



COUNCIL MINUTES

Ordinary Meeting of Council

7pm, Wednesday 17 April 2024

Council Chambers, 6177 Great Northern Highway, Bindoon



PUBLIC QUESTION TIME

1. Time Permitted

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

2. Protocol

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

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

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

3. General Rules

The following general rules apply to Public Question Time:

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

DEPUTATIONS

1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

2. Protocol

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

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

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

3. General Rules

The following rules apply when making a Deputation:

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

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

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

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

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

Recording of Proceedings

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

Access to Recordings

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

Retention of Recordings

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

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

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

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

PREFACE

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

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

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

UNCONFIRMED MINUTES

These minutes were approved for distribution on 18 April 2024.



Melinda Prinsloo
Chief Executive Officer

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on _____

Signed _____

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

Disclaimer

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

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

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

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



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

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

The Presiding Member declared the meeting open at 7:00pm.

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

Attendance

The following members will be in attendance:

Cr Aaron King	President
Cr Mary Angus	Deputy President
Cr Carmel Ross	
Cr John Curtis	
Cr David Dewar	

The following staff will be in attendance:

Melinda Prinsloo	Chief Executive Officer
Scott Clayton	Deputy Chief Executive Officer
Leo Pudhota	Executive Manager Technical Services
Vienna McArtney	Acting Executive Manager Development Services
Denaye Kerr	Executive Assistant

Members of the General Public: 0

Media: 0

Apologies

Cr Mark Campbell

Approved leave of absence

Cr Kylie Hughes

Announcements

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

Cr Aaron King

20 March 2024 Councillor Information Session
Ordinary Meeting of Council
27 March 2024 Bindoon Mountain Bike Park Grand Opening
Chittering Residents and Ratepayers Meeting
5 April 2024 Monthly President and CEO Meeting
10 April 2024 CEO Performance Review Workshop
Councillor Information Session
Agenda Forum

Cr Mary Angus

20 March 2024 Councillor Information Session
Ordinary Meeting of Council
27 March 2024 Bindoon Mountain Bike Park Grand Opening
5 April 2024 Monthly President and CEO Meeting
10 April 2024 CEO Performance Review Workshop
Councillor Information Session
Agenda Forum

Cr Kylie Hughes

20 March 2024 Councillor Information Session
Ordinary Meeting of Council
27 March 2024 Bindoon Mountain Bike Park Grand Opening

Cr Carmel Ross

20 March 2024 Councillor Information Session
Ordinary Meeting of Council
22 March 2024 Business After Hours, Chittering Chamber of Tourism Business
26 March 2024 Chittering Volunteer Bushfire Advisory Committee
27 March 2024 Bindoon Mountain Bike Park Grand Opening
8 April 2024 Wannamal Community Centre Committee Meeting
10 April 2024 CEO Performance Review Workshop
Councillor Information Session
Agenda Forum
11 April 2024 Chittering Tourism Advisory Group Meeting

Cr John Curtis

20 March 2024 Councillor Information Session
Ordinary Meeting of Council
27 March 2024 Bindoon Mountain Bike Park Grand Opening
10 April 2024 CEO Performance Review Workshop
Councillor Information Session
Agenda Forum

Cr Mark Campbell

20 March 2024 Councillor Information Session
 Ordinary Meeting of Council
 27 March 2024 Bindoon Mountain Bike Park Grand Opening
 10 April 2024 CEO Performance Review Workshop
 Councillor Information Session
 Agenda Forum
 11 April 2024 Chittering Tourism Advisory Group Meeting

Cr David Dewar

20 March 2024 Councillor Information Session
 Ordinary Meeting of Council
 27 March 2024 Bindoon Mountain Bike Park Grand Opening
 8 April 2024 Wannamal Community Centre Committee Meeting
 10 April 2024 CEO Performance Review Workshop
 Councillor Information Session
 Agenda Forum

ITEM 3. DISCLOSURE OF INTEREST

CEO03 – 04/24 Chief Executive Officer Performance Review		
Councillor	Type of Interest	Nature / Extent of Interest
Melinda Prinsloo	Financial & Proximity	Nature: Relates to her employment Extent: Could affect her employment

ITEM 4. PUBLIC QUESTION TIME

Response to previous public questions taken on notice

Nil

Public question time

Nil

ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS

Petitions

Nil

Presentations

Nil

Deputations

Nil

ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

ITEM 7. CONFIRMATION OF MINUTES

Ordinary Meeting of Council: 20 March 2024

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 010424

Moved Cr Ross, seconded Cr Angus

That the minutes of the Ordinary Meeting of Council held on Wednesday 20 March 2024, as published on the Shire website, be confirmed.

CARRIED 5 / 0

TIME: 7.05PM

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

Against: Nil

ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

- I would like to pay my respects to the victims of the Bondi Junction shopping centre massacre. Our thoughts are with the victims, families and friends. A very special mention to the ordinary people going about their daily lives, who selflessly confronted and slowed the attacker, these actions surely saved lives. And to the police officer who put herself in harm's way to stop the attackers. Thank-you.
- Bindoon Mountain bike park media and sponsors opening was held on 27 March. Thank you to the CEO and staff for organising the event. A public event for the official opening will be held on the weekend of the 13th-14th July 2024. Since the park has been opened to the public, the BMPB has been very well attended, often the car park has been filled to capacity. I have personally noticed a significant increase in visitors within the Bindoon townsite especially on the weekends. We look forward to growing participation at the MBP and increasing economic stimulus to our local economy.
- Muchea Recreation center opening will be held this Saturday 20 April with activities for the entire family from Mini Sport Taster sessions at 3pm to dinner and a movie at 6pm. The opening ceremony will be held at 5pm. I look forward to seeing you all there to celebrate this significant achievement funded by the community for the community.

- The ANZAC Day memorial service will be held at 11am on 25 April at the Bindoon War Memorial. I look forward to seeing you all there to pay our respects to those who served and gave the ultimate sacrifice for the life we now enjoy.
- On the 28th April the Shire of Chittering in conjunction with Hike Collective are presenting a scavenger hunt at the Bindoon Mountain Bike Park on the 6km dual bike and hike trail. Tickets are still available on hikecollective.com.

ITEM 9. REPORTS

DEVELOPMENT SERVICES

Nil

TECHNICAL SERVICES

Nil

CORPORATE SERVICES**CS01 – 04/24 List of Accounts Paid for the Period Ending 31 March 2024**

Applicant	Shire of Chittering
File ref	12/03/4
Author	Finance Officer - Accounts
Authorising Officer	Deputy 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. List of Accounts Paid as at 31 March 2024

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

Executive Summary

Council is requested to endorse payments presented in the List of Accounts Paid for the period ending 31 March 2024.

Background

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

Consultation/Communication ImplicationsLocal

Deputy Chief Executive Officer

State

Nil

Legislative ImplicationsState

Local Government Act 1995

Local Government (Financial Management) Regulations

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

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

Strategic Implications

State

Nil

Local

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment/Implications

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

Officer Comment/Details

The attached "List of Accounts Paid as at 31 March 2024" is presented to Council for endorsement.

<p>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020424 Moved Cr Ross, seconded Cr Curtis That Council endorses the following List of Accounts Paid as per Attachment 1 totalling \$ 1,723,228.03, for the period ending 31 March 2024:</p> <ol style="list-style-type: none"> 1. PR6571, PR6575 ; 2. EFT26577 – EFT26732 ; and 3. Direct Debits, Cheques as listed. <p style="text-align: right;">CARRIED 5 / 0 <small>TIME: 7.13PM</small> For: Cr King, Cr Angus, Cr Ross, Cr Dewar, Cr Curtis Against: Nil</p>
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CS02 – 04/24 Monthly Financial Report for the Period Ending 31 March 2024

File ref	12/03/4
Author	Finance Manager
Authorised by	Deputy 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. Monthly Financial Report for the Period Ending 31 March 2024

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

Executive Summary

Council is requested to consider the financial statement for the period ending 31 March 2024.

Background

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

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

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

Consultation/Communication Implications

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

Legislative ImplicationsState

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

Local

Nil

Policy Implications

Local

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

Financial Implications

Nil

Strategic Implications

- Strategic Community Plan 2022-2032
 Focus area: Strong leadership
 Objective: S5.2 Strong partnerships and relationships
 Strategy: S5.2.1 Built effective partnerships with stakeholders

 Objective: S5.3 Accountable governance
 Strategy: S5.3.1 Good governance, which supports efficient and effective service delivery

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment/Implications

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

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

Officer Comment/Details

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

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 030424

Moved Cr Ross, seconded Cr Dewar

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

CARRIED 5 / 0

TIME: 7.14PM

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

Against: Nil

CS03 – 04/24 Muchea Recreation Centre – Court Fees and Charges

Applicant	Shire of Chittering
File ref	Council First Records/Shared Documents/Finance Management/Budgets/Fees & Charges/Fees & Charges 2023-2024
Author	Community Development Coordinator
Authorising Officer	Deputy 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

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

Executive Summary

Council is requested to approve the introduction of a commercial hire fee and a casual/individual hire fee for courts at the Muchea Recreation Centre to the approved 2023/2024 Fees and Charges Schedule.

Council is also requested to change the name of the Muchea Hall to Muchea Recreation Centre in the 2023/2024 Fees and Charges Schedule.

Background

In March 2024, Council took possession of the upgraded and new courts at the Muchea Recreation Centre (MRC). These courts were constructed as part of the MRC redevelopment and constitute a large investment in this facility. They are marked for Netball, Tennis and Basketball. There are currently no other maintained courts in the southern areas of the shire, so this facility is expected to be used by a large number of people, not limited to the Muchea Netball Club, and the IHC Community Netball Club, who currently play/train at the facility.

Club use of the facilities will fall under the annual hire fee, however there is currently no casual hire fee for the courts in the adopted fees and charges. The adopted fees and charges do, however, include casual hire fees for all other shire venues and ovals.

The fees and charges for similar facilities in neighbouring Local Governments are as follows:

- Gingin – \$10.50/h or \$47.25 for a whole day (an additional flat rate of \$10 is charged should the use of lights be required)

- Toodyay - \$28/h (\$90/h for all 4 courts). This is for tennis only, basketball and netball are free to use without lights.
- Swan - \$44-\$51/h dependent on time of day. Also have a commercial charge of \$145/h per court.
- Northam – \$38.50/hr or \$270 for a whole day.

In order to activate community spaces, and have thriving connected communities, fees should be set at a level that ensures accessibility for all in the community. There has been a lot of interest in casual tennis hire in particular.

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

Local Government Act 1995

6.16. Imposition of fees and charges

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

** Absolute majority required.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Local

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

Focus area: Built Environment
 Objective: S3.2 Improving infrastructure
 Strategy: S3.2.3 Provision of community facilities to allow sport and recreation participation

Focus area: Administration and Governance
 Objective: S5.2 Accountable and transparent governance
 Strategy: S5.2.2 Responsible, sustainable and planned use of the Shire’s financial resources

State
 Nil

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation: Council sets fees too high which discourages users from accessing the facility	Low	Low	Low	Council has been provided with a list of fees charged by surrounding shires and has set the fee at a level in line with similar facilities.
Opportunity: Open discussion with the community about when and how they would like to use the facility.				

Officer Comment/Details

The MRC Courts are an exceptional facility which the community is proud of and wants to utilise as soon as possible. The interest in tennis, in particular, has been high and it is anticipated that a tennis club, or social tennis will be a regular use of the facility next summer.

The adopted 2023/2024 fees and charges schedule does not include fees for commercial (e.g. personal training groups) and casual use (e.g. non-club private/individual use) for the Muchea Recreation Centre Courts. The schedule also refers to Muchea Hall and Oval which requires updating in accordance with the facility’s new name.

After reviewing the neighbouring LGA fees and charges for court hire, a casual fee of \$10 per court, per hour is in line with those facilities, and will encourage use of the courts, while still being accessible for all.

It is recommended that the fee be capped at 5 hours as per the Shire’s other facilities, and then be fixed at \$50 per court, per day. This would also equate to an all-courts fee of \$40 per hour, with a maximum fee of \$200 per day.

For consistency, it is also recommended that a commercial fee should apply for use of the courts in keeping with the commercial fee charged for Shire ovals. The proposed commercial hire fee is \$20 per court, per hour, with a maximum fee of \$100 per day per court, or \$400 per day for all 4 courts.

As per the *Local Government Act 1995 section 6.16 (3)* fees and charges may be imposed or amended during the financial year, however local public notice of the changes must be given before the imposition of the fee.

During the Council forum, additional information was sought by members as to what casual users of the courts at the Chinkabee Complex pay to use their outdoor courts.

It has been confirmed that all casual users of these courts, whether members of BSRA or not, pay \$5 per hours per court.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040424

Moved Cr Curtis, seconded Cr Ross

That Council by ABSOLUTE MAJORITY approve the following changes to the adopted 2023/2024 fees and charges schedule effective of 1 May 2024, and instruct the CEO to give local public notice of the changes:

- 1. The addition of a Muchea Recreation Centre Courts Casual Hire Fee of:**
 - a) \$10 per court, per hour, capped at 5 hours, with a maximum fee of \$50 per court, per day.**
 - b) \$40 for all 4 courts per hour, capped at 5 hours, with a maximum fee of \$200 per day.**
- 2. The addition of a Muchea Recreation Centre Courts Commercial Hire Fee of:**
 - a) \$20 per court, per hour, with a maximum fee of \$100 per day per court, or \$400 per day for all 4 courts.**
- 3. The change of name from Muchea Hall to Muchea Recreation Centre.**

CARRIED 5 / 0

TIME: 7.16PM

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

Against: Nil

CHIEF EXECUTIVE OFFICER

CEO01 – 04/24 Work Health and Safety Statistics Report – Quarter Ending March 2024

Applicant	N/A
File ref	GOV.REP.OSH
Author	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. WHS Statistics Report – Quarter Ending March 2024

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

Executive Summary

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

Background

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

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

g. Average overtime per person by department.

3. Council requires the Chief Executive Officer to provide a monthly report to be tabled at each Ordinary Council Meeting, the following key safety performance indicators (KPI's) for the Shire workforce and contractors ; including but not limited to:

- a. Number of Drug and Alcohol tests performed;
- b. Number of positive Drug test and BAC Exceedances;
- c. Number of worker compensation claims;
- d. Number of "current" worker compensation claims;
- e. Number of Near Misses;
- f. Number of Medically Treated Injuries;
- g. Number of Restricted Work Injuries;
- h. Number of Lost Time Injuries.

CARRIED UNANIMOUSLY 7 / 0

TIME: 9.53pm

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

- Work Health and Safety Act 2020

Local

Nil

Policy Implications

State

Nil

Local

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

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2022-2032

Focus area: Accountable governance

Objective: S5.3 Accountable Governance

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

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Nil

Officer Comment/Details

Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050424

Moved Cr Angus, seconded Cr Ross

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

- 1. Monthly Statistics March 2024.**
- 2. Incident Report and Training and Development for March 2024.**
- 3. Quarterly Report for the period ending March 2024.**

CARRIED 5 / 0

TIME: 7.18PM

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

Against: Nil

CEO02 – 04/24 Muchea Recreation Centre Playground Project Plan

Applicant	Shire of Chittering
File ref	SOCR-1845402348-7595
Author	Community Development Coordinator
Authorising Officer	Deputy 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. Project Plan Consultation Feedback Report (DocID: SOCR-1845402348-25882) 2. MRC Playground Project Plan (DocID: SOCR-1845402348-7599)

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

Executive Summary

Council is requested to approve the Project Plan for the Muchea Recreation Centre (MRC) Playground.

Background

At the Ordinary Council Meeting held 21 February 2024, the project plan for the Muchea Playground was submitted for council approval.

Council resolved the following;

<p>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110224 Moved Cr Angus, seconded Cr Campbell That Council instructs the Chief Executive Officer to:</p> <ol style="list-style-type: none"> 1. Advertise the Muchea Recreation Centre Playground Project Plan for public comment for a period of two weeks across all media platforms. 2. Provide a report to Council on the public submissions received. <p style="text-align: right;">CARRIED 7/0 <small>TIME: 8.24PM</small></p> <p style="text-align: center;">For: Cr King, Cr Angus, Cr Campbell, Cr Dewar, Cr Curtis, Cr Ross, Cr Hughes Against: Nil</p>

The project plan was released for public comment on the 26 February 2024 on the Shire’s “Have your Say” page, which was shared to local pages, and in the Shire’s “Chatter” page in the March Northern Valleys News, with 6 comments being received across all media.

Consultation Summary

Local

Shire of Chittering “Have your Say” Facebook page, and locality based groups.
“Chatter” in the Northern Valleys News – March 2024

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2022-2032

Focus area: Our community
Objective: S1.1 An active and supportive community
Strategy: S1.1.2 Social hubs to bring the community together

Focus area: Built Environment
Objective: S3.2 Improving infrastructure
Strategy: S3.2.1 Provision of community facilities to allow sport and recreation participation

Focus area: Administration and Governance
Objective: S5.1 An engaged Shire
Strategy: S5.1.1 Continue to engage responsively with the community, using a variety of methods of inviting input

Focus area: Administration and Governance
Objective: S5.2 Accountable and transparent governance
Strategy: S5.2.2 Responsible, sustainable and planned use of the Shire’s financial resources

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<p>Project Time: The project plan is not approved and funding application deadlines are missed.</p>	Low	Low	Low	Council has been provided with the project plan already and the community has been consulted as part of the MRC user group meetings.
<p>Opportunity: Access to funding to allow the full project to be completed and provide quality infrastructure for the community.</p>				

Officer Comment/Details

The playground will provide additional play spaces for children and young people at the MRC and is the last portion of the MRC redevelopment plan requiring completion.

The MRC Playground plan has been developed through consultation with the MRC User Group and industry specialists to create a plan that meets the community’s current and future needs, including accessibility for all and safety for the children and young people using the space.

Limited feedback was received over the weeks that the consultation was open with the only requests being received as comments on the Shire of Chittering “Have your Say” page. The two key requests relevant to this project were to consider toddlers in the design (1 request) and to include a swing (one request). Both items were considered in the creation of the design, with toddlers being adequately catered for. However, given the small area available for the playground on the site the inclusion of a swing would require too much space to operate safely and has been excluded from the design.

<p>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060424 Moved Cr Angus, seconded Cr Ross That Council: 1. Receives the MRC Playground Project Plan Community Feedback report; 2. Acknowledges the feedback received; and 3. Endorses the MRC Playground Project Plan as attached.</p> <p style="text-align: right;">CARRIED 5 / 0 <small>TIME: 7.19PM</small> For: Cr King, Cr Angus, Cr Ross, Cr Dewar, Cr Curtis Against: Nil</p>
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CEO03 – 04/24 Chief Executive Officer Performance Review

Applicant	Melinda Prinsloo
File ref	22/10/168
Author	Chief Executive Officer
Authorising Officer	N/A
Disclosure of interest	The author has a financial interest as it relates to their employment
Voting requirements	Absolute Majority
Attachments	1. CEO Performance Review (Confidential) 2. CEO Remuneration Package (Confidential)

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

Executive Summary

Council is requested to endorse the outcomes of the previously performed Chief Executive Officer Performance Review for the 1 March 2023 to 29 February 2024 period.

Background

Under Section 5.38 of the *Local Government Act 1995* the performance of a Chief Executive Officer is to be reviewed at least once in relation to every year of the Chief Executive Officer's Performance. A performance review took place in April 2024. Following the performance review, the Chief Executive Officer was informally informed of the outcome being satisfactory performance, however, a formal Council Resolution must be passed.

Consultation SummaryLocal

Council

State

Nil

Legislative ImplicationsState

- Local Government Act 1995

Section 5.38 of the *Local Government Act 1995* establishes a requirement for Council to perform an annual review of the CEO's Performance. Though not expressly mentioned, in order to do this

Council would need to follow Human Resource management procedures, the foremost establishing Key Performance Objectives against which performance can be reviewed.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2022-2032

Focus area: Administration and Governance

Objective: S5.2 Outcome: Accountable and Transparent Governance

Strategy: S5.2.1 Become a leader in the areas of transparency, disclosure and public Accountability

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Compliance	Unlikely	Minor	Low	There is a requirement for the Council to conduct a performance review of the CEO annually. By endorsing this review, compliance will be met.
Opportunity: Nil				

Officer Comment/Details

Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 070424

Moved Cr Ross, seconded Cr King

That Council BY AN ABSOLUTE MAJORITY:

- 1. Endorses the outcome of the review of the Chief Executive Officer's Performance over the period from 1 March 2023 to 29 February 2024 that resulted in the Chief Executive Officer's performance being rated as satisfactory, as per Attachment 1.**
- 2. Endorses the agreed remuneration package as per Attachment 2 and confirms that it is within the SAT Band for a Band 3 Local Government.**

CARRIED 5 / 0

TIME: 7.24PM

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

Against: Nil

CEO04 – 04/24 License for the use of a portion of Ferguson House

Applicant	Melinda Prinsloo
File ref	22/10/168
Author	Chief Executive Officer
Authorising Officer	N/A
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	1. Letter from the CRRA to the Chief Executive Officer and Council

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

Executive Summary

Council is requested to approve temporary alterations to Ferguson House, with an accompanying temporary license for the use of a section of the building to the Chittering Residents Ratepayers Association Inc (CRRA) for the purposes of establishing home-based services to elderly residents or residents with disabilities through partnerships with Mable and InCasa.

Background

Over several years, the need for support for ageing residents and residents in need of assistance with caring for family members with disabilities has become apparent. The Shire has made several attempts to attract service providers to the area, but a solution has been elusive. In September, a presentation was made to the community by members of InCasa and Mable, which seems to have been successful through Community Resource Centres (CRC) in other local governments. The Shire of Chittering does not have a CRC, however the Chittering Residents and Ratepayers Association Inc has commenced the process of forming a body that could serve as an intermediary between the community and Mable and InCasa.

Research has shown that where these services are rendered in other local governments, the services are generally delivered in-house, with one desk in the Community Resource Centre being made available for phone calls and coordination when needed.

The CRRA has – through the attached letter – approached Council for a peppercorn lease of Ferguson House for the purpose of setting up the support structures for the community to engage Mable and InCasa. In recent weeks, CRRA has registered a new business name, Chittering Home Care, through which it intends to provide services.

Consultation Summary

Local

Council

State

Nil

Legislative Implications

State

- Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
which is owed to the local government.

* *Absolute majority required.*

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2022-2032

Focus area: Community

Objective: S1.2 Outcome: A Safe and Healthy Community

Strategy: S1.2.1 Work with government and service providers to improve education, health, disability and aged services.

- Strategic Community Plan 2022-2032

Focus area: Economy

Objective: S4.1 Outcome: Economic Growth

Strategy: S4.1.1 Support investment which stimulates sustainable industries, business and job growth.

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Reputation	Possible	Minor	Moderate	Helping to facilitate a cost effective office space for a locally operated home based services to elderly and disabled residents in the Shire will ensure that the Shire is implementing a key objective identified in its Strategic Community Plan.
Opportunity: Nil				

Officer Comment/Details

The need for care of our ageing population is not disputed. There seems to be a disconnect between the community members in need of support and the number of available resources within the Shire. Assistance with the interpretation of NDIS and Home Care Packages and entitlements would ensure that more support is provided in a coordinated manner. This is not a function of Local Government, however the importance of our aged community and people with disabilities cannot be overstated.

After the facilities review undertaken in 2019, Council resolved to move away from peppercorn leases, and to implement a standard license agreement for the use of all Shire-owned facilities. This would become applicable each time a lease expired. At present, a commercial tenant is licensed to use roughly half of the available space in Ferguson House. The remaining space can, therefore, either be booked through SpacetoCo, or could also be licensed for a longer period of time.

With both Mable and InCasa being commercial, for-profit companies, the partnership with the CRRA would seem to place the license in a commercial fees bracket. However, Shire support could be shown for the establishment of this initiative if a period of grace could be offered to assist in the establishment of a workable solution prior to fees being received. Furthermore, some minor alterations (which could be temporary in nature at first) would need to be done to partition off a section in Ferguson House where a private conversation or phone call can be made. This would have a negligible impact on the budget.

An on-site visit to Ferguson House with Mr. Lee Martin of the CRRA on Friday, 12 April 2024, identified a 2.2m x 3m area in the south eastern corner of the facility that could potentially be partitioned off as an office space for the CRRA.

At its Ordinary Meeting of Council held 16 November 2022 the following Council resolution was carried:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 081122
Moved Cr Ross, seconded Cr King
That Council implement a Commercial Hire Fee (partial occupancy) for Ferguson House Lot 91 (RN 6138)

Great Northern Highway, Bindoon at a rate of \$156 per m², per annum.

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 6 / 0

TIME: 7.29PM

This fee remains \$256 per m² in the Shire's adopted 2023/24 fees and charges. A 2.2m x 3m space within Ferguson House would, in accordance with the fees and charges, incur an annual hire fee of \$1,689.60.

MOTION

Moved Cr King, seconded Cr Angus
That Council suspend Standing Orders.

CARRIED 5 / 0

TIME: 7.27PM

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

Against: Nil

MOTION

Moved Cr King, seconded Cr Ross
That Council resume Standing Orders.

CARRIED 5 / 0

TIME: 7.29PM

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

Against: Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 080424

Moved Cr Ross, seconded Cr King

That Council:

1. Instructs the Chief Executive Officer to liaise with the Chittering Residents and Ratepayers Association Inc to offer a six (6)-month license for the use of the temporary office in Ferguson House, commencing on 1 May 2024, exclusively for the purpose of the coordinating provision of aged care and disability services; and
2. In accordance with Section 6.12(b) of Local Government Act 1995, waives six (6) months Commercial Hire fee of \$844.80 for the exclusive use of a temporary office at Ferguson House.

CARRIED 5 / 0

TIME: 7.32PM

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

Against: Nil

ITEM 10. REPORTS OF COMMITTEES**COM01 – 04/24 Local Emergency Management Committee – Unconfirmed Minutes from Wednesday, 21 February 2024**

File ref	ES.MEET.LEMC.2024
Author	Development Services Support Officer
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. “Unconfirmed” minutes from Local Emergency Management Committee Meeting held on 21 February 2024

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

Executive Summary

Council is requested to receive the minutes from the Chittering Local Emergency Management Committee meeting held on Wednesday, 21 February 2024.

Background

The Chittering Local Emergency Management Committee meeting met on Wednesday, 21 February 2024. No motions were made at this meeting.

Consultation SummaryLocal

Local Emergency Management Committee

State

Nil

Legislative ImplicationsState

- Local Government Act 1995, s5.12 and s5.13
- Emergency Management Act 2005

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of—
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established—

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

- Strategic Community Plan 2017-2027

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

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

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

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation: The Shire's reputation in the community being impacted because we are not prioritising emergency management efforts	Possible	Minor	Moderate	More regular LEMC meetings with meaningful membership and valuable information shared at meetings.
Opportunity: Committee members building rapport with each other and understanding each other's specific needs should an emergency occur				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance: Unable to meet obligations relating to Emergency Management	Possible	Minor	Moderate	Ensuring requirements are met through holding the scheduled meetings
Opportunity: Valuable information being shared amongst the membership on a more regular basis				

Officer Comment/Details

The next meeting of the Local Emergency Management Committee is on Wednesday, 22 May 2024.

<p>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 090424 Moved Cr Angus, seconded Cr Ross That Council receives the unconfirmed minutes from the Local Emergency Management Committee meeting held Wednesday, 21 February 2024.</p> <p style="text-align: right;">CARRIED 5 / 0 <small>TIME: 7.37PM</small> For: Cr King, Cr Angus, Cr Ross, Cr Dewar, Cr Curtis Against: Nil</p>

COM02 – 04/24 Chittering Bush Fire Advisory Committee – Unconfirmed Minutes from Tuesday, 26 March 2024

File ref	ES.MEET.CBFAC.2024
Author	Development Services Support Officer
Authorising Officer	Chief Executive Officer
Disclosure of interest	The Author has an impartiality interest as a member of the Upper Chittering Volunteer Bushfire Brigade.
Voting requirements	Simple Majority
Attachments	1. “Unconfirmed” minutes from Chittering Bush Fire Advisory Committee Meeting held on 26 March 2024.

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

Executive Summary

Council is requested to receive the unconfirmed minutes from the meeting held Tuesday, 26 March 2024.

Background

The Chittering Bushfire Advisory Committee held a meeting on Tuesday, 26 March 2024. No motions were passed at the meeting.

Consultation SummaryLocal

Chittering Bushfire Advisory Committee Meeting

State

Nil

Legislative ImplicationsState

- Local Government Act 1995 – Sections 5.8 and 5.11
- Bush Fires Act 1954 – Section 67

Local

- Shire of Chittering Brigades Local Law 2012

In accordance with cl3.12 the Committee is to make recommendations to the local government on all motions received by the Committee from the bushfire brigades.

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

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

Site Inspection

Not applicable

Risk Assessment / Implications

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

Officer Comment/Details

The next meeting of the Chittering Bush Fire Advisory Committee is scheduled for Tuesday, 11 June 2024.

<p>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100424 Moved Cr Ross, seconded Cr King That Council receives the unconfirmed minutes from the Chittering Bushfire Advisory Committee Meeting held on Tuesday, 26 March 2024.</p> <p style="text-align: right;">CARRIED 5 / 0 TIME: 7.40PM <i>For: Cr King, Cr Angus, Cr Ross, Cr Dewar, Cr Curtis</i> <i>Against: Nil</i></p>

COM03 – 04/24 Chittering Tourist Advisory Group Meeting Held 11 April 2024

Applicant	Shire of Chittering
File ref	SOCR-1845402348-26948
Author	Deputy Chief Executive Officer
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. Meeting Minutes (DocID: SOCR-1845402348-26952)

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

Executive Summary

For Council to consider receiving the unconfirmed minutes of the Chittering Tourist Advisory Group (group) Meeting held 11 April 2024 and to determine that Nesci Estate be the venue for the 2024 A Taste of Chittering event.

Background

At its meeting of 1 February 2024, the group discussed the preferred location of the 2024 Taste of Chittering. Discussions centred around two possible locations, Bindoon oval or Nesci Estate. Members discussed the benefits of having the event at Bindoon oval such as parking and traffic control, versus the negatives such as making the event too similar to other market type events and taking away its "identity."

The members present generally agreed that the most favourable location would be Nesci Estate. However, no motion was moved at this meeting to recommend to Council that Nesci Estate be the location of the 2024 Taste of Chittering.

At the Ordinary Council Meeting held 21 February 2024 the following Council resolution was made:

<p>SUBSTANTIVE MOTION / COUNCIL RESOLUTION 220224 Moved Cr Campbell, seconded Cr Ross That Council:</p> <ol style="list-style-type: none"> 1. Receive the minutes of the Chittering Tourism Advisory Group held 1 February 2024. 2. Instruct the Chief Executive Officer to request the Chittering Tourism Advisory Group to meet as soon as practicable to develop their recommendation for the location of Taste of Chittering

including costs.

Advice Note:

- *That item 9 in the minutes should refer to the Brockman Centre rather than the Cultural Centre.*

CARRIED 7 / 0

TIME: 9.30PM

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

Against: Nil

The purpose of the Chittering Tourist Advisory Group (Group) Meeting held 11 April 2024 was to develop their recommendation for the location of the Taste of Chittering event (event).

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

If not applicable

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2017-2027
 - Objective: S4.3 Increased Visitors
 - Strategy: S4.3.1 Support and promote accommodation options
 - S4.3.3 Facilitate, promote and support ecotourism

State

Nil

Site Inspection

Not Applicable.

Environmental Consideration

Not Applicable.

Risk Assessment / Implications

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

Officer Comment/Details

The group was presented with the following information to allow them to make an informed decision as to their preferred location of the event;

- The cost to hire the facilities at Nesci Estate will be \$5,000 inc GST. This is the same amount charged by Nesci Estate in 2020 when the Shire last held the event there.
- The hire includes;
 - 2 x parking areas (paddock along property road at the facility entrance and the paddock at the front of the property.
 - Stage, verandah and grass area.
 - Existing toilet facilities (additional toilets will be required, at the Shire’s expense)
 - Bar area for tasting and purchases.
 - Water fountain area for seating.
 - Gravel and open areas.
 - Existing seating and wine barrels for tables.
- A shift to Nesci Estate would reduce the Shire’s costs for traffic management and stage hire.

During the meeting, it was also identified that the proximity of Nesci Estate to Perth would have a positive effect on attendance numbers.

Therefore, the group re-affirmed their preference for Nesci Estate to be the venue for the 2024 Taste of Chittering.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110424
Moved Cr Ross, seconded Cr Angus
That Council:

- 1. Receive the unconfirmed minutes of the Chittering Tourist Advisory Group meeting held 11 April 2024; and**
- 2. Declare that the venue for the 2024 Taste of Chittering be Nesci Estate.**

CARRIED 5 / 0
TIME: 7.46PM
For: Cr King, Cr Angus, Cr Ross, Cr Dewar, Cr Curtis
Against: Nil

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

Nil

ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

QFMWN01 – 04/24 Cr David Dewar

Question: Can the CEO consider options for the wheel stops in front of the Bakehaus due to continued accidents as part of the Budget workshops?

Response: *The CEO advised this will be taken on notice.*

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

Nil

ITEM 14. MEETING CLOSED TO THE PUBLIC

Matters for which the meeting may be closed

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 120424

Moved Cr Angus, seconded Cr Ross

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

- **CON01 – 04/24 Lower Chittering Community Centre – Architectural Design and Tender Documents**

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

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

(e) a matter that if disclosed, would reveal —

(ii) information that has a commercial value to a person;

where the trade secret or information is held by, or is about, a person other than the local government

CARRIED 5 / 0

TIME: 7.53PM

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

Against: Nil

CON01 – 04/24 Lower Chittering Community Centre – Architectural Design and Tender Documents

Applicant	Shire of Chittering
File ref	SOCR-1845402348-17804
Author	Community Development Coordinator
Authorising Officer	Deputy 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. LCCC Architectural Design Plans & cost estimate (SDR) 2. LCCC Reference Group Meeting Minutes – February and March

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

(2) If a meeting is being held by a council or 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 –

(e) a matter that if disclosed, would reveal –

(ii) information that has a commercial value to a person; or

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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<input type="checkbox"/>	Information	Includes items for information purposes only and do not require a decision of Council (to 'note' only)

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 130424

Moved Cr Angus, seconded Cr Ross

That Council:

1. Receives the February and March LCCC Reference Group Meeting Minutes.
2. Receives and approves the Lower Chittering Community Centre Schematic Design Report prepared by SITE Architecture Studio.
3. Authorises the Chief Executive Officer to proceed into the Construction Documentation phase for the Community Centre, Reflections Area and Memorial Walk portions of the project.
4. Subject to the Growing Regions Funding application being successful, authorises the Chief Executive Officer to invite tenders for the Lower Chittering Community Centre Project, in accordance with Section 3.57 of the Local Government Act 1995.

CARRIED 5 / 0

TIME: 7.59PM

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

Against: Nil

PROCEDURAL MOTION / COUNCIL RESOLUTION 140424

Moved Cr Angus, seconded Cr Ross

That Council come out from behind closed doors.

CARRIED 5 / 0

TIME: 8.00PM

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

Against: Nil

Public reading of resolution that may be made public

The President read aloud the Council resolution.

ITEM 15. CLOSURE

The Presiding Member declared the meeting closed at 8.00pm.