Question 2: Could the Council President explain with clarity, the planning and development grounds and/or code of conduct governance grounds that the Council relied on to transmogrify (change by magic) the precise scope and ambit of my works approval application 15/04, when lodging its EP Act 1986 s38 referral documentation with the EPA (resolution 3 of its 18 April 2005 decision) for the EPA to rely on the Shire referral as factually true and correct, determining that 15/04 was a significant proposal' warranting environmental impact assessment set at the level of PER, as recorded in the EPA's published environmental scoping document for the Shire referred proposal (15/04) PER 1579 being:

'The water supply system proposed under assessment number 1579 is proposing to abstract groundwater also from the abovementioned bore supply 'fit for purpose' water to various properties in the southern portion of the Shire of Chittering. The scope of this proposal is currently limited to the rate of abstraction from the aquifer and does not include the infrastructure needed for a complete water service, such as water pipelines.'

When:

1. 15/04 was and remains a works approval application request to install a water main and necessary road crossovers, for transporting 1500 kilolitres per annum per Lot of 'as of right' public water drawn from the ancient buried underground river, to supply 10 rural Lots with domestic and ordinary use water, sourced from my authorised water supply infrastructure works;
2. The Council in formulating its considered opinions and actions of its 18 April 2005 decision, based on incomplete and speculative departmental advice, would have been fully aware of relevant independent professional hydrogeological factual information presented in the Council commissioned Worley GPX hydrogeological study of the locality (September 2003) that the Council refuse to release into the public domain the other approvals granted by the Shire;
3. The Council would be fully aware that Departmental speculative 'expert' statements relied on to refuse an application on environment grounds (SAT DR148/149 of 2006), making reference to the information in resolution 1 and 2 of the 18 April 2005 Council resolution, was stuck out of proceedings by order of the SAT President with costs awarded against the Shire.

Response 2: The President advised that this question would be taken on notice.

PQT04 – 04/21 Chris Waldie, Secretary to the Bindoon and Districts Historical Society

Firstly I would like to congratulate the Shire on the outstanding work that has been done at the Brockman Centre, in particularly the paths and more recently the asphalt marking of the disabled parking areas, it is a much safer area for customers to be walking through now.

The other thing I would like to thank the Shire for is the recent installation to the Museum to reduce the heating problems that were incurring on a hot day.

Question 1: At a workshop there was talk for seniors to visit specialist in the city area, has any work moved forward in regard to this? As you know I drive the community bus and are now driving people to see specialists and I don't want to see it drop off the radar as it is an important service that we need to consider.

Response 1: The Chief Executive Officer advised that the Shire is going to undertake a Feasibility Study for Aged Care Services. In terms of the specific service in your query a discussion was had with one entity to look at doing this, however, it is a project that requires a budget process as there will need to be a form of transport purchased which funding would need to be sourced for.

The President thanked Mr Waldie for his positive feedback, and gave appreciation for all of the hours that those volunteers have put in and your continued efforts in providing those services.

ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS

Petitions

Presentations

Deputations

DEP01 – 04/21 Monty Driessen

One Deputation was made by Monty Driessen requesting North West Road to be sealed.

ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE

ITEM 7. CONFIRMATION OF MINUTES

Ordinary Meeting of Council: 17 March 2021

COUNCIL RESOLUTION 010421

Moved Cr Ross / Seconded Cr Angus

That the minutes of the Ordinary Meeting of Council held on Wednesday 17 March 2021 be confirmed.

CARRIED 6 / 0

TIME 7.28pm

ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

Cr Angus would like to publicly acknowledged the Bindoon Men's Shed as they recently made and donated a bench seat for the outside of the Medical Centre for all community members to use. Thank you very much.

ITEM 9. REPORTS

DEVELOPMENT SERVICES

DS01 – 04/21 Amendment to Local Planning Policy No 7 - Outbuildings

Applicant	Shire of Chittering
File ref	18/06/0007
Author	Principal Planning Officer
Authorising Officer	Executive Manager Development Services
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure or relevant details
Voting requirements	Simple Majority
Attachments	1. Drafted Local Planning Policy No. 7 – ‘Outbuildings’

Executive Summary

Council is requested to consider an amendment to Local Planning Policy No. 7 – ‘Outbuildings’. The amendment seeks to increase outbuilding limitations in the Residential zones of the Shire.

Background

An application for Development Approval is before Council for an oversized outbuilding within the Wildflower Ridge Estate (34 Narik Grove, Chittering). This application seeks to construct a 150m² shed on Residential – R2 zoned land, contrary to the 60m² limit prescribed by State Planning Policy 7.3 – ‘Residential Design Codes’ (R-Codes). This application has drawn attention to an omission in Local Planning Policy No. 7 – ‘Outbuildings’ (LPP7) whereby standards in the ‘Residential’ zone are not prescribed and as such, the Shire can only be guided by the R-Codes (i.e. 60m² limit).

LPP7 was reviewed in 2019 and changes adopted in early 2020 however, this review focused on the issues facing the Rural Residential zone at the time.

Notwithstanding any decision Council make on the abovementioned shed application, there is a need to address the omission in LPP7 for the Residential zone. This is of particular importance as the entire Wildflower Ridge Estate falls under the Residential zone, and is an estate of rapid and significant growth.

While the amendment to LPP7 is an independent matter for consideration, the decision on the shed application however, should guide Council on the future permitted outbuildings limits in the Residential zone, with this application being the first of its type in this zone.

Consultation/Communication Implications

Local

Advertising of the amendment to LPP7 is a requirement of Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). Advertising will entail publishing a copy of the proposed amendment on the Shire’s website and also making it available for public inspection at the Shire office

State

Pursuant to the requirements of the R-Codes, modifying the prescribed limits of the R-Codes in regards to outbuilding sizes requires the approval of the Western Australian Planning Commission (WAPC). If Council resolves to endorse the amendments to LPP7, a request will be sent to the WAPC for their approval.

Legislative Implications

State

- Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 2, Clauses 4 & 5 of the Regulations prescribe the process for a local government to amend a local planning policy. It dictates that advertising of an amendment to a local planning policy must take place, and following this period and taking into consideration any submissions received, the local government shall decide to either:

- Proceed with the policy without modifications;*
- Proceed with the policy with modifications; or*
- Not to proceed with the policy*

It is recommended that a resolution of Council to endorse the proposed changes to LPP7 is coupled with a resolution to 'proceed' with the Policy subject to not receiving any submissions of objections or change, and receiving support from the WAPC. This will avoid the unnecessary requirement to present an unchanged LPP7 back to a Council meeting.

However, if submissions of objection suggested changes are received, this will trigger the consideration of LPP7 back to a Council meeting for a resolution.

Local

Nil

Policy Implications

State

- State Planning Policy 7.3 – Residential Design Codes

Part 7.3.2 of the R-Codes states the following:

'Notwithstanding clause 7.3.1, the local government may, with the approval of the WAPC, amend any other deemed-to-comply provision within the R-Codes Volume 1 by means of a local planning policy, activity centre plan or local development plan where it can be demonstrated to the satisfaction of the WAPC that the proposed amendment:

- *Is warranted due to a specific need related to that particular locality or region;*
- *Is consistent with the objectives and design principles of the R-Codes Volume; and*
- *Can be properly implemented and audited by the decision-maker as part of the ongoing building approval process.'*

In the context of LPP7, the above provides local government the opportunity to modify the standard 60m² shed size (and wall and ridge heights) to suit the nature of a specific locality. This enables Council to specify its own limitations on sheds in the Wildflower Ridge Estate, and other future Residential zones in the Shire.

Local

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

The large lot sizes within Wildflower Ridge Estate (minimum 5000m²) makes it conducive to purchasers who desire additional space around their home. Permitting shed sizes commensurate with these larger lots sizes would be an expectation of a buyer. Limiting shed sizes to the current 60m² may detract prospective purchasers from choosing to buy in this estate, and thereby limiting population and in turn, economic growth in the Shire.

Social implications

It is understood that large residential sheds can create an ‘industrial’ feel in a non-industrial area which ultimately influences an area’s level of visual amenity. Alternatively, the lack of shed space for the storage of personal items and vehicles can lead to these items being stored in the open air around the periphery of a house, creating an untidy and unsavoury looking environment.

The visual amenity of an area has influence over a community’s social wellbeing. It is important to strike the right balance between creating a shed dominated setting, and an estate that is littered with personal belongings out in the open for all to see.

Environmental implications

Increasing permitted shed sizes in Wildflower Ridge Estate will increase the impervious surface for rainfall collection and reduce the area of each lot for rainwater infiltration. The nature of the soil in this development however, is conducive to sound infiltration (highly sandy soils) and it is not anticipated that the extra rain water collection from the additional roof areas will have any impact on the drainage capacity of the site.

Officer Comment/Details

The focus of this report is the amendment of LPP7 to include prescribed shed limits in the Residential zone. Wildflower Ridge is used as the contextual setting for this matter as this is the only Residential zone in the Shire that has is currently being developed. Other Residential zoned land does exist (Endeavour Drive, Bindoon and Gray Rd, Bindoon – opposite Hideaway Drive) however there is no structure planning or subdivision plans currently being considered over these lots.

Upon review, the lot sizes and character of the Wildflower Ridge Estate (Residential zone -R2) are most comparable to the Shire’s ‘R2.5 coding and below’ of the Townsite zone in Muchea. R2 allows lot sizes of a minimum 5,000m², and R2.5 allows a minimum 4,000m².

Section 6.1 of LPP 7 prescribes the following shed size limits in the ‘R2.5 and below’ Townsite zone:

LPP 7 – Townsite R2.5 and below	
Area	120m ²
Wall height	3.5m
Ridge height	4.5m

The above shed size limits are what have been formally endorsed by Council, and are what guide the Shire’s decision making in the Townsite zone.

It is considered reasonable that given the similar lot sizes and character of both areas, shed sizes should also be consistent. This is particularly relevant as LPP7 provides shed sizes for R2.5 and below, which would ordinarily include lots coded R2 (i.e. Wildflower Ridge) if it were also zoned 'Townsite'.

As such, officers consider that the most appropriate shed size for Wildflower Ridge should be consistent with Council's current guidance through LPP7 with a maximum floor area of 120m², maximum wall height of 3.5m and a maximum ridge height of 4.5m.

In order for these recommended parameters to be introduced into the Residential zone, the following amendments to LPP7 are required:

- Modify the heading of Section 6 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:
'6. Maximum Development Requirements in the Townsite and Residential Zones'
- Modify Section 6.1 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:
'The following Table 1 prescribes the maximum aggregate outbuilding size within the Townsite and Residential zone:'
- Modify Section 6.4 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:
'The construction of an outbuilding or shed in the Townsite and Residential zone shall be on the same lot as an existing dwelling, or a dwelling that has been substantially commenced.'

The above proposed wording modification will simply allow all proposed sheds in Residential Zones (i.e. Wildflower Ridge) to be formally guided by LPP7 and fall under the parameter category of 'R2.5 and below'. A draft version of LPP7 with the above recommended changes incorporated is provided as an appendix to this report (Appendix 1).

Officers recommend that Council resolves to support the amendments to LPP7 and advertise the amended Policy in accordance with the requirements of the Regulations.

It is important to understand that this officer recommendation cannot take into consideration a decision Council makes on the oversized shed application for 34 Narik Grove, Chittering due to both matters being considered at the same Council Meeting. Council's decision on the shed for 34 Narik Grove is likely to set a precedent for the Residential zone – regardless of the decision - and as such, any amendments to LPP7 should be reflective of any precedent set. The following two options are suggested for Council to consider, once a decision on the 34 Narik Grove application is made:

- Council refuses the oversize shed application
Council proceeds amending LPP7 as recommended below; or
- Council approves the oversize shed application
Council resolves to amend LPP7 by:
 - Modify the heading of Section 6 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:
'6. Maximum Development Requirements in the Townsite and Residential Zones'
 - Insert a new Section 6.2 that reads:

'The following Table 2 prescribes the maximum aggregate outbuilding size within the Residential Zone:

Residential Zone	Gross total area (m ²)	Wall Height (m)	Ridge Height (m)
R2	150	3.7	4.5

- Modify Section 6.4 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:

'The construction of an outbuilding or shed in the Townsite and Residential zone shall be on the same lot as an existing dwelling, or a dwelling that has been substantially commenced.'

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020421

Moved Cr Osborn / Seconded Cr Angus

That Council:

1. Pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to amend Local Planning Policy No. 7 – 'Outbuildings' as follows:

- Modify the heading of Section 6 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:

'6. Maximum Development Requirements in the Townsite and Residential Zones'

- Modify Section 6.1 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:

'The following Table 1 prescribes the maximum aggregate outbuilding size within the Townsite and Residential zone:'

- Modify Section 6.4 of Local Planning Policy No. 7 – 'Outbuildings' to include the words 'and Residential' to read:

'The construction of an outbuilding or shed in the Townsite and Residential zone shall be on the same lot as an existing dwelling, or a dwelling that has been substantially commenced.'

2. Pursuant to Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* advertise modified Local Planning Policy No. 7 – 'Outbuildings' as per resolution 2.a) above, including requesting approval from the Western Australian Planning Commission.
3. Subject to receiving no submissions of objection and gaining approval from the Western Australian Planning Commission, resolves to proceed with the amended Local Planning Policy No. 7 – 'Outbuildings' as advertised and publish notice of the Policy Pursuant to Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED 6 / 0

TIME 7:30pm

DS02 – 04/21 Application for Development Approval – Oversized Shed, 34 (Lot 172) Narik Grove Chittering

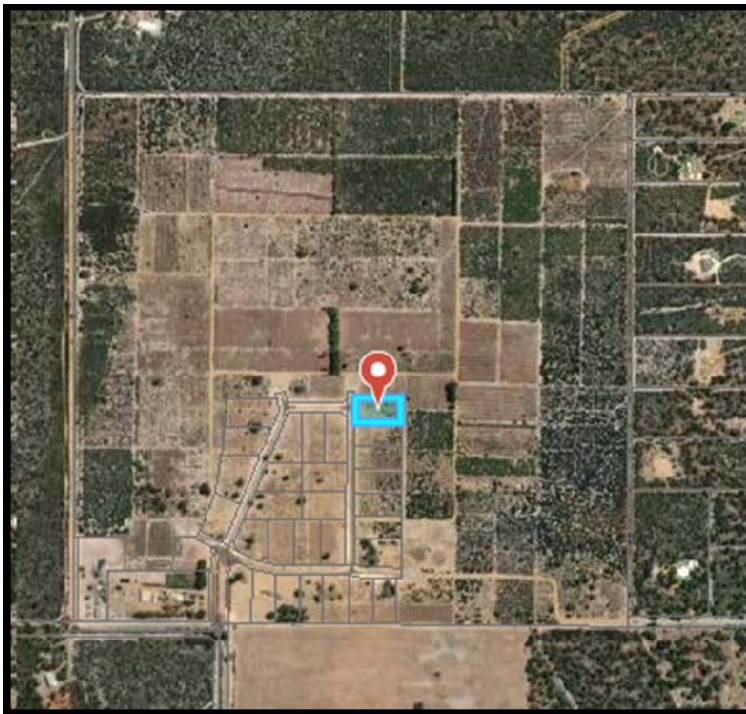
Applicant	Spinifex Sheds
File ref	A11830
Author	Planning Officer
Authorising Officer	Executive Manager Development Services
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure or relevant details
Voting requirements	Simple Majority
Attachments	1. Development Plans 2. Local Planning Policy 7 - Outbuildings

Executive Summary

Council is requested to consider an application for Development Approval for a shed at 34 Narik Grove, Chittering. The shed size and height exceeds the limits prescribed by the Residential Design Codes.

Location Plan

34 Narik Grove, Chittering (Stage 1, Wildflower Ridge Estate)



Background

The site is located within stage 1 of the Wildflower Ridge Estate, where the first dwellings are currently being constructed. As this is the first application for a shed in the estate, and due to the variations proposed to the relevant standards, Council's decision may set a precedent for sheds within the Wildflower Ridge Estate.

34 (Lot 172) Narik Grove, Chittering is 5,100m² in area and is zoned Residential - R2 under the Shire's Local Planning Scheme No. 6 (LPS 6). It is also subject to the Military Considerations Special Control Area (SCA) identified by LPS6 which restricts the nature and type of development permitted.

The proposed shed is 147.5m² in floor area with a 3.7m wall height, a 4.5m ridge height and will be constructed of non-reflective *Colorbond* 'monument' (dark grey). It is intended to be setback 10m from the side boundary (southern boundary) and 20m from the rear boundary (eastern boundary). Development plans illustrating the proposed shed and its location are provided in Appendix 1 of this report.

The proposal does not comply with the prescribed limits for sheds (outbuildings) under State Planning Policy 7.3 – 'Residential Design Codes' (R-Codes), with the variations sought described in the table below:

	Required by R-Codes	Proposed Shed
Area	60m ²	147.5m ²
Wall height	2.4m	3.7m
Ridge height	4.2m	4.5m

The above variation to the R-Codes being proposed is the matter for Council's consideration.

Consultation/Communication Implications

Local

The application was advertised to neighbouring landowners (28 Narik Grove and Lot 9002 Reserve Rd - balance lot of the estate) for 21 days in accordance with clause 64 of the deemed provisions for local planning schemes under the *Planning and Development (Local Planning Schemes Regulations) 2015*.

The owner of 28 Narik Grove responded in support of the application. The developer of the estate, as the owner of Lot 9002 being the balance lot, opted to not provide a submission.

State

Nil

Legislative Implications

State

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

In considering an application for development approval the local government is to have due regard to Sch. 2, Pt. 9, Cl. 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' is addressed further in this report.

(g) Any local planning policy for the Scheme area

Local Planning Policy No. 7 – 'Outbuildings' is addressed further in this report.

(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 subject application is the first of its type within the Wildflower Ridge Estate. There are no precedents to guide the Shire on the appropriateness of this development. It is likely in fact to create a precedent itself, for future sheds in this Estate.

As such, it is important to assess the application against the desired future character of the setting, being Wildflower Ridge Estate. This is a residential estate with lot sizes of a minimum of 5,000m². The Estate is set in a rural and natural environment, with open style fencing lending itself to a more 'open' character, as opposed to a higher density development where the streetscape is dominated by house facades and solid fencing.

The strict imposition of a 60m² shed floor area and a 2.4m wall height for a lot of 5,000m² is not considered reasonable. If this limit was imposed, a 5,000m² property would be constrained to the same shed size as a 600m² property typically found in a metropolitan suburb. The character of Wildflower Ridge, through its larger lot sizes, is not going possess the same character as a metropolitan suburb and as such, it is considered permitted shed sizes should reflect this.

It is contended that Wildflower Ridge should not be constrained to 60m² shed floor area and 2.4m wall height as it would not be commensurate with the future character of the area. An acceptable shed floor area and wall height is discussed further in this report.

(y) any submissions received on the application

As indicated in the 'consultation/communication' section of this report, the application was advertised to the adjoining landowners who did not object to the proposal.

As a note, the owner of the lot (9002) is the developer of Wildflower Ridge Estate and chose not to provide any comment on the application, following consultation with the Shire. Officers are aware that restrictive covenants burden each Title within the estate to limit the size and materials of all proposed outbuildings. The Shire is not a party to the restrictive covenants and is therefore not bound by their requirements and is only required to make a decision based on the applicable planning framework.

Local

Nil.

Policy Implications

State

- State Planning Policy 7.3 – 'Residential Design Codes'

State Planning Policy 7.3 – 'Residential Design Codes' is the guiding policy for all residential development within a residential zone.

Part 5.4.3 of the R-Codes dictates outbuildings to be no larger than 60m², or 10% of the site area, whichever is the lesser. 34 Narik Grove is 5,100m² with 10% of this equalling 510m². 60m² is less than 510m² and therefore the outbuilding size limit for 34 Narik Grove is 60m².

The R-Codes facilitate opportunities for variations to occur and provide criteria (Design Principles) against which assessment of these variations should be made. The Design Principle of Part 5.4.3 - 'Outbuildings' states:

‘Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.’

Any variation to a shed size as prescribed by the R-Codes can be approved, if the decision maker is comfortable that the above Design Principle is achieved. As such, if Council have a level of confidence that the proposed shed will not detract from the streetscape of Narik Grove and will not impact the visual amenity of the neighbourhood, development approval can be granted.

Local

- Local Planning Policy 7 – Outbuildings (LPP7)

Development on land that has an ‘R-coding’ assigned to it under the R-Codes should be consistent with the R-Codes unless Council sets other standards via a Local Planning Policy. The subject site, and the Wildflower Ridge Estate, is currently zoned Residential ‘R2’. It is noted that a scheme amendment has been initiated to recode parts of the estate to ‘R5’ however, this will not affect the R-coding of 34 Narik Grove.

An amended version of LPP7 was adopted by Council in early 2020 and seeks to guide the development of sheds to provide a balance between storage and hobby needs of landowners. It also captures and guides potential amenity and landscape impacts. LPP7 sets guidelines for sheds in the Townsite zone according to the applicable R-Coding (if there is one), the Rural Residential zone and other Rural Living zones; however the policy has inadvertently omitted the Residential zone meaning the default shed provisions under the R-Codes apply, which are provided in the background of this report.

While LPP7 does not specifically apply in this instance, it has been used as a guiding tool to gauge the acceptability of the variation proposed.

Upon review, the lot sizes and character of the Wildflower Ridge Estate (Residential zone -R2) are most comparable to the Shire’s R2.5 coding (and below) of the Townsite zone in Muchea. Section 6.1 of LPP7 prescribes the following shed size limits in the R2.5 Townsite zone:

LPP7 – Townsite R2.5 and below	
Area	120m ²
Wall height	3.5m
Ridge height	4.5m

The above shed size limits are what have been formally endorsed by Council, and are what guide the Shire’s decision making in the Townsite zone. While LPP7 cannot be applied formally as a tool for assessing the subject application, it can provide guidance on what Council deems acceptable for lot sizes under the R2.5 coding.

It is therefore considered reasonable that given the similar lot sizes and character of both areas, shed sizes should also be consistent. This is particularly relevant as LPP7 provides shed sizes for R2.5 and below, which would ordinarily include lots coded R2 (i.e. Wildflower Ridge).

As such, officers consider that the most appropriate shed size for Wildflower Ridge should be consistent with Council’s current guidance through LPP7 with a maximum floor area of 120m², maximum wall height of 3.5m and a maximum ridge height of 4.5m. As the subject application does not conform to these recommended parameters, officers do not support the application as presented.

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Yes

Site inspections were undertaken during the assessment of the original application. This included inspection of the neighbouring property (Lot 200) with the owner of this lot.

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

The rationale for the intention to allow for larger sheds in the Wildflower Ridge Estate is that the standards prescribed under the R-Codes are aimed primarily towards lots within the metropolitan areas that tend to be much smaller. The expectation of prospective landowners in the estate and elsewhere in the Shire is that larger sheds are allowed, given the rural setting and much larger lot sizes.

To determine a suitable standard for shed sizes in Wildflower Ridge, and ultimately 34 Narik Grove, it is suggested that the established 'Townsite R2.5 and Below' limits within LPP7 are used. This would result in a shed of 120m² in area, a wall height of 3.5m and a ridge height of 4.5m being considered acceptable. These limits are considered to be consistent with R-Codes Design Principle (5.4.3) of not detracting from the streetscape or visual amenity of neighbouring properties.

The application before Council proposes a floor area of 147.5m² and a wall height of 3.7m. These proposed parameters are beyond what is prescribed in the R-Codes and beyond what is considered acceptable for similar lot sizes and are not supported by officers. Discussions were held with the applicant to ascertain whether a reduction of floor area to 120m² could be entertained. This suggestion was not supported by the applicant who wanted to continue with the application as presented.

Based on the above, officers do not support approval of the application.

It is noted for Council information that a further item is being presented at this meeting to consider an amendment to LPP7, to ultimately determine suitable shed sizes in the Residential zone (Wildflower Ridge). The decision made on this subject application is likely to influence the nature of any amendments to LPP7, as it will be setting a precedent in the Wildflower Ridge Estate, and any changes to LPP7 should be reflective of precedents set by Council.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 030421

Moved Cr Foulkes-Taylor / Seconded Cr Osborn

That Council refuses to grant approval to the application for Development Approval for an oversized shed on 34 (Lot 172) Narik Grove, Chittering for the following reasons:

- **The proposal is inconsistent with Part 5.4.3 'Design Principles' of State Planning Policy 7.3 – Residential Design Codes as it would detract from the streetscape of Narik Grove and detract from the visual amenity of neighbouring properties.**
- **The proposal is inconsistent with desired future character of its setting.**

CARRIED 6 / 0

TIME 7.32pm

DS03 – 04/21 Administrative Review of Local Heritage Survey (formerly Municipal Heritage List) 2021

Applicant	Shire of Chittering
File ref	26/03/0001
Author	Executive Manager Development Services
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Existing endorsed Local Heritage Survey register 2. Guidelines for Local Heritage Surveys (July 2019)

Executive Summary

Council is requested to receive and endorse the updated Local Heritage Survey. This update includes modifications required by the Heritage Act 2018, and follows previous reviews, most recently being 2015.

The introduction and application of the Heritage Act 2018, and subsequent guidelines require some changes, including the title of the document, yet places less significance in the application of development applications.

This review is administrative as it intends to update minor aspects such as the title only.

Background

The Municipal Inventory of Heritage Places (Municipal Heritage Inventory or MHI) was originally prepared and adopted by Council in 1999, under the Heritage of Western Australia Act 1990. It received a major review in 2009, which was undertaken by Dr Robyn Taylor, a professional historian, in consultation with a Heritage Working Group. This review has subsequently been acknowledged as the most comprehensive list compiled and largely remains relevant notwithstanding a number of subsequent informal reviews.

With the advent of the Heritage Act 2018, the MHI has been renamed to Local Heritage Surveys (LHS), and modified statutory affect. The Act therein describes the role of the LHS as follows:

- (a) identifying and recording places that are, or may become, of cultural heritage significance in its district; and*
- (b) assisting the local government in making and implementing decisions that are in harmony with cultural heritage values; and*
- (c) providing a cultural and historical record of its district; and*
- (d) providing an accessible public record of places of cultural heritage significance to its district; and*
- (e) assisting the local government in preparing a heritage list or list of heritage areas under a local planning scheme.*

Additionally the Heritage Council of WA is required to issue guidelines on “the preparation, review and periodic updating of local heritage surveys”. The guidelines described in more detail throughout the report, and provided the basis for the recommended resolution.

It should be noted that the Local Heritage Survey differs from a Heritage List, which is the State register of heritage places, and of which the Shire currently does not have.

Consultation/Communication Implications

Local

No public consultation has occurred in this review. Council may resolve to undertake a place-specific, or general review, which will be required to include community and expert consultation.

State

Nil

Legislative Implications

State

- Heritage Act 2018

As described above, the Heritage Act 2018 provides the statutory weight for the adoption of a LHS. It additionally describes the role and function of the LHS. The LHS is described and detail in Part 8 of the Act, and Sections 102-105.

Section 105 of the Act requires the Heritage Council of WA to prepare guidelines for how to create, review or periodic updating of the LHS. The guidelines is able to perused at **Attachment 2**.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

- Strategic Community Plan 2017-2027
 - Focus area: Strong Leadership
 - Objective: S5.3 Accountable Governance
 - Strategy: S5.3.1 Good governance which supports efficient and effective service delivery

The updating of the Shire's heritage and locally significant places register is ensuring that administration are maintaining accountability for ensuring the plan is up-to-date and commensurate with legislative requirements.

Site Inspection

Site inspection undertaken: Not applicable

This review does not propose to modify any existing places, nor add any new places.

Triple Bottom Line Assessment

Economic implications

There are no known economic implications with this review

Social implications

There are no known social implications associated with this review.

Environmental implications

There are no known significant environmental implications associated with this review.

Officer Comment/Details

This review of the list of locally significant places is intended to be administrative only. It serves to account for the current validity of the document by improving it in accordance with legislative expectations, and also to set the timeline for the next review.

In accordance with the attached guidelines, new additions to the LHS should include aboriginal places of significance. As aboriginal places of significance have not been covered previously, this may take substantial resources to investigate, and since this review intends to update administrative aspects of the LHS, additional / new listings should be part of a separate review.

The guidelines require the Shire to maintain a copy of the endorsed document within its administration area (most commonly the public library and online), while also providing a copy to the Heritage Council of WA.

Therefore in this instance, it is recommended that Council endorses the administrative review, which sets out to change the name of the document to "Local Heritage Survey"; and fix any typographical and grammatical errors that may exist.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040421

Moved Cr Ross/ Seconded Cr Osborn

That Council, pursuant to S103 of the Heritage Act 2018:

- 1. Endorses the administrative updates;**
- 2. Forwards a copy of the updated Local Heritage Survey to the Heritage Council of WA; and**
- 3. Maintain a copy for public access.**

CARRIED 6 / 0

TIME 7.33pm

TECHNICAL SERVICES

TS01 – 04/21 New Policy - Container Deposit Scheme - Community Group Donation Points

File ref	WM.POL.CDS DONATION POINTS
Prepared by	Executive Manager Technical Services
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Container Deposit Scheme-Community Group Donation Points Policy

Executive Summary

Council is requested to endorse the Container Deposit Scheme-Community Group Donation Points policy to encourage Local community groups to fund raise for their organisation.

Background

At the Shire of Chittering Council meeting held on the 21 October 2020 Council adopted the following resolution:

“That the Chief Executive Officer: Develop a policy that allows for community groups to operate mobile donation collection points for the ‘Cash for Container’ Container Deposit Scheme on Shire owned land.”

A draft policy has been developed (attachment 1) identifying four locations within the Shire of Chittering. The locations have been chosen as they are easily accessible to the public and out of view so the amenity of the area is not affected.

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

The container deposit scheme is established under Part 5A of the *Waste Avoidance and Resource Recovery Act 2007* and the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019*.

Local

Shire of Chittering Waste Local Law

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

Allowing Community groups to have donation points will assist the groups to fund raise for their organisation.

Social implications

Allowing Community based organisations to collect containers for the CDS is expected to result in an increase of donations through increased availability and inclination.

Environmental implications

Having set donation points within the Shire of Chittering will diminish community groups from having bins placed randomly around the Shire and affecting the amenity of the Shire.

The donation points will encourage residents within the Shire to participate in the Container Deposit Scheme reducing litter and recyclables going to landfill.

Officer Comment/Details

Council is requested to endorse the Container Deposit Scheme – Community Group Donation Points Policy.

OFFICER RECOMMENDATION

Moved Cr Curtis / Seconded Cr Angus

That Council endorses the *Container Deposit Scheme-Community Group Donation Points policy*.

AMENDMENT

Moved Cr Curtis / Seconded Cr Angus

1. That the Shire of Chittering supply at cost bulka bags to Community Groups that require them.
2. All containers collected are to be processed through the Muehea Recycling Facility.

CARRIED 6 / 0

TIME 7.42pm

SUBSTANTIVE MOTION 050421

Moved Cr Curtis / Seconded Cr Angus

That Council:

1. endorses the Container Deposit Scheme-Community Group Donation Points policy.
2. That the Shire of Chittering supply at cost bulka bags to Community Groups that require them.
3. All containers collected are to be processed through the Muehea Recycling Facility.

CARRIED 6 / 0

TIME 7.43pm

CORPORATE SERVICES

CS01 – 04/21 List of Accounts Paid for the Period Ending 31 March 2021

Applicant	Shire of Chittering
File ref	12/03/4
Author	Finance Officer - Accounts
Authorising Officer	Executive Manager Corporate Services
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. List of Accounts Paid as at 31 March 2021

Executive Summary

Council is requested to endorse payments presented in the List of Accounts Paid for the period ending 31 March 2021.

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

Executive Manager Corporate Services

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 2020/21 Annual Budget, or resulting from a Council resolution for a budget amendment.

Strategic Implications

State

Nil

Local

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

The attached "List of Accounts Paid as at 31 March 2021" is presented to Council for endorsement.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060421

Moved Cr Hughes / Seconded Cr Ross

That Council endorses the following List of Accounts Paid as per Attachment 1 totalling \$1,147,288.14 for the period ending 31 March 2021:

- 1. PR5750, PR5759, PR5766;**
- 2. EFT21405 – EFT21591; and**
- 3. Direct Debits, Cheques as listed.**

CARRIED 6 / 0

TIME 7.44pm

CS02 – 04/21 Monthly Financial Report for the Period Ending 31 March 2021

File ref	12/03/4
Author	Senior Finance Coordinator
Authorised by	Executive Manager Corporate Services
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Monthly Financial Report for the Period Ending 31 March 2021

Executive Summary

Council is requested to consider the financial statement for the period ending 31 March 2021.

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 2017-2027
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

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

Council adopted the Annual Budget for the 2020/21 financial year on 29 July 2020 (Resolution 280720). The figures in this report are compared to the Adopted Budget.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 070421

Moved Cr Hughes / Seconded Cr Angus

That Council receives the Monthly Financial Reports for period ending 31 March 2021, as per Attachment.

CARRIED 6 / 0

TIME 7.45pm

CHIEF EXECUTIVE OFFICER

CEO01 – 04/21 Appointments of Delegates to Committees, Advisory Groups and External Organisations

Applicant	Shire of Chittering
File ref	04/06/0001
Prepared by	Executive Assistant
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Council Committees and Advisory Group Booklet

Executive Summary

Council is requested to consider the appointment of representatives to various Council Committees and Advisory Groups and external committees/boards.

Background

The *Local Government Act 1995* (the Act), Section 5.11 states that where a person is appointed as a member of a committee under Section 5.10 the persons membership continues until the next ordinary election day.

Council establishes various committees and advisory groups to advise on specific matters within its authority. For the Shire of Chittering, Committees and Advisory Groups are not delegated a decision making power and are therefore limited to making recommendations to Council on matters for action.

The Act regulates Committees of Council and requires that the appointment of representatives is to be determined by Council. The Shire applies this same process to the appointment of representatives to its Advisory Groups, although these groups are not required to comply with the Act. Council may also appoint representatives to external committees/boards when requests are received to do so.

Following the Shire's Extraordinary Election held 26 February 2021, all positions on Committees and Advisory Groups are vacated.

An Elected Member may request to be appointed to any Committee, Advisory Group or to represent Council on external organisations.

Council is now required to consider the appointment of representatives to its various Committees, Advisory Groups and external organisations.

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

- Local Government Act 1995

"Establishment of committees:

5.8 A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

* Absolute majority required.

5.9 Types of committees:

(1) In this section:

"other person" means a person who is not a council member or an employee.

(1) A committee is to comprise:

- (a) council members only;
- (b) council members and employees;
- (c) council members, employees and other persons;
- (d) council members and other persons;
- (e) employees and other persons; or
- (f) other persons only.

5.10 Committee members, appointment of:-

(1) A committee is to have as its members:

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

* Absolute majority required.

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish:

- (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,
- the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11A Deputy committee members:

(1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.

* Absolute majority required.

(2) A person who is appointed as a deputy of a member of a committee is to be:

- (a) if the member of the committee is a council member – a council member; or

- (b) *if the member of the committee is an employee – an employee; or*
- (c) *if the member of the committee is not a council member or an employee – a person who is not a council member or an employee; or*
- (d) *if the member of the committee is a person appointed under section 5.10(5) – a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

5.11 *Committee membership, tenure of:-*

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until:*
 - (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
 - (b) *the person resigns from membership of the committee;*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day, whichever happens first.*
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until:*
 - (a) *the term of the person's appointment as a committee member expires; or*
 - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day, whichever happens first."*

Local

Nil

Policy Implications

State

Nil

Local

• *Elected Member Policy 4.3 Elected Members' – Entitlements and Training*

The objective of this policy is to provide a clear outline of entitlements available to Council Members under the **Local Government Act 1995** (LG Act) and **Local Government (Administration) Regulations 1996** (LG Regulations) and within the prescribed ranges set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.

In addition to those entitlements available to Council Members (Member/s) under legislation, the policy outlines "approved expenses" the Shire will reimburse to Members if incurred in their capacity as a Council Member.

LG Regulations 32(1)(a) prescribes expenses that may be approved by a Local Government for reimbursement. The express authority of the Council is given to Council Members to perform the following functions to which an expense incurred can be reimbursed:

- a) attendance by an Elected Member at any working group meeting, ordinary or special briefing

- session and Council forum, notice of which has been given by the Chief Executive Officer;
- b) attendance by an Elected Member at any meeting of anybody to which the Elected Member has been appointed by the Council or to a secondary body as approved by the Chief Executive Officer;
 - c) attendance by an Elected Member at any annual or special electors' meeting;
 - d) attendance by an Elected Member at a Shire of Chittering civic function to which all Council members are invited;
 - e) attendance by an Elected Member at a citizenship ceremony conduct by the Shire;
 - f) attendance by an Elected Member at any ceremony for the presentation by the Shire of awards to school students by any member responsible for presentation of the awards;
 - g) attendance by an Elected Member at any meeting of a ratepayer/residents association dealing with the interests of an area represented by that Elected Member;
 - h) attendance by an Elected Member at any site where:
 - i) the site is the subject of an item of business on an agenda for a Council briefing session or a Council meeting; and
 - ii) the attendance occurs between the issue of the agenda and the Council briefing session or the Council meeting.
 - i) attendance by an Elected Member at a meeting with the Chief Executive Officer or a Manager of the Shire at the request of the Chief Executive Officer or a Manager;
 - j) attendance by an Elected Member at a meeting with a ratepayer/resident or a local body or group to discuss any local government matter; and
 - k) attendance by an Elected Member at a funeral for those deceased persons recognised under the Shire of Chittering's Bereavement Recognition Policy.
 - l) attendance by the Shire President at a meeting or function of anybody including any State Government body, in his or her capacity as the Shire President, including attendance by the Deputy Shire President or an Elected Member in place of the Shire President;
 - m) any other function, meeting or event in their role as an Elected Member that is supported by a written invitation.

Financial Implications

Nil

Strategic Implications

Local

- Strategic Community Plan 2017-2027
 - 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

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

The establishment of Committees and Advisory Groups assists the Council to perform its legislative responsibilities and representation on externally based committees allows the Shire of Chittering to have input into various issues that face the local government industry.

Where there are more nominations than vacancies for representation, a ballot will need to be conducted however Council has the discretion to amend the Terms of Reference for any Committee or Advisory Group should Council deem it appropriate to change the representation. There is no discretion to amend a terms of reference for external committees or boards.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 080421

Moved Cr Hughes / Seconded Cr Foulkes-Taylor

That Council BY ABSOLUTE MAJORITY:

- 1. appoints the following elected members to committees, advisory groups and external committees/boards in accordance with their Terms of Reference where applicable:**
 - a. Chittering Local Emergency Management Committee (LEMC):**
 - i. one delegate (Cr Hughes); and**
 - ii. one deputy delegate (Cr Ross);**
 - b. Chittering Bushfire Advisory Committee:**
 - i. one delegate (Cr Ross); and**
 - ii. one deputy delegate (Cr Campbell);**
 - c. Chittering Community Planning Advisory Group:**
 - i. one delegate (Cr Campbell); and**
 - ii. one deputy delegate (Cr Foulkes-Taylor);**
 - d. Chittering Community Support Funding Advisory Group:**
 - i. one delegate (Cr Hughes); and**
 - ii. one deputy delegate (Cr Angus);**
 - e. Chittering Education Scholarship Advisory Group:**
 - i. one delegate (Cr Angus); and**
 - ii. one deputy delegate (Cr Foulkes-Taylor);**
 - f. Chittering Mining Advisory Group:**
 - i. one delegate (Cr Hughes); and**
 - ii. one deputy delegate (Cr Campbell);**
 - g. Chittering Youth Krew:**
 - i. one delegate (Cr Angus); and**
 - ii. one deputy delegate (Cr Foulkes-Taylor);**
 - h. Chittering Health Advisory Group:**
 - i. one delegate (Cr Curtis); and**
 - ii. one deputy delegate (Cr Hughes);**
 - i. Chittering Tourism Advisory Group**
 - i. one delegate (Cr Ross); and**
 - ii. one deputy delegate (Cr Curtis);**
 - j. WALGA Avon Midland Country Zone:**
 - i. one delegate (Cr Hughes); and**
 - ii. one deputy delegate (Cr Ross);**

- k. Bindoon and Districts Historical Society:
 - i. two representatives (Cr Curtis and Cr Angus);
- l. Chittering Valley Land Conservation District Committee (t/a Chittering Landcare Group):
 - i. one delegate (Cr Hughes); and
 - ii. one proxy (Cr Curtis);
- m. Ellen Brockman Integrated Catchment Committee:
 - i. one delegate (Cr Hughes); and
 - ii. one deputy delegate (Cr Curtis);
- n. Muchea Hall User Group:
 - i. one representative (Cr Ross);
- o. Northern Growth Alliance:
 - i. one delegate (Cr Hughes); and
 - ii. one deputy delegate (Cr Ross);
- p. Rural Water Council of WA (Inc):
 - i. one delegate (Cr Campbell); and
 - ii. two deputy delegates (Cr Hughes and Mr Matthew Gilfellow);
- q. Wannamal Community Centre:
 - i. two representatives (Cr Ross and Cr Osborn); and
- r. Wheatbelt North Regional Road Group
 - i. one delegate (Cr Osborn); and
 - ii. one deputy delegate (Cr Campbell).

CARRIED BY ABSOLUTE MAJORITY 6 / 0

TIME 7.46pm

CEO02 – 04/21 A Taste of Chittering 2021

Applicant	Shire of Chittering
File ref	26/01/2
Author	Economic Development Coordinator
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure or relevant details
Voting requirements	Simple Majority
Attachments	1. A Taste of Chittering 2020 Report and Feedback

Executive Summary

Council is to decide on the purpose and future of the event 'A Taste of Chittering'. Council is asked to consider allowing an external events management company to take ownership of the event, providing incentives to uphold the objectives of the event into the future, thus allowing the organisation of a professionally organised event and freeing up considerable Shire resources. Council is also asked to consider the addition of a part time events officer that can organise and attract events around the Shire throughout the rest of the year.

Background

A Taste of Chittering has been Chittering's regional showcase since 2013. In June 2020 Council set up the objectives for the event which are:

- To become the premier agri-tourism event for the Perth region – Perth's celebration of its countryside.
- To increase economic growth in the region.
- To drive awareness for Chittering's fresh produce and the region's position at the gateway to the food bowl of the Northern Growth Alliance region and surrounding Shires.
- To deliver a high-quality tourism experience reflective of the region, and to drive awareness for the Chittering region as a country tourism destination rich in natural beauty, premium produce and agri-tourism experiences.

Local food and wine tasting, entertainment and market stalls have all been features of past events. In 2020 the event was managed by an external events management company and ticketed for the first time, seeing close to 4500 visitors attend.

Consultation/Communication Implications

Local

Post event surveys with attendees, stallholders and volunteers
Chittering Tourism Advisory Group

State

Discussions with Tourism WA Events Coordination Department

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil - Budget consideration required for providing a grant to the future organisers of A Taste of Chittering from 2021 onwards.

Strategic Implications

- Strategic Community Plan 2017-2027

Focus Area: Our community

Objective: S1.2 Strong sense of community

Strategy: S1.2.2 Strengthen and grow social events and festivals

Focus Area: Economic Growth

Objective: S4.1 Economic Growth

Strategy: S4.1.1 Support private investment which stimulates significant and sustainable jobs growth

S4.1.3 Support agricultural growth, with a focus on local produce and agribusiness

Objective: S4.2 Local Business Growth

Strategy: S4.2.1 Encourage and support local businesses and new investments for the future

Objective: S4.3 Increased Visitors

Strategy: S4.3.1 Support and promote accommodation options

S4.3.3 Facilitate, promote and support ecotourism

Site Inspection

Not Applicable

Triple Bottom Line Assessment

Economic implications

Increased Gross Regional Product from possible increased visitor spend and investment in the region.

Social implications

Responsibility for running the event removed from the Shire

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

As noted in June 2020 Ordinary Council Meeting A Taste of Chittering started in 2013 and has been growing in size and popularity. The event provides a showcase for the region's tourism, food producers and small to micro businesses with an average of 4000 – 5000 attendees each year and a range of marketing and PR activities that shine a spotlight on the region.

It was estimated that Shire labour and in-kind resources used solely in organisation of the event are estimated to take up to one third of the Economic Development Coordinator's working time each year. Subsequently, last year Council gave support to the Shire using an external events management company to

organise the event.

2020 Event

In 2020 external events company, CJE Events, managed A Taste of Chittering in line with COVID-19 restrictions, and were tasked with meeting the following objectives of the event:

- To become the premier agri-tourism event for the Perth region – Perth’s celebration of its countryside.
- To increase economic growth in the region.
- To drive awareness for Chittering’s fresh produce and the region’s position at the gateway to the food bowl of the Northern Growth Alliance region and surrounding Shires.
- To deliver a high-quality tourism experience reflective of the region, and to drive awareness for the Chittering region as a country tourism destination rich in natural beauty, premium produce and agri-tourism experiences.

The event schedule included market stalls, live entertainment, cooking demonstrations and produce tastings.

Highlights included:

- ‘Little Farmers Corner’ where children got see and touch animals close up from Old MacDonalds Travelling Farm and the Chittering Wildlife Carers. Other entertainment included face painting, arts and crafts by the Freedom Fairies and roving entertainment by Libby Hammer Wildflower Stilt Walkers.
- ‘A Tour Around the Countryside’; an electric bike tour that took in attractions around the Chittering Valley including Stringybark Winery and Golden Grove
- ‘A Sip of Chittering’; an amateur beer brewing competition where Perth locals were given the chance to brew a ‘beer for Perth’s Countryside’, judged by local brewers 14K Brewery and Outback Brewing Co.

Ticketing was introduced for the 2020 festival in an effort to gauge and manage guest numbers, but also to begin to build-in financial self-sustainability for the future.

Admission included a free fresh pressed juice, coffee, beer or wine for \$18 online or \$20 at the gate (concession \$10 & \$12), with free entry available for children (under 18) and local Chittering residents. This was also an initiative to encourage spend on local producers, and garnered in excess of \$11,500 in sales.

Feedback was received from festivalgoers, which was in general rather positive. Some positive highlights from the feedback:

“Just wanted to provide some feedback on the great day we had at the Taste of Chittering event yesterday, well done and we look forward to going again next year.”

“The Italian Chef Lady ... that was cooking pretty much non-stop in the Slow Food marquee today is excellent. Delicious samplers!!”

“It was one of the best festivals my friends and I have been to in a long time, thanks for a great day. The Gumnut Ladies were just the best!”

“Had a great time! Might come tomorrow too!”

“Great day! One of the best I have been to”

“Very well organised”

Negative feedback generally focused on the lack of available food trucks and beer. Beer ran out quicker than the local brewers expected and they raced to restock the bar on the Saturday. Food trucks were undersupplied on both days as there were last minute withdrawals which were unable to be replaced. A majority of feedback, mainly from local residents, focused on the introduction of the ticket cost (even though tickets were free for locals), and the need for more representation of local stallholders (It should be

noted that all Shire of Chittering based applicants that submitted an application within the appropriate time frame were presented a stall). All feedback can be read in **Attachment 1**.

Some significantly positive statistics were received in the promotion of the event that, in part, reflect an achievement of the main objectives:

- 73 Pieces of media coverage
- 738,000 people reached on social media
- 586 shared social media articles
- 112,000 viewers on free-to-air and pay per view television (Foxtel and Channel 9 exposes were highlights)
- 342,000 listeners on various radio stations
- Achieving \$680,000 in value of publicity coverage for the event (and in turn, the region)

New branding introduced by CJE freshened up the look of the event and made it more attractive through a new logo, style guide and website with booking portals.

A major challenge this year however was management of the budget. A number of factors influenced the final budget and the resultant overspend. The event registered \$100,806 in outgoings and \$85,806 in incomes (including a budgeted \$15,000 from the Shire's budget), resulting in budget not being met this year.

Attributing to this was a lower than expected final attendance, and therefore ticket sales below anticipated numbers. With no absolute system of measuring, previous year's attendance in 2018 and 2019 had been estimated to be around 8000 and 5000 respectively. This looks likely to have been inflated above actual attendance numbers. COVID-19, and people's reluctance to attend events due to the perceived risk, may also have factored into this lack of attendance. Whilst there were 4500 attendees over the two event days in 2020, another 1000 attendees would have resulted in incomes of another \$20,000 assisting the budget. Although expected numbers were not met, the venue anecdotally felt as busy as the previous year and most stallholders still made sales in line with previous years.

Additional costs were required this year. The event was run over two days so many costs were doubled in comparison to previous years. Given that it was a ticketed event extra entertainment was provided including stilt walkers, animal farm and craft activities. Additional security was required to patrol and additional cleaners were required due to COVID-19 risk management activities. These costs mounted above expectations.

The Future of A Taste of Chittering

The complexities of running a major event were impacting upon the workforce of the Shire of Chittering before COVID-19. Now, with a raft of additional pandemic-preventative risk management requirements, the delivery of this event would require additional staff specialising in event management to run a safe event that meets the event objectives.

It is therefore suggested that the Shire pass ownership of the event to an interested professional Events Management Company who have the expertise to deliver a quality event and meet the event objectives.

With savings made from a reduction in spending on the event, an additional part time events officer could be employed to attract and organise further events in the Shire.

It is suggested that the Shire offer an incentive grant to the chosen Events Management organisation to encourage them to meet the objectives. Suggested guidelines are below.

A Taste of Chittering Grant Guidelines

A grant will be awarded to a successful events management company who adheres to the following guidelines:

- Runs 'A Taste of Chittering' event in line with the objectives of the event. The event is to be held in Lower Chittering within the following financial year between the months of August and October, with respect to avoiding an overlap with other regional events in the Shire.
- Consults with a local stakeholder group on at least three occasions, with a maximum of one of these held after the event for a debrief (if necessary). Documentation of meetings must be recorded and presented following the event period.
- Demonstrate how they prioritised the utilisation of local vendors, talent and organisations in the delivery of the event
- Display Shire of Chittering and/or equivalent Chittering tourism branding as a sponsor in all marketing material
- Provide an event report with an overview of the event that addresses:
 - How organisers met objectives and guidelines
 - Attendance Numbers
 - Economic Impact
 - Marketing and Media Impact
 - Community support and social impact
- Images and video shared with the Shire for use in promotion of the region
- Allow a free stall space for the Shire to provide tourism information, or similar.
- Provide 500 free tickets to local Shire residents on a first-come first-serve basis, with discounted tickets to the remainder.

If possible, the Shire will retain copyright of the event name "A Taste of Chittering", granting permission of use for the running of future events. It reserves the right to find other candidates to organise the event in the future should the successful candidate decide to discontinue the organisation of the event.

It is recommended that the usual Taste cash budget of \$15,000 be awarded to the successful candidate each year. On top of this they should receive all the signage and A Taste of Chittering specific marketing materials. It is also recommended that assistance in providing a generator and transporting the Shire's event hire equipment to and from site be included also. It can be seen that running a professional, successful event can become expensive and even this contribution would only be a fraction of the total event cost.

The main outcomes will be:

- A professional events management company providing a quality showcase event in the Shire of Chittering aligning with the objectives of the event.
- The removal of Shire labour in the organisation of the event, effectively freeing up a quarter-to a third of a full time employee each year to be able to work on broader economic development outcomes.

Choosing the Successful Candidate

A request for expressions of interest to take ownership of the event and receive a grant from the Shire will be advertised.

Event management candidates will demonstrate their suitability to by answering the following questions:

1. What experience the organisation has in delivering large scale events
2. What skills and resources the organisation has both in-house and with other event production partners E.g. staff and experience of sub-contractor organisations

3. Are they from the Chittering Region, and how could the organisation commit to using local organisations where possible?
4. How do they think they could best improve the event?
5. Provide two references from organisations that have used their services in the past.
6. Attachments: Provide three examples of marketing that the event organisation has produced for other events

The following matrix will be used to score the organisation’s application based on their responses:

Criteria	Weighting
Events Experience	30
In-house Skills and Quality of Connections	20
Marketing Quality and Experience	20
Locally Based, or Commitment to Local Usage	10
References	20

A select panel from the Chittering Tourism Advisory Group can be requested to assist with scoring the applications to ensure a broad viewpoint in determining the best candidate to receive ownership of the event.

Part Time Events Officer

With no officers involved in the running of A Taste of Chittering into the future there would be a freedom to begin to attract other events to the Shire that could also increase economic development objectives. The targeting of cycle events such as multi-stage cycling events with WestCycle, MICE events (Meetings, Incentives, Conferences and Exhibitions) in partnership with Business Events Perth, amongst many others.

A number of other events could be organised by this officer that would showcase what Chittering has to offer, encourage visitors to the Shire and organise events specifically for the community.

This would be made possible with the addition of a part time Shire events officer.

OFFICER RECOMMENDATION

Moved Cr Ross / Seconded Cr Osborn

That Council:

1. Provide in-principle support to Shire Officers relinquishing ownership of the event ‘A Taste of Chittering’ to a professional events management organisation
2. Consider allowances in the 2021/22 budget, and future budgets, to make a grant available to the successful company organising ‘A Taste of Chittering’
3. Consider allowances in the 2021/22 budget to employ a part-time events officer in the Shire to attract and run further events throughout the year.

AMENDMENT

Moved Cr Ross / Seconded Cr Hughes

That the motion be amended to change “Shire Officers” to “the Shire” and ownership to “management”.

CARRIED 6 / 0

TIME 7.49pm

AMENDMENT

Moved Cr Curtis / Seconded

That the motion be amended to delete point 3.

LAPSED FOR WANT OF A SECONDER

SUBSTANTIVE MOTION 090421

Moved Cr Ross / Seconded Cr Osborn

That Council:

1. **Provide in-principle support to the Shire relinquishing management of the event 'A Taste of Chittering' to a professional events management organisation**
2. **Consider allowances in the 2021/22 budget, and future budgets, to make a grant available to the successful company organising 'A Taste of Chittering'**
3. **Consider allowances in the 2021/22 budget to employ a part-time events officer in the Shire to attract and run further events throughout the year.**

CARRIED 5 / 1

TIME 7.54pm

CEO03 – 04/21 Amendment Act Reforms – Code of Conduct

Applicant	Shire of Chittering
File ref	04/03/1
Prepared by	Support Officer Governance
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Model Code of Conduct 2. Policy 4.1 – Code of Conduct – Elected Members

Executive Summary

Council is requested:

- to adopt the “Model Code of Conduct”; (**Attachment 1**)
- instruct the CEO to hold a workshop to determine which parts of present policy (Code of Conduct are to be incorporated into the new “Code of Conduct – Elected Members, Committee Members and Candidates”; and
- replace Policy 4.1 – Code of Conduct – Elected Members (**Attachment 2**).

Background

A review of the Local Government Act 1995 (Act), including consultation with community and sector stakeholders, led to the implementation of priority reforms under the Local Government Amendment Act 2019 (Amendment Act).

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms, including a Code of Conduct for council members, committee members and candidates that clearly reflects community expectations of behaviour and supports consistency between local governments in relation to the overall process for managing alleged breaches of that Code.

Previously, each local government was required to develop their own code of conduct and manage behaviour in accordance with that code. These regulations replace these individuals codes by introducing a Model Code that applies to all members and candidates.

As a result, key reforms under the Amendment Act include the introduction of a Model Code of Conduct (Model Code) that must be adopted by local governments and applied to council members, committee members and candidates; as well as a separate Code of Conduct for Employees.

The Local Government (Model Code of Conduct) Regulations 2021 (Model Code Regulations) bring into effect sections 48-51 of the Amendment Act by introducing a mandatory code of conduct for council members, committee members and candidates. Section 5.104 of the Act requires that local governments adopt the Model Code as their Code of Conduct within three months of the Regulations coming into operation (by 3 May 2021) (**Attachment 1**).

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

Local Government Act 1995 (Act)
Local Government Amendment Act 2019 (Amendment Act)
Model Code of Conduct Regulations 2021

Local

Nil

Policy Implications

State

Nil

Local

4.1 – Code of Conduct – Elected Members

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

Section 5.104 of the Act requires that local governments adopt the Model Code as their Code of Conduct within three months of the Regulations coming into operation (by 3 May 2021).

Council can adopt the “Model Code of Conduct” but they may not amend Division 2 (Principles) or Division 4 (Rules of Conduct). Additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by the local government. Any additions must be consistent with the Model Code of Conduct (section 5.104(3) of the Act).

In preparing the Model Code for adoption, local governments are encouraged to review their existing Code and consider incorporating any additional behaviour requirements that are not represented in the Model Code.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100421

Moved Cr Ross / Seconded Cr Angus

That Council:

1. Adopt the "Model Code of Conduct" as per Attachment 1;
2. Instruct the CEO to hold a workshop to determine which parts of present policy (Code of Conduct are to be incorporated into the new "Code of Conduct – Elected Members, Committee Members and Candidates"; and
3. Replace Policy 4.1 – Code of Conduct – Elected Members, as per Attachment 2.

CARRIED BY ABSOLUTE MAJORITY 6 / 0

TIME 7.55pm

CEO04 – 04/21 2019-2020 Annual Report and Setting of Annual Meeting of Electors

Applicant	Shire of Chittering
File ref	GOV.CM.2021
Prepared by	Executive Assistant
Supervised by	Chief Executive Officer
Voting requirements	Absolute Majority
Attachments	1. "Draft" 2019-2020 Annual Report

Executive Summary

Council is requested to accept the 2019-2020 Annual Report and set the date for the Annual Meeting of Electors.

Background

The *Local Government Act 1995* requires a local government to prepare an Annual Report each financial year and to hold an Annual Electors Meeting.

The Annual Electors Meeting is to be held on a day selected by the local government, but not more than 56 days after the report is accepted by the local government.

The annual audit was undertaken by the Office of the Auditor General and signed off by the Shire's auditor Ms Renuka Venkatraman on 23 March 2021.

Council, at their Ordinary Council Meeting held on 15 August 2018, resolved to:

...adopt the practice of holding the annual electors meeting, on a rotating basis, in the larger population centres of Muchea, Lower Chittering and Bindoon; with the 2018 meeting held in Muchea, 2019 in Lower Chittering and 2020 in Bindoon.

Therefore, the 2020 Annual Electors Meeting will be held in Bindoon.

Consultation/Communication Implications

Local

Chief Executive Officer
Executive Manager Corporate Services

State

Nil

Legislative Implications

State

- Local Government Act 1995, Section 5.54(2)

(2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.'*
- Local Government Act 1995, Section 5.27

Electors' general meetings

 - (1) *A general meeting of the electors of a district is to be held once every financial year.*
 - (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
 - (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

- Local Government Act 1995 Section 5.29

Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving—
- (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

State

Nil

Local

- Strategic Community Plan 2017-2027
 - Focus area: Strong leadership
 - Objective: S5.1 An engaged community
 - Strategy: S5.1.1 Encourage and promote community engagement

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

Annual Financial Report:

The audit report received (attached) indicated no matters, in the opinion of the auditors, to indicate adverse financial management practices of the Shire and no other matters indicating non-compliance with Part 6 of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

Asset Sustainability Ratio and Operating Surplus Ratio have been below the industry benchmark for the past 3 years. This was reported in accordance with Reg 10(3) of the *Local Government (Audit) Regulations 1996*.

The adverse trend in the Asset Sustainability Ratio was, however, strongly influenced by the decision not to proceed with significant capital projects and replacement of plant and equipment, as the ratio is based on capital investment and projected capital projects. The Shire has not invested sufficiently in capital renewal and/or replacement.

Conversely, the Operating Surplus Ratio is influenced by operating income versus operating expenditure and grants are excluded from this ratio. The Shire receives on average 30% of its income from grants. Given the fact that the Shire a small shire is heavily dependent on Federal- and State grants, it is unlikely that a positive Operating Surplus Ratio will be attained, unless significant increases in rates are implemented (to cover the 30% expenses covered by grants income) or services are cut to the level where it can be rendered through use of rates income only.

Annual Electors Meeting:

To meet the legislative requirements, the Annual Electors Meeting must be held by 16 June 2021.

It is recommended that the Council adopt the 2019-2020 Annual Report and confirm the date for the Annual General Meeting of Electors for Thursday 6 May 2021, to be held at the Chinkabee Complex, 6166 Great Northern Highway, Bindoon commencing at 7.00pm.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110421

Moved Cr Hughes/ Seconded Cr Angus

That Council BY ABSOLUTE MAJORITY:

- 1. Receives the Audit Report of 23 March 2021 (as incorporated within the Annual Report);**
- 2. Pursuant to Section 5.54 and 5.55 of the *Local Government Act 1995*, accepts the 2019-2020 Annual Report; and**
- 3. Convenes the Annual Electors Meeting for Thursday 6 May 2021, to be held at the Chinkabee Complex, 6166 Great Northern Highway, Bindoon commencing at 7.00pm.**

CARRIED BY ABSOLUTE MAJORITY 6 / 0

TIME 7.57pm

CEO05 – 04/21 Chittering Scouts – Annual Fee request

Applicant	Shire of Chittering
File ref	05/04/1
Author	CDO
Authorising Officer	CEO
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure or relevant details
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council is requested to review the Chittering Scout Group fee arrangements for the Lower Chittering Hall in line with other annual user agreements and; amend the Chittering Scout Group to the same fee prescribed in the 2020-2021 budget for other Annual Users, to \$363 p/a.

Council is also requested to consider an amended fee structure for the Scouts as part of future budget considerations, to align the Scouts fees with the other annual users fees for Shire managed halls.

Background

The Chittering Scout Group submitted a request to Shire Officers in February 2021 seeking a review of the fees charged for their use of the Lower Chittering Hall.

The Chittering Scout Group have leased the Lower Chittering Hall as an annual user since 2010, paying a fee of \$22 per use. The Scouts utilise the hall on a Thursday evening once per week over the school term. This translates to \$22 per week per school term, equating to \$880 per year. This is in stark contrast to the fees charged by other users of the facility with comparable use.

All other annual users of Shire managed halls (Muchea and Lower Chittering) are charged a flat rate of \$363 per annum as determined by the annual budget.

The Scouts group provides a key opportunity for children in the community to learn and develop skills in leadership and self-management. The group does try to keep fees low, however the cost of the rental on the hall is one of their largest expenses. The review of their fees to align with other Annual Users fees will alleviate some of this pressure.

Consultation/Communication Implications

Local
Scouts

State
Nil

Legislative Implications

State
Nil

Local
Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Under current fees and charges for the period 1 January – 30 June 2021, the Scouts will incur \$418 worth of fees for this 19 week period.

Should Council approve the transfer of annual fees to the Scout group, Council will incur a loss of \$418 in annual charges expected for the 2020-2021 period. Additionally a refund of \$77, being the difference between what the Scouts have already paid for 2020-2021 and the prescribed annual user fee of \$363p/a.

Strategic Implications

Local

- Strategic Community Plan 2017-2027

Focus area: Our community

Objective: S1.1 An active and supportive community

Strategy: S1.1.1 Strengthen aged, youth and children service access through partnerships and advocacy

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

Nil

Social implications

Nil

Environmental implications

Nil

Officer Comment/Details

Applying equity to the facility hire fees for the Lower Chittering Hall would mean that the Scouts have already paid in excess of the annual fee prescribed for other annual users of the same facility.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 120421

Moved Cr Ross / Seconded Cr Foulkes-Taylor

Council is requested to

- 1. Review the Chittering Scout Group fee arrangements for the Lower Chittering Hall in line with other annual user agreements and; amend the Chittering Scout Group to the same fee prescribed in the 2020-2021 budget for other Annual Users, to \$363 p/a;**
- 2. Refund the Chittering Scout Group the sum of \$77 being the difference between what they have already paid for 2020-2021 and the prescribed annual user fee of \$363p/a and;**
- 3. Adopt the amended fee structure for the Scouts as part of future budget considerations, to align the Scouts fees with the other annual user fees for Shire managed halls.**

CARRIED 6 / 0

TIME 7.59pm

CEO06 – 04/21 Amendment Act Reforms – CEO Recruitment, Performance and Termination

Applicant	Shire of Chittering
File ref	04/03/1
Prepared by	Support Officer Governance
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Policy 3.x - Recruitment and Selection 2. Policy 3.x - Performance Review 3. Policy 3.x - Termination of employment of local government Chief Executive Officers

Executive Summary

Council is requested to adopt the following “Model Standards”:

1. Policy 3.x - Recruitment and Selection; (**Attachment 1**)
2. Policy 3.x - Performance Review (**Attachment 2**)
3. Policy 3.x - Termination of Employment (**Attachment 3**)

Background

A review of the Local Government Act 1995 (Act), including consultation with community and sector stakeholders, led to the implementation of priority reforms under the Local Government Amendment Act 2019 (Amendment Act) and implementation through the Local Government (Administration) Regulations 1996.

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms, including a requirement for model standards covering the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEO’s). These reforms are intended to ensure best practice and greater consistency in these processes between local governments.

As a result, key reforms under the Amendment Act and Local Government (Administration) Regulations include the introduction of a Model Standards for the recruitment and selection, performance review and termination of employment that must be adopted by local governments.

It brings into effect sections 18FA, 18FB and 18FC of the Local Government (Administration) Regulations 1996 by introducing a mandatory standards covering the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEO’s).

Section 5.39B of the Act requires that local governments adopt the Model Standards within three months of the Regulations coming into operation (by 3 May 2021) (**Attachment 1**).

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

Local Government Act 1995 (Act)
Local Government (Administration) Regulations 1996

Local

Nil

Policy Implications

State

Nil

Local

The implementation of the new reforms will result in the creation of the following 3 (three) policies:

1. Policy 3.x - Recruitment and Selection; (**Attachment 1**)
2. Policy 3.x - Performance Review (**Attachment 2**)
3. Policy 3.x - Termination of Employment (**Attachment 3**)

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

Section 5.39B of the Act requires that local governments adopt standards within three months of the Regulations coming into operation (by 3 May 2021).

Council must adopt the "Model Standards", as a minimum; but may make additions, although they must be consistent, and not in contradiction, with the Model standards for CEO recruitment, performance and termination.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 130421

Moved Cr Ross / Seconded Cr Osborn

That Council Adopt the following "Model Standards":

1. Policy 3.x - Recruitment and Selection as per Attachment 1
2. Policy 3.x - Performance Review as per Attachment 2
3. Policy 3.x - Termination of Employment as per Attachment 3

CARRIED BY ABSOLUTE MJORITY 6 / 0

TIME 8.00pm

CEO07 – 04/21 Muchea Recreation Centre Project Reference Group

Applicant	Shire of Chittering
File ref	15/01/17
Author	CDC
Authorising Officer	CEO
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure or relevant details
Voting requirements	Simple Majority
Attachments	1. Muchea Recreation Centre Project - Reference Group Terms of Reference

Executive Summary

Council is requested approve the Muchea Recreation Centre Project Reference Group as an Advisory Group of Council and to approve the attached terms of reference for the group.

Background

As the asset owner, it is important to ensure that the Muchea Recreation Centre is delivered in line with grant commitments to the Department of Local Government Sport & Cultural Industries (including for example, within the agreed budget, scope and timeframe) and the expectations and needs of the community.

A Project Reference Group will assist the Chief Executive Officer and the Project Manager to ensure that the facility is relevant to current and future needs during the design and build of the facility.

It is also expected that minutes from the Reference Group will be tabled at Council.

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 2017-2027

Focus Area:	Our Community
Objective	S1.1 An active and supportive Community
Strategy:	S1.1.2 Develop and enhance existing recreation and social facilities for local communities
Objective:	S2 Outcome: Strong sense of community
Strategy:	S1.2.3 Activate our local centres and towns
Focus Area:	Our built environment
Objective:	S3 Outcome: Development of local hubs
Strategy:	S3.1.1 Plan for new and enhanced community facilities
Objective:	S3 Outcome: Improved infrastructure and amenities
Strategy:	S3.3.1 Improved asset management across all asset classes
Focus Area:	Strong leadership
Objective:	S5.1 An engaged community
Strategy:	S5.1.1 Encouraged and promote community engagement
Objective	S5.2 Strong partnerships and relationships
Strategy:	S5.2.1 Build effective partnerships with stakeholders
Objective:	Accountable Governance
Strategy:	S5.3.1 Good governance which supports efficient and effective service delivery

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant economic implications associated with this proposal.

Environmental implication

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

As highlighted within the Shire of Chittering Community Engagement Plan, there are a number of benefits from utilising a community based reference group, including:

- Commits the Shire and Council to being open and accountable;
- Assists the Shire and Council to plan services that continue to meet Community needs;
- Enables the Shire and Council to prioritise services and make better use of resources;
- Allows the broadest range of views to be expressed;

- Ensures the maximum amount of information is gathered prior to making decisions;
- Sees the Shire, Council and Community working together to achieve balanced decisions;
- Offers opportunities for the Community to contribute to and influence outcomes which directly affect their lives;
- Ensures an open and familiar process which becomes easier for Community members to participate in.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 140421

Moved Cr Ross / Seconded Cr Osborn

Council is requested:

- 1. Approve the Muchea Recreation Centre Project Reference Group as an Advisory Group of Council;
and**
- 2. To approve the attached terms of reference for the group.**

CARRIED 6 / 0

TIME 8.02pm

ITEM 10. REPORTS OF COMMITTEES

COM01 - 04/21 Chittering Tourism Advisory Group (CTAG)

Applicant	Shire of Chittering
File ref	ECDEV.TOUR.CTAG
Author	Economic Development Coordinator
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure or relevant details
Voting requirements	Simple Majority
Attachments	1. CTAG March 2021 Minutes

Executive Summary

Council is requested to receive the Chittering Tourism Advisory Group Minutes from March 2021.

Background

CTAG officially became an advisory group to Council at the September 2020 Ordinary Council Meeting. To ensure that Council remain abreast of CTAG activities, future minutes of the CTAG will be reported to Council under Reports of Committees, requesting that Council receive the Minutes and any specific Council resolutions will be outlined within the report.

The minutes of CTAG will be available to the public via the OCM minutes. Shire officers will also ensure that CTAG minutes are uploaded to the Shire website. Any confidential information will be redacted prior to public circulation.

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil - Budget consideration required for providing a grant to the future organisers of A Taste of Chittering from 2021 onwards

Strategic Implications

- 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

Site Inspection

Not Applicable

Triple Bottom Line Assessment

Economic implications

Increased Gross Regional Product from possible increased visitor spend and investment in the region.

Social implications

Responsibility for running the event removed from the Shire

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment/Details

While there are no statutory requirements for Council Advisory Groups to report to Council, the regular reporting of CTAG minutes to Council will ensure that Council is kept up to date on CTAG activities and proposed actions including recommendations to Council for consideration.

The provision of these minutes as part of the Ordinary Council Meeting Minutes will also ensure that CTAG minutes are recorded as a public document.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 150421

Moved Cr Ross / Seconded Cr Angus

That Council receive the Chittering Tourism Advisory Group, March 2021 Minutes.

CARRIED 6 / 0

TIME 8.05pm

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

MOTION

Moved Cr Hughes / Seconded Cr Ross

That Council waive the fees for an event with multiple food trucks to be held at John Glenn Park, Muchea in May or June 2021.

AMENDMENT

Moved Cr Ross / Seconded Cr Foulkes-Taylor

That the motion be amended to include the words "on a trial basis only" and include the following two points:

1. Ask the event organiser to make a \$300 deposit to the Shire to cover any additional costs the Shire incurs to repair damage or removal of rubbish. This deposit will be refunded if there is no damage or rubbish requiring Shire resources to remedy.
2. Adopt a policy to cover use of parks and public open space for events, with the resultant fees to be incorporated in the 2021-22 budget. This policy would address matters such as the size of the event (with a scale of fees that rises for larger events); the duration of the event (in 1/2 day units); the payment of a deposit that is also relative to the size of the event; and the waiver of fees but not the deposit for not-for-profit groups.

CARRIED 6 / 0

TIME 8.09pm

SUBSTANTIVE MOTION 160421

Moved Cr Hughes / Seconded Cr Ross

That Council:

1. Waive the fees, on a trial basis only, for an event with multiple food trucks to be held at John Glenn Park, Muchea in May or June 2021.
2. Ask the event organiser to make a \$300 deposit to the Shire to cover any additional costs the Shire incurs to repair damage or removal of rubbish. This deposit will be refunded if there is no damage or rubbish requiring Shire resources to remedy.
3. Adopt a policy to cover use of parks and public open space for events, with the resultant fees to be incorporated in the 2021-22 budget. This policy would address matters such as the size of the event (with scale of fees that rises for larger events); the duration of the event (in 1/2 day units); the payment of a deposit that is also relative to the size of the event; and the waiver of fees but not the deposit for not-for-profit groups.

CARRIED 6 / 0

TIME 8.10pm

ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

ITEM 14. MEETING CLOSED TO THE PUBLIC

Matters for which the meeting may be closed

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 170421

Moved Cr Ross / Seconded Cr Osborn

That Council moves into a confidential session to discuss items:

- CON01 – 04/21: Kerbside Refuse & Recycling Collection Service
- CON02 – 04/21: Disposal of Property: Lot 171 (RN29) Binda Place, Bindoon

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

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following –*
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (e) a matter that if disclosed, would reveal –*
 - (iii) information about a business, professional, commercial or financial affairs of a person.*

CARRIED 6 / 0

TIME 8.12 pm

CON01 – 04/21 Kerbside Refuse & Recycling Collection Service

Applicant	Shire of Chittering
File ref	RFQ FIN.EQ Waste Collection
Prepared by	Executive Manager Technical Services
Supervised by	Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	1. Avon Waste Request for Quote submission

Reason for confidentiality

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

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following –

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) a matter that if disclosed, would reveal –*
 - (iii) information about a business, professional, commercial or financial affairs of a person.*

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 180421

Moved Cr Curtis / Seconded Cr Angus

That Council by ABSOLUTE MAJORITY:

- 1. Awards Avon Waste the Kerbside Waste and Recycling Collection contract, for the period of 1 July 2021 until 30 June 2022, per unit lift rate of:**
 - Weekly service \$1.91**
 - Fortnightly recycling service \$3.49**
 - Weekly service Wannamal \$1.91**
 - Fortnightly recycling service Wannamal \$3.49**
 - Weekly service public bins \$1.91**
 - Fortnightly recycling public bins \$3.49**
- 2. Authorise the CEO to manage the Avon Waste contract, including the provision of possible variations, providing the variation is necessary in order for the service to be supplied.**
- 3. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to the Kerbside Waste and Recycling Collection contract.**

CARRIED BY ABSOLUTE MOJORITY 6 / 0

TIME 8.18pm

CON02 – 04/21 Disposal of Property: Lot 171 (RN 29) Binda Place, Bindoon

Applicant	T and M Preston
File ref	A1627
Author	Executive Manager Corporate Services
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	Nil

Reason for confidentiality

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

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following –

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) a matter that if disclosed, would reveal –*
 - (iii) information about a business, professional, commercial or financial affairs of a person.*

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 210421

Moved Cr Foulkes-Taylor/ Seconded Cr Ross

That Council BY AN ABSOLUTE MAJORITY:

- 1. Accept the offer from Tamiaka and Matthew Preston for the amount of AUD\$295,000 (excluding GST).**
- 2. As per Section 3.58(3) of the Local Government Act 1995, approve the disposal of Lot 171 (RN 29) Binda Place, Bindoon to Tamiaka and Matthew Preston.**

CARRIED BY ABSOLUTE MAJORITY 6 / 0

TIME 8.29pm

Public reading of resolution that may be made public

The meeting was reopened to the public at 8.30pm and the Presiding Member read out the Council Resolutions.

ITEM 15. CLOSURE

The Presiding Member declared the meeting closed at 8.32pm.