



ORDINARY COUNCIL MEETING MINUTES CONFIRMED

**7:00pm, Wednesday, 10 December 2025
Council Chambers
6177 Great Northern Highway, Bindoon**

PUBLIC QUESTION TIME

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.

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.

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

Time Permitted

A minimum of 10 minutes is permitted for Deputations.

Protocol

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

Members of the public who 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.

General Rules

The following rules apply when making a Deputation:

Deputation is not to exceed five persons, only two of whom may address the Council, although others may respond to specific questions from Members.

Deputations must not exceed 10 minutes without the agreement of the Council.

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

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.

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.

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

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

Retention of Recordings

- 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 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

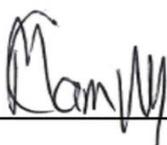
These minutes were approved for distribution on 16 December 2025.



Melinda Prinsloo
Chief Executive Officer

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 18 February 2026.

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

Attendance

The following members were in attendance:

Cr Mark Campbell	President
Cr David Dewar	Deputy President
Cr Mary Angus	
Cr John Curtis	
Cr Beck Foulkes-Taylor	
Cr Nicholas Grayer	
Cr Kylie Hughes	

The following staff were in attendance:

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

Members of the General Public: 8

Media: 0

Apologies

Nil

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 Mark Campbell			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	19 November 2025	In attendance	
President & CEO Meeting	28 November 2025	In attendance	
Presentation – Rowe Group Agenda Forum	3 December 2025	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Lower Chittering Bridle Trail Network Reference Group Meeting	18 November 2025	In attendance	Yes
WALGA Avon Midland Country Zone Meeting – Wongan Hills	21 November 2025	Apology	N/A
Audit, Risk and Improvement Committee Meeting	9 December 2025	Apology	N/A
Other Attendances	Date	Written Feedback/Report	
Bindoon Bypass Advisory Group Teams Meeting	21 November 2025	Yes	
Audit Exit Meeting	4 December 2025	N/A	
WALGA Mayor and President Training	8 December 2025		

Cr David Dewar			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	19 November 2025	In attendance	
President & CEO Meeting	28 November 2025	In attendance	
Presentation – Rowe Group Agenda Forum	3 December 2025	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
WALGA Avon Midland Country Zone Meeting – Wongan Hills	21 November 2025	In attendance	No
Audit, Risk and Improvement Committee Meeting	9 December 2025	In attendance	N/A
Other Attendances	Date	Written Feedback/Report	
Audit Exit Meeting	4 December 2025	N/A	
Thank a Volunteer	5 December 2025	N/A	
WALGA Mayor and President Training	8 December 2025	Nil	

Cr Mary Angus			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	19 November 2025	In attendance	
Presentation – Rowe Group Agenda Forum	3 December 2025	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Audit, Risk and Improvement Committee Meeting	9 December 2025	In attendance	N/A
Other Attendances	Date	Written Feedback/Report	
Nil			

Cr John Curtis			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	19 November 2025	In attendance	
Presentation – Rowe Group Agenda Forum	3 December 2025	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Audit, Risk and Improvement Committee Meeting	9 December 2025	Apology	N/A
Other Attendances	Date	Written Feedback/Report	
Nil			

Cr Beck Foulkes-Taylor			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	19 November 2025	Apology	
Presentation – Rowe Group	3 December 2025	Apology	
Agenda Forum	3 December 2025	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Audit, Risk and Improvement Committee Meeting	9 December 2025	Apology	N/A
Other Attendances	Date	Written Feedback/Report	
Thank a Volunteer Event	5 December 2025	N/A	

Cr Nicholas Grayer			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	19 November 2025	In attendance	
Presentation – Rowe Group Agenda Forum	3 December 2025	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Audit, Risk and Improvement Committee Meeting	9 December 2025	Apology	N/A
Other Attendances	Date	Written Feedback/Report	
Audit Exit Meeting	4 December 2025	N/A	

Cr Kylie Hughes			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	19 November 2025	In attendance	
Presentation – Rowe Group Agenda Forum	3 December 2025	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Local Emergency Management Committee Meeting	26 November 2025	In attendance	
Audit, Risk and Improvement Committee Meeting	9 December 2025	In attendance	N/A
Other Attendances	Date	Written Feedback/Report	
Audit Exit Meeting	4 December 2025	N/A	

ITEM 3. DISCLOSURE OF INTEREST

Councillors must declare to the President any potential conflict of interest they have in a matter before the Shire Council as soon as they become aware of it.

DS01 - 12/25 Lower Chittering Bridle Trail Network		
Councillor	Type of Interest	Nature / Extent of Interest
Cr Mark Campbell	Proximity Interest	<p>Nature: Powderbark Road Bridle Trail borders or any part of it, is directly across a thoroughfare from Cr Campbell's property. He believed the section of land to be privately owned by the farmer who accessed the property from this crossover/driveway when required.</p> <p>Cr Campbell only became aware of the proximity interest when questioning the Chief Executive Officer on proximity interests on 9 December 2025 regarding a neighbour objecting to the trails and trail infrastructure installed on his verge. Cr Campbell queried if the driveway was privately owned or Shire road reserve. Feedback from the CEO on 10 December 2025 confirmed it is road reserve.</p> <p>Up until 9 December 2025 Cr Campbell believed his property was surrounded by other privately owned properties and had no proximity interests associated with the Powderbark Bridle Trail.</p> <p>Extent: Proximity to the Powderbark Road Trail</p>

CS03 - 12/25 Community Donation Request – Chittering Home Care Services		
Councillor	Type of Interest	Nature / Extent of Interest
Cr John Curtis	Impartiality Interest	<p>Nature: Cr Curtis is a member of the Chittering Residents and Ratepayers Association and support worker for the Chittering Home Care.</p> <p>Extent: Cr Curtis is a member of the Chittering Residents and Ratepayers Association and support worker for the Chittering Home Care.</p>

CEO04 - 12/25 Chittering Health Centre: Lease of Common Area		
Councillor	Type of Interest	Nature / Extent of Interest
Cr Mark Campbell	Indirect Financial Interest	<p>Nature: Cr Campbell's mother-in-law lives with him and contributes to utilities, should she lose her employment she may not be able to contribute to living expenses.</p> <p>Extent: Indirect financial interest as mother-in-law contributes to utilities.</p>

CEO05 - 12/25 Chittering Health Centre: Lease to Jupiter Health & Medical Services		
Councillor	Type of Interest	Nature / Extent of Interest
Cr Mark Campbell	Indirect Financial Interest	<p>Nature: Cr Campbell's Mother-in-law lives with him and contributes to utilities, should she lose her employment she may not be able to contribute to living expenses.</p> <p>Extent: Indirect financial interest as mother-in-law contributes to utilities.</p>

MWPNO1 - 12/25 Trash or Treasure Pick Up Area – Cr John Curtis		
Councillor	Type of Interest	Nature / Extent of Interest
Cr Beck Foulkes-Taylor	Proximity Interest	<p>Nature: Cr Foulkes-Taylor's property in Bindoon shares a boundary border with the Bindoon Landfill Site.</p> <p>Extent: Proximity to the Bindoon Landfill Site.</p>

ITEM 4. PUBLIC QUESTION TIME

Public question time

PQT01 – 12/25 Clint O'Neil, Chittering

Question: My question relates to the Lower Chittering Youth and Community Hub.

The Council at its meeting of August 2025 by resolution 130825 granted approval to:

- Endorse official commencement of the project.
- Endorse the ordering of the off-site building and associated structures.
- Commencement of necessary site works to avoid unnecessary delays.

With advice provided to Council that the facility would be fully operational by February 2026.

At this point in time it does not appear that the Shire has undertaken any works on the site in preparation for the delivery of the prefabricated building, for the facility to be fully operational by February 2026, we are entering into the December/January dead zone for works, where any works are likely to be deferred to the end of January.

Lower Chittering residents have, for an extended period of time, been continually disappointed by the Shire's proposals to develop the sport and recreation facility site by diversion of any funds to other projects or kicking the can down the road.

What assurance can Council provide for the timely, on time delivery of a fully functional youth and community hub facility on the public recreation land by February 2026?

Response: The Chief Executive Officer advised that the Council and the Shire have always been aware of the need for the community of the Lower Chittering Community Hub. Unfortunately, with any building project there are site and soil specifications that need to be met and processes that can delay these. The building has been ordered and is in the process of being built. As it is a prefabricated building it will be delivered on site as is, so I can confirm the building has been ordered and there is no intentional delay of the project, it will not be by February because of the delay in the specifications. Western Power has also confirmed that power won't be an issue and all other works that are related to getting the building up and running are well underway.

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

Nil

Deputations

DEP01 – 12/25 Natalie Scibilia, Lower Chittering

Natalie spoke on item 'DS01 – 12/25 Lower Chittering Bridle Trails Network'.

DEP02 – 12/25 Emily Waller, Lower Chittering

Emily spoke on item 'DS01 – 12/25 Lower Chittering Bridle Trails Network'.

DEP03 – 12/25 Nicole Foley, Lower Chittering

Nicole spoke on item 'DS01 – 12/25 Lower Chittering Bridle Trails Network'.

DEP04 – 12/25 Troy Partridge, Chittering

Troy spoke on item 'DS01 – 12/25 Lower Chittering Bridle Trails Network'.

Presentations

Nil

ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

ITEM 7. CONFIRMATION OF MINUTES**Ordinary Meeting of Council: 19 November 2025****OFFICER RECOMMENDATION / COUNCIL RESOLUTION 011225**

Moved Cr Angus, seconded Cr Dewar

That the minutes of the Ordinary Meeting of Council held on Wednesday, 19 November 2025, as published on the Shire website, be confirmed.

CARRIED: 7 / 0

TIME: 7.35PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

ITEM 8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

As we gather at the close of another year, I want to take this opportunity to extend my heartfelt wishes to all, our dedicated staff, CEO, councillors, and the residents who make the Shire of Chittering such a special place to live.

Christmas is a time for reflection, gratitude, and community. This year has brought its share of challenges and achievements, and through it all, your commitment and resilience have been truly inspiring. To the shire staff, thank you for your tireless efforts in keeping our services running and our community thriving. To our councillors, thank you for your leadership and vision. And to our residents, thank you for your support, engagement, and the spirit of cooperation that defines our Shire.

The festive season reminds us of the importance of kindness, generosity, and togetherness. Whether you're celebrating with family, friends, or neighbours, may your homes be filled with joy, peace, and laughter. Let us also take a moment to think of those who may be doing it tough this Christmas and extend a hand of support wherever we can.

As we look ahead to the new year, let's carry forward the spirit of collaboration and optimism. Together, we can continue building a strong, vibrant, and connected community.

On behalf of the Shire of Chittering, I wish you all a Merry Christmas and a safe, happy, and prosperous New Year. May 2026 bring health, happiness, and new opportunities for us all.

ITEM 9. REPORTS

DEVELOPMENT SERVICES

DS01 – 12/25	Lower Chittering Bridle Trails Network
Applicant	Shire of Chittering
File ref	SOCR – 1845402348-39062
Author	Senior Planning Officer
Authorising Officer	Executive Manager Development Services
Disclosure of interest	<i>Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure</i>
Voting requirements	Simple Majority
Attachments	1. Lower Chittering Bridle Trail Final Survey Data 2. LCBTN Reference Group Meeting Minutes – 18 November 2025 3. Bridle Trail Route Plans

Councillor Campbell declared an proximity interest in this item and left the Chambers at 7.36pm.

Nature of Interest: Powderbark Road Bridle Trail borders or any part of it, is directly across a thoroughfare from Cr Campbell's property.

Cr Dewar sat in as the Presiding Member.

	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 make a determination on the future of the 'Lower Chittering Bridle Trails Network'. This report details the outcomes of the trial period and the additional consulting periods that have been undertaken during the trial period.

Background

At the Ordinary Council Meeting on Wednesday 19th June 2024, Council resolved to endorse the Maryville Downs Bridle Trail and the Powderbark Estate Bridle Trail for a period of 12 months to assess its suitability for the community before being brought back to Council for a final determination of whether or not the bridle trails remain open on a permanent basis.

It was also determined at this meeting that a reference group was required to be formed to allow for regular stakeholder meetings to occur to discuss any concerns and/or issues with the bridle trails as the trial was ongoing.

Council resolved in this meeting for further community engagement to be undertaken during this trial period

with adjoining landowners to the trails to determine what issues and/or concerns have arisen during this trial period.

The Council resolution is provided below:

SUBSTANTIVE MOTION / COUNCIL RESOLUTION 030624

Moved Cr Campbell, seconded Cr Ross

That Council:

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

CARRIED 5 / 1

TIME: 8.11PM

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

Against: Cr Hughes

The reference group was then formalised as part of the Ordinary Council Meeting of Wednesday 17 July 2024. The bridle trails were then formally opened to the community on 23 August 2024, commencing the 12-month trial period which was set to end on 23 August 2025.

At its meeting held 21 May 2025, Council noted the historical meeting minutes of the Bridle Trail Reference Group. The Reference Group have not encountered problems or issues related to the bridle trails to date (raised by users of the trails or adjoining landowners) that have not been attempted to be resolved at some level by the Shire's administration.

As the process of additional community consultation was expected to take an additional period of time which would exceed the trial closing date of 23 August 2025, at the Ordinary Council Meeting of Wednesday 16th July 2025, Council resolved to extend the trial period of the bridle trails to remain open until such time that the further consultation was undertaken and a report prepared and brought back to Council no later than the February 2026 Ordinary Council Meeting.

The Council resolution to extend the trial period is provided below:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020725

Moved Cr Angus, seconded Cr Ross

That Council:

- 1. Endorse an extension of the 12-month trial period of the Lower Chittering Bridle Trail Network to allow for the trails to remain open while community consultation is undertaken;*
- 2. Instructs the Chief Executive Officer to undertake community consultation for a period not less than 28 days on the future of the Lower Chittering Bridle Trail Network in the following ways:*
 - a. Correspondence sent to all landowners that abut a bridle trail requesting feedback;*
 - b. Online survey made available; and*
 - c. Social media and website promotion of the online survey.*
- 3. Instructs the Chief Executive Officer to report back in detail to Council at the February 2026 Ordinary Council Meeting, following the period of community consultation to allow Council to make a determination on the future of the Lower Chittering Bridle Trail Network.*

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.15pm

The consultation was undertaken via two forms of advertisement. The first being an online survey which was published on the Shire's website and social media services. The second being letters being sent directly to all properties which adjoin the bridle trails, inviting comment. The online survey was advertised from Friday 29 August 2025 and ran for a 28-day period ending Friday 26 September 2025. The letters distributed to all adjoining properties also afforded a 28 day period to provide comment.

Further information regarding the results of this consultation period will be discussed in the 'Consultation Summary' section of this report.

When Council determined to extend the duration of the trial period, an advice note was also included which states:

"Advice Note from Council: If possible for the detailed report to include an estimate of the number of horses within the Shire."

This was considered for the final report, however it was not possible to retrospectively collect this data to an extent that the data could be accurately relied upon for Council to make an informed decision.

Consultation Summary

Local

The online survey featured a total of 16 questions. These questions focused on where the respondent lives, the amount of times they've used the bridle trails, how the users rated the quality of the trails and how the trails could be improved (if made permanent). The online survey received a total of 258 responses and a general summary of the survey is that:

- The majority of users reside within Lower Chittering (150) and that users from Bullsbrook/Swan Valley (41) were the next closest locality to use the trails.
- 80% of respondents have used the Maryville Downs bridle trail, with 33% using this trail 1-3 times during the trial period. 28% claim to use it monthly and 16% have not used it at all.
- 47% were 'very satisfied' and 38% were 'satisfied' with the overall experience of the Maryville Downs trail. 6% were 'very dissatisfied' with the trail.
- 57% of respondents have used the Powderbark Estate bridle trail, with 36% using this trail 1-3 times during the trial period. 34% have not used this trail at all.
- 34% were 'very satisfied' and 42% were 'satisfied' with the overall experience of the Powderbark Estate trail. 4% were 'very dissatisfied' with the trail.
- 63% of respondents would prefer to drive and float their horse to the bridle trails, with 49% preferring to ride their horse from their property.
- 42% would prefer to walk their horse less than 1km on a public road to a bridle trail access point.
- 26% would walk their horse 1-3km on a public road and 21% would not walk their horse on a road at all.
- 40% of respondents stated they had no issues whilst on the trails, with 39% experiencing issues of motorbikes and/or unauthorised vehicles.
- 32% have no preference for the style of gates at trail access points. 28% would prefer the gates remain opened (as it currently is) and 24% would prefer a form of 'step over gate'.
- 85% of respondents would support the bridle trails being opened on a permanent basis. 7% would support the trails with changes, and 8% do not support the trails being opened on a permanent basis.

A full report of the survey data is available in Attachment 1 of this report.

The second form of formal advertising undertaken for this trial period was directly contacting all adjoining landowners of both trails and providing each landowner with the opportunity to provide a written submission. Of the 25 adjoining properties to the Powderbark Estate Bridle Trail, four submissions were received, with three of these submissions objecting to the trail.

The key concerns of the objecting landowners to the Powderbark Estate bridle trail are the issues of smell (from 'waste' being left on the trails) and unauthorised vehicles (such as motorbikes and cars) also accessing the trail.

Of the 51 adjoining landowners to the Maryville Downs Bridle Trail, a total of 11 responses were received from nine adjoining landowners. Five of these responses (from a total of three landowners) were objecting to the trails, and six submissions were in support.

The key concerns of the objecting landowners to the Maryville Downs bridle trail are the issues of privacy, security breaches and the potential devaluing of properties that adjoin the trails.

The full submissions can be viewed in Attachment 1 of this report.

State

Shire officers consulted with the Lands Department within the Department of Planning, Lands and Heritage (DPLH) to determine the correct management purpose of the reserves currently being utilised for the bridle trails. DPLH confirmed that these reserves are designated as 'Pedestrian Access Ways' (PAW).

Based on this information, Shire officers then sought further confirmation regarding the ability to permit horse riding on the PAWs with the Shire's insurers and also obtained legal advice to confirm what activities can currently be permitted on the PAWs. This legal advice obtained will be further explained throughout the report, however in short, the legal advice obtained confirms that the PAWs can be used for horse riding in its current form.

Legislative Implications

State

- Local Government Act 1995

The Shire obtained legal advice regarding the permissibility of use for the PAWs for the purpose of horse riding. This legal advice confirmed that the PAWs are under the care, control and management of the Shire by virtue of section 3.53 of *Local Government Act 1995* and that whilst a PAW is technically intended for use by pedestrians, there is no reason to suggest that the PAW cannot be used for the purpose of horse riding.

- Land Administration Act 1997

The Shire is required to be managing the land in accordance with its requirements under section 264(3) of the *Land Administration Act 1997* and that failure to comply with a management order may result in the management order being revoked. The legal advice obtained also states that it is common for local governments to permit PAWs (or land reserved for that purpose) to be used for the walking of dogs if appropriate signage is in place to regulate those activities. The activity of horse riding is generally consistent with the land use of a PAW provided that the activity of horse riding does not interfere with or prevent the primary use of the PAW or the use of the PAW for fire and emergency access purposes.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

There is currently \$30,000 allocated in the budget this financial year (25/26) for incidental requirements to maintain the trial period, and to commence infrastructure installation should Council wish to make the trails permanently accessible. Should Council decide to permanently open the trails, these funds will be used to

improve the quality of the trails via staged approaches. Further improvements to the bridle trails would include the upgrading of gates, signage, car parking, and the possibility of increasing CCTV surveillance. If Council are to determine to open the trails permanently, the future budget allocation to the bridle trails can be further refined and discussed during budget deliberations, including the future 26/27 budget adoption.

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024 - 2034

Community Theme:	Community
Community Aspiration:	Inclusive, Active, and Resilient Community
Strategy:	1.4 – Empowerment and Skill-building
Strategic Objective:	Foster a sense of inclusivity, activity and resilience where all members feel safe, valued, supported, and empowered.

State

Nil

Site Inspection

Site inspection undertaken: Yes

Shire officers have frequently driven the bridle trails during the trial period to see if any long-term damage was being made to the environment or the trails themselves. Shire officers conducted the most recent inspection of the trails on 18 November 2025, with the below images demonstrating that the bridle trails have not resulted in any damage to the quality of the PAWs.



Image 1: Maryville Downs Bridle Trail (Senior Planning Officer, 2025)



Image 2: Maryville Downs Bridle Trail (Senior Planning Officer, 2025)



Image 3: Maryville Downs Bridle Trail (Senior Planning Officer, 2025)



Image 4: Powderbark Estate Bridle Trail (Senior Planning Officer, 2025)



Image 5: Powderbark Estate Bridle Trail (Senior Planning Officer, 2025)



Image 6: Powderbark Estate Bridle Trail (Senior Planning Officer, 2025)

Environmental Consideration

Environment consideration given: Yes

Shire officers did not witness any environmental issues occurring during the trial period, and do not expect this to change if the trails were made permanent.

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputational: Adverse impacts on adjoining landowners of the trails.	Likely	Minor	Moderate	Appropriate gates and signage to encourage appropriate usage of the bridle trails by users.
Opportunity: To increase active surveillance to minimise security risk for adjoining landowners.				

Officer Comment/Details

Reference Group

The bridle trail reference group met for the fourth time on Tuesday 18th November 2025. During the meeting, the key discussion points were in relation to the consultation period survey data, the concerns of objecting landowners, general concerns and issues with the trails, and a recommendation from the reference group for the bridle trails.

The reference group acknowledges the privacy and security concerns of the objecting landowners and as a result, the reference group demonstrated a willingness to explore further trail route possibilities which would remove these landowners from the Maryville Downs bridle trail to mitigate their concerns.

A recommendation was made by the reference group to support both bridle trails being opened on a permanent basis. The recommendation also included the preference for 'step-over' gates to be installed to allow the current gates to be closed so that horses can still access the trails whilst removing the ability for vehicles and motorbikes to gain easy access to the trails. The recommendation also included a willingness to look at moving the route of the Maryville Downs trail to include a portion of horse riding on the road so that the objecting landowners of the Maryville Downs trail are no longer impacted by the trails.

This recommendation can be viewed in Attachment 2 of this report, which contains the confirmed minutes of the final reference group meeting. It will also be put forward as a recommendation to Council to accept the minutes of the bridle trail reference group that was conducted on Tuesday 18th November 2025.

Legal Advice

As there are potential legal ramifications to opening the bridle trails on a permanent basis along a PAW which has historically been used as a strategic firebreak/emergency access way, Shire officers obtained advice from the Shire's insurance agency (LGIS), who then directed the Shire to obtain its own legal advice from the Shire's legal representation (McLeods).

A summary of the advice obtained from LGIS is that it is ultimately a commercial decision from the Shire if they wish to open the PAW on a permanent basis and allow the bridle trails to continue.

Whilst it is a Shire decision, there are also potential liability/property devaluing concerns which could impact upon the Shire's decision-making process. The legal advice obtained indicates that the Shire could potentially attract liability issues from the use of the land as a bridle trail. The Shire would likely attract liability if the land is not suitable for use of a bridle trail and horse riders or others in the area suffer loss or injury as a result of that use or if the use of the bridle trails clearly prevents the use of the land from being properly and effectively used for its primary intended purpose.

The Shire would need to ensure it takes all necessary measures to limit any risks by ensuring that the bridle trail is fit for purpose and is clearly and appropriately signed as to what the intended use of the land is for.

Any claims made against the Shire for safety and security concerns would need to clearly make a claim that the bridle trail activities are the direct result of any impact on land value or amenity. Any such claim would likely be difficult to sustain, however it is possible that a claim could be made if the appropriate mitigation measures (i.e. gates and signage) are not appropriately put in place.

Concerns from Residents

During the final consultation period, several objections were received from adjoining property owners to both trails. Three objections were received to the Powderbark Estate bridle trail and three objections were received to the Maryville Downs bridle trail.

The main concerns of the Powderbark Estate bridle trail were focused on unauthorised vehicles, such as motorbikes and cars accessing the trails instead of horse riding. One of the objecting landowners has resided at their respective property for 20+ years and has only witnessed a rise in unauthorised vehicles using the trails during this trial period. Previously, there was enough time for this landowner to potentially confront any illegal users of the land, however now that the gates are opened this is significantly harder to prevent.

Concerns were also expressed about the smell of faeces being left on the trail to degrade. Whilst Shire officers believe that the amount of faeces left on the trails has been minimal and will naturally degrade, this is still a legitimate concern for adjoining landowners as they are experiencing this issue during their day-to-day activities on their properties.

Shire officers reached out to all three objecting landowners to see if they wished to have an on-site meeting at their respective properties to further understand their concerns. One landowner did not wish to have a meeting and one did not wish for an on-site meeting and simply conveyed their above concerns over the phone. The third objector did wish to have an on-site meeting, however this landowner is not able to meet until after this Council report was prepared and finalised for Council.

The main concerns of the Maryville Downs bridle trail were focused on privacy and security concerns due to the close proximity of their respective buildings to the trail. One property has their dwelling 10m from the fence line of the bridle trail, and another has a clear view into the property's outbuildings of which the landowner conducts a business from. The distances of these structures to the bridle trail are legitimate concerns and have negatively impacted on the livelihoods of these landowners, with both property owners deciding to install their own security cameras as a result of this trial period.

Shire officers reached out to all three objecting landowners to see if they wished to have an on-site meeting at their respective properties to further understand their concerns. One landowner did not provide a response, however, the other two landowners requested a site visit. These two site visits were undertaken on the 11th and 12th of November 2025 by Shire officers. Both landowners further explained and demonstrated their legitimate concerns for the bridle trails of privacy invasion (and the perception of privacy invasion) and security concerns due to their buildings being located within a very close proximity to the trails (as mentioned in the above paragraph). Shire officers believe that these concerns from the two objecting neighbours are legitimate concerns and should be given a valid consideration by Council when making a decision on the future of the trails.

Shire officers view of benefits and concerns of the trails

The survey conducted during the consultation period has demonstrated that there is a level of support for the bridle trails to remain permanent. It is also acknowledged that there are legitimate concerns held by adjoining landowners, who have witnessed and experienced real issues during the trial period. It is also acknowledged that these landowners have purchased their properties with an expectation of the PAWs being primarily used for emergency purposes and not for use as a bridle trail. While the Shire has the legal ability to allow these PAWs to be used for bridle trails, it is also incumbent on the Shire to understand and consider impacts of such a change, on established residents.

It is the understood impacts of the bridle trails on multiple existing residents that has informed the Shire officer's recommendation for the permanency of these bridle trail not to proceed. However, as there is a strong level of support for bridle trails within the Lower Chittering district as demonstrated by the survey results and trial period, it is additionally recommended that alternate bridle trail locations and routes continue to be explored by the Shire, to address the community demand for such infrastructure. This may be a longer process given the limited Crown reserves currently available that have suitable purposes (such as PAW), and may include a further consultation with the Bridle Trail Reference Group. It is acknowledged that any amended trail routes are likely to use greater lengths of road reserves and may be less accommodating and user friendly to the horse riders.

Should Council consider that the trial period represented the best trail routes available to the Shire, and given the adjoining landowner objections, do not want to proceed with this project, it can resolve to close the trial period and not proceed with the permanency of the of bridle trails. Should Council wish to proceed with this resolution then it is recommended that the importance of a bridle trail be recognised in the Shire's future integrated planning framework, with future opportunities be explored when future rural residential subdivisions occur in the locality, or when suitable land becomes available for such use. An alternate resolution has been provided to this effect.

Notwithstanding the above, Council may wish to recognise the level of support for the current bridle trails and consider that there are overwhelming benefits to the strong equine community of Lower Chittering, for such a facility to be provided. In this instance, an alternate resolution has been provided to support the permanency of the bridle trails, which also makes provision for any continued and substantiated issues occurring from the use of the PAWs as bridle trails, for the bridle trails to be closed if those issues cannot be resolved. This option will provide Council the opportunity to implement appropriate signage and gates to assist in mitigating some of the issues experienced by adjoining landowners, and understand if these measures successfully address the concerns of adjoining landowners. This option will require budgetary expense to implement the infrastructure, and should the bridle trails be ultimately discontinued due to issues experienced, the infrastructure is unlikely to be able to be repurposed, and will simply be an unrecoverable expense.

The alternate resolutions described above have been provided below for Council's consideration:

Alternative Motion 1

That Council:

1. *Determine to close the trial period of the Lower Chittering Bridle Trail Network and not proceed with the permanency of the bridle trails as trialled, for the following reasons:
 - a. *Privacy and security concerns of adjoining landowners; and*
 - b. *Adverse impacts on the amenity of adjoining landowners.**
2. *Acknowledge the strong desire from the community to have access to a bridle trail(s) and to consider the strong appetite from the community for Bridle Trails in the formulation of the Shire's Strategic Community Plan which is currently undergoing a major review.*
3. *Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).*

Alternative Motion 2

That Council:

1. *Determine to permanently open the Lower Chittering Bridle Trail Network as trialled and instructs the Chief Executive Officer to commence implementation of relevant infrastructure including:
 - a. *Step-over gates;*
 - b. *Guideline Signage; and*
 - c. *Other infrastructure that is considered appropriate for the continued use of the bridle trails.**
2. *Acknowledge that any continued and substantiated issues occurring from the use of the Pedestrian Access Ways as bridle trails, may result in the bridle trails being closed, if those issues cannot be suitably resolved.*
3. *Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).*

Shire officers acknowledge the data from the survey, but at the same time also acknowledges the valid concerns of the adjoining landowners, and as such consider that there is not an obvious recommendation to be made to Council.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 021225

Moved Cr Foulkes-Taylor, seconded Cr Grayer

That Council:

1. Determine to close the trial period of the Lower Chittering Bridle Trail Network and not proceed with the permanency of the bridle trial routes in its current format.
2. Instruct the Chief Executive Officer to further explore suitable bridle trial routes to service the Lower Chittering community, which will not result in adjoining landowners being impacted. This will include further direct consultation with any adjoining landowner to any new bridle trail route proposed.
3. Instruct the Chief Executive Officer to report back to Council after further exploration of suitable bridle trail routes and successful community consultation has occurred to allow Council to make a determination on any new bridle trail routes.
4. Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).

CARRIED: 4 / 2

TIME: 7.46PM

FOR: Cr Campbell, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Cr Angus, Cr Curtis

FORESHADOWED MOTION

That Council:

1. Determine to permanently open the Lower Chittering Bridle Trail Network as trialed and instructs the Chief Executive Officer to commence implementation of relevant infrastructure including:
 - a. Step-over gates;
 - b. Guideline Signage; and
 - c. Other infrastructure that is considered appropriate for the continued use of the bridle trails.
2. Acknowledge that any continued and substantiated issues occurring from the use of the Pedestrian Access Ways as bridle trails, may result in the bridle trails being closed, if those issues cannot be suitably resolved.
3. Receive the minutes of the Lower Chittering Bridle Trail Network Reference Group meeting held on 18 November 2025 (attachment 2).

Councillor Campbell returned to the Chambers at 7.46pm

TECHNICAL SERVICES

Nil

CORPORATE SERVICES**CS01 – 12/25****List of Accounts Paid for the Period Ending 30 November 2025**

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 for the Period Ending 30 November 2025, inclusive of payments made using credit, debit, or other purchasing cards

	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 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 <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input checked="" type="checkbox"/>	Information	Includes items for information purposes only and do not require a decision of Council (to 'note' only).

Executive Summary

To present the list of accounts paid by the Chief Executive Officer under delegated authority for the period ending 30 November 2025.

To present the List of Payments made by authorised employees using credit, debit and other purchasing cards for the period ending 30 November 2025.

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 ImplicationsState

Nil

Local

Nil

Financial Implications

All expenditure has been approved via adoption of the 2025-2026 Annual Budget, or resulting from a Council resolution for a budget amendment.

Strategic ImplicationsState

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 30 November 2025" is presented to Council, inclusive of payments made using credit, debit or other purchasing cards.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 031225

Moved Cr Curtis, seconded Cr Angus

That Council receive the List of Accounts Paid as per Attachment 1 totalling \$1,171,549.21, inclusive of payments made using credit, debit or other purchasing cards for the period ending 30 November 2025:

1. PR6973, PR6991;
2. EFT29377 – EFT29457; and
3. Direct Debits, Cheques as listed.
4. Purchasing Card as listed.

CARRIED: 7 / 0

TIME: 7.48PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CS02 – 12/25**Monthly Financial Report for the Period Ending 30 November 2025**

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. Monthly Financial Report for the Period Ending 30 November 2025

	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 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 <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input checked="" 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 consider the financial statement for the period ending 30 November 2025.

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. From the 2021/22 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 2024/25 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 ImplicationsLocal

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 2025/26 financial year on 18 June 2025 (Resolution 070625). The figures in this report are compared to the Adopted Budget.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 041225**Moved Cr Angus, seconded Cr Dewar****That Council receives the Monthly Financial Report for period ending 30 November 2025, as per Attachment 1.****CARRIED: 7 / 0**

TIME: 7.49PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CS03 – 12/25**Community Donation Request – Chittering Home Care Services**

Applicant	Shire of Chittering/
File ref	SOCR-1845402348-101382
Author	Community Development and Grants 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	1. CRRA Community Assistance Grants and Sponsorship Program 2025/2026 2 nd Round Application

Councillor Curtis declared an impartiality interest in this item. Due to the type of interest, he was not required to leave the Chambers and was able to resume discussion and decision-making as normal.

Nature of Interest: Cr Curtis is a member of the Chittering Residents and Ratepayers Association and support worker for the Chittering Home Care.

	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 <i>Health Act</i> , <i>Dog Act</i> 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 allocation of an additional \$5,000 in the 2025/2026 annual budget, to be donated to the Chittering Residents and Ratepayers Association (CRRA) to assist with the establishment of an office space to facilitate the community assistance provided by Chittering Home Care Services.

Background

The CRRA is a local community run organisation who manage Chittering Home Care which provides a link between locals and a wide variety of home care supports and services so that older people can continue to enjoy living in their own home, within their community. This service is available to anyone who is receiving funding through the NDIS, and private clients requiring support.

The program has been running since 2024, and now requires a dedicated office space. Council has previously discussed a lease of a portion of the Ferguson House facility with the CRRA, however the available space did not meet the Chittering Home Care needs. Since then, an alternative space at the ADRA building in Bindoon has been sourced by the CRRA. A formal lease agreement between the two organisations has been negotiated.

In order to best meet the needs of their clients at the new Chittering Home Care office, the CRRA has requested assistance with the fit out of the new space, including IT equipment, office supplies, furniture, signage, paint

and flooring. The application was submitted through the Shire's Community Assistance Grants and Sponsorship (CAGS) program.

As Chittering Home Care is the recipient of the equipment and operates as a business, the application does not meet the eligibility criteria for CAGS funding. However, the services provided by Chittering Home Care are vital to the wellbeing of our older residents, and important to local support workers, delivering significant social and economic benefits to the community. Therefore, a request has been submitted to Council seeking approval for a donation to the CRRA to support this project.

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

- 6.4 Community Assistance Grant Scheme
- 2.3 Requests for Assistance and or Donation.

Financial Implications

GL: 2080653.2101 (AGED OTHER – Events) – additional budget allocation required

2025/2026 Budget Allocation:	\$ 5,500
Current Expenditure:	\$ 3,433.40
Future Identified Expenditure:	\$ 2,066.60
Remaining Budget Allocation:	\$ 0
Pending CRRA Donation:	\$ 5,000
Additional budget required:	\$ 5,000

Council allocates a portion of its budget each year to support older residents through events, programs and assistance with venue hire. This year the allocated amount was \$5,500 which as of December 2025 has been expended on the Chittering Seniors Week event and planned intergenerational events in 2026.

In order to assist the CRRA an additional \$5,000 for GL: 2080653.2101 (AGED OTHER – Events) will be required in the 2025/2026 financial year budget.

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024-2034
Community Aspiration: Community Aspiration 1
Strategy: Strategy 1.3 Social Services and Support Systems

Strengthen support networks and services that provide assistance and resources to community members in need. This includes access to healthcare, social services, and other support systems that promote overall well-being and resilience.

- Strategic Community Plan 2024-2034

Community Aspiration: Community Aspiration 4

Strategy: Strategy 4.1 Support Local Businesses

Implementing programs and initiatives to support local businesses, including grants, mentorship programs, and networking opportunities. By providing resources and assistance, we can help businesses thrive, create job opportunities, and contribute to the local economy.

- Community Development Plan 2014-2024

Supporting outcomes related to community wellbeing, participation, and inclusion of all residents.

- Economic Development Strategy 2021-2031

Contributing to local employment, service delivery capacity, and sustainable business growth within the Shire.

- Community Engagement Framework 2020

Ensuring that our initiative remains community-led, transparent, and responsive to local needs.

- Disability Access and Inclusion Plan 2023-2026

Providing accessible facilities and services that meet the needs of all residents, including those with mobility or cognitive challenges.

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation: Council does not approve additional budget, and funding is not allocated to Chittering Residents and Ratepayers, causing localised impact on community trust.	1 (Rare)	2 (Minor)	2 (Low)	Council has been provided with a thorough outline of the project from the CRRRA which identifies multiple areas of benefit from this allocation of funding.
Opportunity: Council can show support for local organisations providing important discretionary services which are not possible internally due to limited resources and staffing.				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Financial Impact: Council requests existing budget is used for the donation, which impacts on other services provided by the	1 (Rare)	1 (Insignificant)	1 (Low)	Council is made aware of the importance of all areas of Community Development expenditure.

Community Development Team				
Opportunity: Council shows support of all discretionary services provided via the CD Team.				

Officer Comment/Details

Chittering Home Care currently provides essential support to 35 clients, and employs 25 local support workers, growing from an idea to a thriving community initiative over the last 18 months. They also have another 40 or more residents who they are providing assistance to, at various stages of their Home Care journey.

By providing a safe, welcoming, and functional space for service delivery, training, and community engagement, Chittering Home Care can contribute substantially to community connection and social inclusion, economic benefit to local workers and businesses, and improved essential care and wellbeing for residents wishing to live independently in their community.

In addition to this, Chittering Home Care have become a valuable asset to the Community Development Team in identifying people who may be vulnerable, so that they can be supported during emergencies, a project that the team is hoping to build on in the future, and one that was anecdotally identified as important to our community during the recent Council Plan Review.

The Community Development Team has a number of areas of funding in the 2025/2026 annual budget which benefit older residents, including the Community Grants Scheme (GL: 21107180.2700), however all funds have been identified for specific projects, programs and events over the next six months, and therefore no adjustment to allocations are possible at budget review without directly impacting other areas of service provision for the community.

OFFICER RECOMMENDATION

Moved Cr Curtis, seconded Cr Angus

That Council by an ABSOLUTE MAJORITY authorise a budget amendment of \$5,000, for a contribution to the Chittering Residents and Ratepayers Association (CRRA), for the fit out of office space for Chittering Home Care Service with the following conditions:

1. The contribution is only to be used for the costs associated with the fit out of the office.
2. Submission of acquittal documentation by the CRRA, including copies of receipts for all expenditure and acknowledgement of Council's contribution as per the Community Assistance Grants and Sponsorship "Contributions and Donations Acknowledgment Schedule".
3. Council representative to be invited to any official opening of the new office space.

AMENDMENT

Moved Cr Curtis, seconded Cr Angus

That the Officer Recommendation be amended from \$5,000 to \$10,000.

CARRIED: 4 / 3

TIME: 7.57PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Grayer
AGAINST: Cr Dewar, Cr Foulkes-Taylor, Cr Hughes

SUBSTANTIVE MOTION / COUNCIL RESOLUTION 051225

Moved Cr Curtis, seconded Cr Angus

That Council by an **ABSOLUTE MAJORITY** authorise a budget amendment of \$10,000, for a contribution to the Chittering Residents and Ratepayers Association (CRRA), for the fit out of office space for Chittering Home Care Service with the following conditions:

1. The contribution is only to be used for the costs associated with the fit out of the office.
2. Submission of acquittal documentation by the CRRA, including copies of receipts for all expenditure and acknowledgement of Council's contribution as per the Community Assistance Grants and Sponsorship "Contributions and Donations Acknowledgment Schedule".
3. Council representative to be invited to any official opening of the new office space.

CARRIED: 7 / 0

TIME: 8.01PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CHIEF EXECUTIVE OFFICER

CEO01 - 12/25

Work Health and Safety Statistics Report – November 2025

Applicant	Shire of Chittering
File ref	SOCR-1845402348-258
Author	Human Resources 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. WHS Statistics Monthly Report – November 2025

	<i>Authority / Discretion</i>	<i>Definition</i>
<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 month ending November 2025.

Background

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

MOTION / COUNCIL RESOLUTION 231121

Moved Cr King, seconded Cr Angus

That:

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".*
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:*
 - a. *Number of safety observations;*
 - b. *Number of safety audits and inspections;*
 - c. *Number of working hours (total, workforce and contractors)*
 - d. *Number of training hours;*
 - e. *Number of toolbox talks;*
 - f. *Number of equipment breakdowns;*
 - g. *Average overtime per person by department.*
3. *Council requires the Chief Executive Officer to provide a monthly report to be tabled at each Ordinary*

Council Meeting, the following key safety performance indicators (KPI's) for the Shire workforce and contractors; including but not limited to:

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

CARRIED UNANIMOUSLY 7 / 0

TIME: 9.53pm

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

- Work Health and Safety Act 2020

Local

Nil

Policy Implications

State

Nil

Local

- Work Health and Safety (WHS) Policy

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024-2034

Community Aspiration: Community Aspiration 5

Strategy: Strategy 5.1 – Enhancing Accountability and Transparency

Implementing measures to enhance accountability and transparency in Council operations, including regular reporting of financial expenditures, open meetings, and public disclosure of decision-making processes. This includes ensuring that Council meetings, agendas, and financial reports are easily accessible to residents and stakeholders.

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: Sufficient WHS practices	Possible	Moderate	Moderate	Rare chance of there being an insignificant impact
Opportunity: Nil				

Officer Comment/Details

Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 061225

Moved Cr Angus, seconded Cr Campbell

That Council receive the Shire of Chittering Work, Health and Safety Statistics report for November 2025 which includes:

1. Statistics
2. Near miss, incident and damage report
3. WHS Training
4. Site Inspections
5. Safety Observations

CARRIED: 7 / 0

TIME: 8.02PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CEO02 - 12/25**Chittering Tourism Advisory Committee**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-25059
Author	Economic Development and Tourism 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
Voting requirements	Simple Majority
Attachments	<ol style="list-style-type: none"> 1. Agenda Item CEO06-09/20 Tourism Advisory Group Establishment 2. Agenda Item CEO04 – 04/25 Chittering Tourism Advisory Committee Dissolution 3. Draft Chittering Tourism Advisory Group Terms of Reference

	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 dissolve the Chittering Tourism Advisory Committee and deliver tourism activities in accordance with the Shire of Chittering Economic Development Strategy 2021-2031.

Background

In September 2020, Council established the Chittering Tourism Advisory Committee (CTAG) to provide strategic recommendations on tourism activities delivered in the Shire. See Attachment 1.

At this time, the operations of the Visitor Centre were relinquished by the Chittering Tourism Association (CTA) and Council agreed to appoint an officer to deliver tourism and marketing services.

The CTAG consisted of 7 members including a Councillor and proxy, member of CTA and 5 members from local tourism businesses.

Due to the passage of time, several factors have impacted the potential value of advisory services provided by the CTAG including:

- Amalgamation of the CTA and Chittering Chamber of Commerce and Industry and subsequent duplication of members across the CTBA and CTAG
- Change of internal Shire staffing including the appointment of an Economic Development and Tourism Coordinator
- Council endorsement of the Shire of Chittering Economic Development Strategy 2021-2031
- Commencement of regular meetings with the CTBA Chair and Shire Economic Development and Tourism Coordinator, and Shire representation at the CTBA Committee meetings on an ad hoc basis.

In April 2025, an item was brought to Council that the CTAG be dissolved, see Attachment 2. The item was not endorsed, and Officers were requested to review and update the Terms of Reference.

Consultation SummaryLocal

In April 2025, members of the Chittering Tourism Advisory Group (CTAG) were requested to indicate their willingness to continue participating in the group. Two members advised that they did not wish to continue, while the remaining members confirmed their ongoing commitment.

Prior to presenting this report to Council, the Shire issued a courtesy email to all CTAG members advising them of the intention to bring the matter to Council. Members were invited to provide feedback or raise any concerns regarding the proposal. No objections were received at the time of preparing this report.

State

Nil

Legislative ImplicationsState

Nil

Local

Nil

Policy ImplicationsState

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Nil

Site Inspection

Not Applicable

Environmental Consideration

Not Applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Tourism activities stagnate resulting in a decline in the number of tourists visiting the Shire of Chittering	Possible	Moderate	Low	Frequent meetings between the Shire Economic Development and Tourism Coordinator, tourism business, industry representative bodies and tourism agencies including Destination Perth, Tourism WA.
Opportunity:				

Officer Comment/Details

The current Terms of Reference (TOR) for the Chittering Tourism Advisory Group (CTAG) require revision to reflect the Shire's tourism priorities, which place greater emphasis on strategic, industry-led initiatives and regional partnership development. A draft revised TOR has been prepared for Council's consideration (Attachment 2).

Officers note that the operation of CTAG places a substantial administrative and resource burden on the Shire, including staff time associated with the preparation of agendas, coordination of meetings, recording of minutes, and completion of follow-up actions. In addition, the structure and membership of CTAG provide the tourism sector with a level of formal advisory representation not afforded to other industries, creating an imbalance in how sectors are engaged and supported across the Shire.

Officer observations further indicate limited agenda input from CTAG members and a tendency for meeting outcomes to generate expectations that the Shire will lead or implement the majority of recommended actions. This is inconsistent with the original intent of enabling industry-driven initiatives and sector-led collaboration. In light of these considerations, Officers recommend that Council consider dissolving CTAG and instead supporting tourism development through the mechanisms outlined in the Economic Development and Tourism Strategy 2021–2031. This approach aligns more appropriately with current strategic priorities and available resourcing.

Should the group be dissolved, Officers will continue to meet all legislated reporting requirements, including providing quarterly reports to Council on tourism, economic development, and related activity.

Officers also remain committed to maintaining strong relationships with tourism stakeholders through existing industry groups, business support activities, workshops, and ongoing communications.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 071225**Moved Cr Curtis, seconded Cr Hughes****That Council:**

- 1. Receive the draft Terms of Reference for the Chittering Tourism Advisory Group; and**
- 2. Resolve to dissolve the Chittering Tourism Advisory Group effective immediately.**

CARRIED: 7 / 0

TIME: 8.04

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CEO03 - 12/25 Extension and Variation of Lease – 21 Binda Place, Bindoon

Applicant	Shire of Chittering
File ref	SOCR-1845402348-100370
Author	Governance 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. Deed of Extension and Variation of Lease – 21 Binda Place, Bindoon 2. Deed of Lease (2017)

	<i>Authority / Discretion</i>	<i>Definition</i>
<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 Deed of Extension and Variation of Lease for 21 Binda Place, Bindoon, and authorise the Shire President and Chief Executive Officer to execute and affix the Common Seal.

Background

21 Binda Place is a Shire-owned commercial/office premises located within the Bindoon townsite. In 2026, the Shire sought Expressions of Interest for future tenancy of the premises following previous community uses. Two submissions were received and considered by Council at its Ordinary Meeting on 16 March 2016.

Following this process, the Shire negotiated with the State Government (Minister for Works) for the continued provision of government services from the location. At the Ordinary Council Meeting on 15 November 2017, Council resolved to enter a Deed of Lease with the Minister for Works (Attachment 2) for the occupation of 21 Binda Place. The 2017 Lease commenced on 25 October 2017 and has been in effect since that time.

The lease provides an option to extend, subject to execution of a Deed of Extension and Variation. In 2025, the Minister for Works formally sought to exercise its option under the existing Lease.

The Deed of Extension and Variation of Lease (Attachment 1) extends the Lease for an additional term, updates statutory and administrative clauses, and preserves all existing obligations unless expressly varied.

Execution of the Deed requires a Council resolution and use of the Common seal.

Consultation SummaryLocal

Chief Executive Officer

Deputy Chief Executive Officer

State

State Solicitor's Office

Legislative ImplicationsState

- Local Government Act 1995
 - s3.58 – Disposing of Property: A lease of land constitutes a “disposition” of property. The extension of a lease to an existing tenant is permitted where the original disposition was compliant, and where terms remain substantially consistent with the approved arrangement. Council previously approved the lease in 2017.
 - s9.49A – Execution of Documents: Documents requiring sealing must be executed by the Shire President and CEO in accordance with this section.

Local

Nil

Policy ImplicationsState

Nil

Local

- Execution of Documents and Use of the Common Seal
 - A Deed of Extension and Variation of Lease is classified as a Category 1(A) document, as it is a deed relating to a land transaction that requires a specific Council resolution to authorise execution and affixing of the Common Seal.

Financial Implications

The Deed confirms the ongoing Rent and Rent Review mechanisms applicable for the extended term, consistent with the original Lease. Rent is payable in accordance with the schedule set out in the Deed, and CPI or market review provisions (as provided in the 2017 Lease and subsequently varied). No new or unforeseen financial costs arise from the execution of this Deed.

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024-2034
 - Community Aspiration: Community Aspiration 5
 - Strategy: Strategy 5.2 – Responsible Financial Management

Adopting responsible financial management practices, including budgeting, expenditure tracking, and fiscal oversight. This involves developing long-term financial plans, maintaining

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
Lease not extended; government services disrupted	Unlikely	Major	Medium	Approving the Deed ensures service continuity
Reputational risk if Council delays execution	Possible	Moderate	Medium	Proceeding with the Deed provides certainty for stakeholders
Financial Risk – loss of rental income if lease lapses	Possible	Moderate	Medium	Approving the Deed secures continued rental revenue
Opportunity: Nil				

Officer Comment/Details

The attached Deed of Extension and Variation of Lease formalise the exercise of the option under the existing 2017 Lease.

The variation is administrative in nature and ensures the Lease remains current with statutory requirements. All substantial terms, including permitted use, maintenance responsibilities, and obligations of both parties, remain consistent with the previously executed Lease unless expressly updated in the Deed.

Extending the Lease ensures uninterrupted provision of government services from the Bindoon premises and provides stability for both parties.

Execution of the Deed requires the Common Seal, and therefore a Council resolution is necessary.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 081225

Moved Cr Angus, seconded Cr Foulkes-Taylor

That Council:

- 1. Endorse the Deed of Variation of Lease for 21 Binda Place, Bindoon between the Shire of Chittering (Landlord) and the Minister for Works (Tenant), as provided in Attachment 1.**
- 2. Authorise the Shire President and Chief Executive Officer, in accordance with s9.49A of the Local Government Act 1995 and the Shire's Execution of Documents and Use of Common Seal Policy, to execute the Deed and affix the Common Seal.**

CARRIED: 7 / 0

TIME: 8.07PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CEO04 - 12/25**Chittering Health Centre: Lease of Common Area**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-94701
Author	Governance 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. DRAFT Jupiter Health and WACHS Lease (2025) 2. Jupiter Health and WACHS Common Area Lease (2015)

Councillor Campbell declared an indirect financial interest in this item and left the Chambers at 8.08pm.

Nature of Interest: Cr Campbell's mother-in-law lives with him and contributes to utilities, should she lose her employment she may not be able to contribute to living expenses.

Cr Dewar sat in as Presiding Member.

	<i>Authority / Discretion</i>	<i>Definition</i>
<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 new Lease Agreement between the Shire of Chittering and Jupiter Health and Medical Services (Jupiter Health) and Western Australian Country Health Services (WACHS) for the common area portion of the Chittering Multi-Purpose Health Centre, and to authorise the Shire President and Chief Executive Officer to sign the lease and affix the Common Seal.

Background

Jupiter Health and WACHS has been a long-standing tenant within the Chittering Multi-Purpose Health Centre, occupying the common area as outlined in the existing lease document.

The lease has reached expiry and requires renewal to maintain continuity of health services within the district. A revised draft lease (Attachment 1) has been prepared reflecting:

- Continuation of the same tenancy area
- Consistent terms and obligations to the previous lease
- Updated commencement and expiry dates
- Updated rent and associated charges
- No substantial alterations to the structure or obligations of the agreement

The lease continues to outline permitted use, insurance obligations, maintenance responsibilities, indemnities,

statutory requirements, and rent review mechanisms.

Consultation Summary

Local

Nil

State

Jupiter Health and Medical Services Pty Ltd

Western Australia Country Health Services

Legislative Implications

State

- Local Government Act 1995
 - s3.58 – Disposing of Property
 - s9.49A – Execution of Documents
- Local Government (Functions and General) Regulations 1996
 - s30(2)(c)(ii) – Exemption of s3.58 of the *Local Government Act 1995* on the grounds that disposal of property is to an agency of the State
 - s30(2)(f) – Exemption of s3.58 of the *Local Government Act 1995* on the grounds that disposal of property is to a person registered under the *Health Practitioner Regulation National Law (WA)* in the medical profession to be used to carry out the person's medical practice.
- Interpretation Act 1984
 - Part II s5 – *Person* or any word or expression descriptive of a person includes a public body, company, or association or body of persons, corporate or unincorporate
- Commercial Tenancy (Retail Shops) Agreements Act 1985 – Applies to medical centres. The lease has been prepared to comply with disclosure requirements and statutory obligations

Local

Nil

Policy Implications

State

Nil

Local

- Shire of Chittering – Execution of Documents and Use of the Common Seal Policy
Leases of Shire property fall within Category 1A documents, requiring:
 - A specific resolution of Council
 - Affixing of the Common Seal attested by the Shire President and Chief Executive Officer (or authorised senior employee)

Financial Implications

- Rent income for the Shire (updated as per the new Schedule)
- Recovery of WACHS's proportion of operating expenses (51.3%)
- No significant costs to the Shire beyond standard facility maintenance, already budgeted.
- There is no negative financial impact to the Shire.

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024-2034
Community Aspiration: Community Aspiration 5
Strategy: Strategy 5.2 Responsible Financial Management

Adopting responsible financial management practices, including budgeting, expenditure tracking, and fiscal oversight. This involves developing long-term financial plans, maintaining balanced budgets, and

implementing internal controls to safeguard public funds.

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
Compliance: Lease not approved, resulting in WACHS operating without a valid legal agreement	Rare	Moderate	Low	Renew lease through Council resolution
Reputation: Delay in approval affecting community health services	Unlikely	Moderate	Moderate	Timely renewal and communication with WACHS and Jupiter Health
Financial: Loss of rental income if lease not executed	Rare	Minor	Low	Execute lease promptly
Service Delivery: Interruption to health services	Rare	Major	Moderate	Secure lease to maintain continuity

Officer Comment/Details

The proposed lease continues the longstanding partnership between the Shire, Jupiter Health and WACHS, enabling the delivery of health and community services to the local community.

As Jupiter Health are registered under the *Health Practitioner Regulation National Law (WA)* and are leasing the property to carry out medical practice, s3.58 of the *Local Government Act 1995* does not need to be complied with in relation to the proposed lease.

As WACHS is an agency of the State Government of Western Australia, therefore s3.58 of the *Local Government Act 1995* does not need to be complied with in relation to the proposed lease as per s30(2)(c)(ii) of the *Local Government (Functions and General) Regulations 1996*.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 091225

Moved Cr Angus, seconded Cr Curtis

That Council:

1. Approve the new Lease Agreement between the Shire of Chittering and Jupiter Health and Medical Services Pty Ltd and Western Australia Country Health Services for the common area portion of the Chittering Multi-Purpose Health Centre, as provided in Attachment 1; and
2. Authorise the Shire President and Chief Executive Officer to sign the Lease Agreement and to affix the Shire of Chittering Common Seal.

CARRIED: 6 / 0

TIME: 8.11PM

FOR: Cr Angus, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CEO05 - 12/25**Chittering Health Centre: Lease to Jupiter Health & Medical Services**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-94701
Author	Governance 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. DRAFT Jupiter Health & Medical Services Lease (2025) 2. Jupiter Health & Medical Services Lease (2015)

Councillor Campbell declared an indirect financial interest in this item.

Nature of Interest: Cr Campbell's mother-in-law lives with him and contributes to utilities, should she lose her employment she may not be able to contribute to living expenses.

	<i>Authority / Discretion</i>	<i>Definition</i>
<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 new Lease Agreement between the Shire of Chittering and Jupiter Health and Medical Services for the portion of the Chittering Multi-Purpose Health Centre currently occupied by Jupiter Health and Medical Services, and to authorise the Shire President and Chief Executive Officer to sign the lease and affix the Common Seal.

Background

Jupiter Health and Medical Services has been a long-standing tenant within the Chittering Multi-Purpose Health Centre, occupying the northern wing as outlined in the existing lease document.

The lease has reached expiry and requires renewal to maintain continuity of health services within the district. A revised draft lease (Attachment 1) has been prepared reflecting:

- Continuation of the same tenancy area
- Consistent terms and obligations to the previous lease
- Updated commencement and expiry dates
- Updated rent and associated charges
- No substantial alterations to the structure or obligations of the agreement

The lease continues to outline permitted use, insurance obligations, maintenance responsibilities, indemnities, statutory requirements, and rent review mechanisms.

Consultation SummaryLocal

Nil

State

Jupiter Health and Medical Services Pty Ltd

Legislative ImplicationsState

- Local Government Act 1995
 - s3.58 – Disposing of Property
 - s9.49A – Execution of Documents
- Local Government (Functions and General) Regulations 1996
 - s30(2)(f) - Exemption of s3.58 of the *Local Government Act 1995* on the grounds that disposal of Property is to a person registered under the *Health Practitioner Regulation National Law (WA)* in the medical profession to be used to carry out the person's medical practice.
- Interpretation Act 1984
 - Part II s5 – *Person* or any word or expression descriptive of a person includes a public body, company, or association or body of persons, corporate or unincorporate
- Commercial Tenancy (Retail Shops) Agreements Act 1985 – Applies to medical centres. The lease has been prepared to comply with disclosure requirements and statutory obligations

Local

Nil

Policy ImplicationsState

Nil

Local

- Shire of Chittering – Execution of Documents and Use of the Common Seal Policy
Leases of Shire property fall within Category 1A documents, requiring:
 - A specific resolution of Council
 - Affixing of the Common Seal attested by the Shire President and Chief Executive Officer (or authorised senior employee)

Financial Implications

- Rent income for the Shire (updated as per the new Schedule)
- Recovery of WACHS's proportion of operating expenses (51.3%)
- No significant costs to the Shire beyond standard facility maintenance, already budgeted.
- There is no negative financial impact to the Shire.

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024-2034
Community Aspiration: Community Aspiration 5
Strategy: Strategy 5.2 Responsible Financial Management

Adopting responsible financial management practices, including budgeting, expenditure tracking, and fiscal oversight. This involves developing long-term financial plans, maintaining balanced budgets, and implementing internal controls to safeguard public funds.

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
Compliance: Lease not approved, resulting in WACHS operating without a valid legal agreement	Rare	Moderate	Low	Renew lease through Council resolution
Reputation: Delay in approval affecting community health services	Unlikely	Moderate	Moderate	Timely renewal and communication with Jupiter Health
Financial: Loss of rental income if lease not executed	Rare	Minor	Low	Execute lease promptly
Service Delivery: Interruption to health services	Rare	Major	Moderate	Secure lease to maintain continuity

Officer Comment/Details

The proposed lease continues the longstanding partnership between the Shire and Jupiter Health, enabling the delivery of health and community services to the local community.

The new lease is substantively identical to the previous lease executed with Jupiter. All terms, conditions, obligations, indemnities, and operational requirements remain unchanged. The only variation is the update to the monetary figures in Item 5 of the Schedule, which reflect the previous rent adjusted by the applicable CPI index (2.1% for the June 2025 quarter, as published by the Australian Bureau of Statistics), effective from 1 September 2025. No other amendments have been made.

As Jupiter Health are registered under the *Health Practitioner Regulation National Law (WA)* and are leasing the property to carry out medical practice, s3.58 of the *Local Government Act 1995* does not need to be complied with in relation to the proposed lease.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 101225

Moved Cr Foulkes-Taylor, seconded Cr Angus

That Council:

1. Approve the new Lease Agreement between the Shire of Chittering and Jupiter Health and Medical Services Pty Ltd for the portion of the Chittering Multi-Purpose Health Centre, as provided in Attachment 1; and
2. Authorise the Shire President and Chief Executive Officer to sign the Lease Agreement and to affix the Shire of Chittering Common Seal.

CARRIED: 6 / 0

TIME: 8.14PM

FOR: Cr Angus, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

Councillor Campbell returned to the Chambers at 8.14pm and resumed as the Presiding Member.

CEO06 - 12/25 Chittering Health Centre: Lease to WA Country Health Services (WACHS)

Applicant	Shire of Chittering
File ref	SOCR-1845402348-94701
Author	Governance 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. DRAFT WACHS Lease (2025) 2. WACHS Lease (2015)

	<i>Authority / Discretion</i>	<i>Definition</i>
<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 new Lease Agreement between the Shire of Chittering and WA Country Health Services (WACHS) for the portion of the Chittering Multi-Purpose Health Centre currently occupied by WACHS, and to authorise the Shire President and Chief Executive Officer to sign the lease and affix the Common Seal.

Background

WA Country Health Services (WACHS) has been a long-standing tenant within the Chittering Multi-Purpose Health Centre, occupying the southern clinical suite as outlined in the existing lease document.

The lease has reached expiry and requires renewal to maintain continuity of health services within the district. A revised draft lease (Attachment 1) has been prepared reflecting:

- Continuation of the same tenancy area
- Consistent terms and obligations to the previous lease
- Updated commencement and expiry dates
- Updated rent and associated charges
- No substantial alterations to the structure or obligations of the agreement

The lease continues to outline permitted use, insurance obligations, maintenance responsibilities, indemnities, statutory requirements, and rent review mechanisms.

Consultation Summary

Local

Nil

State

WA Country Health Services Representatives

Legislative ImplicationsState

- Local Government Act 1995
 - s3.58 – Disposing of Property
 - s9.49A – Execution of Documents
- Local Government (Functions and General) Regulations 1996
 - s30(2)(c)(ii) - Exemption of s3.58 of the *Local Government Act 1995* on the grounds that disposal of Property is to an agency of the State

Local

Nil

Policy ImplicationsState

Nil

Local

- Shire of Chittering – Execution of Documents and Use of the Common Seal Policy
Leases of Shire property fall within Category 1A documents, requiring:
 - A specific resolution of Council
 - Affixing of the Common Seal attested by the Shire President and Chief Executive Officer (or authorised senior employee)

Financial Implications

- Rent income for the Shire (updated as per the new Schedule)
- Recovery of WACHS's proportion of operating expenses (51.3%)
- No significant costs to the Shire beyond standard facility maintenance, already budgeted.
- There is no negative financial impact to the Shire.

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024-2034
Community Aspiration: Community Aspiration 5
Strategy: Strategy 5.2 Responsible Financial Management

Adopting responsible financial management practices, including budgeting, expenditure tracking, and fiscal oversight. This involves developing long-term financial plans, maintaining balanced budgets, and implementing internal controls to safeguard public funds.

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
Compliance: Lease not approved, resulting in WACHS operating without a valid legal agreement	Rare	Moderate	Low	Renew lease through Council resolution

Reputation: Delay in approval affecting community health services	Unlikely	Moderate	Moderate	Timely renewal and communication with WACHS
Financial: Loss of rental income if lease not executed	Rare	Minor	Low	Execute lease promptly
Service Delivery: Interruption to health services	Rare	Major	Moderate	Secure lease to maintain continuity

Officer Comment/Details

The proposed lease continues the longstanding partnership between the Shire and WACHS, enabling the delivery of health and community services to the local community.

The new lease is substantively identical to the previous lease executed with WACHS. All terms, conditions, obligations, indemnities, and operational requirements remain unchanged. The only variation is the update to the monetary figures in Item 5 of the Schedule, which reflect the previous rent adjusted by the applicable CPI index (2.1% for the June 2025 quarter, as published by the Australian Bureau of Statistics), effective from 1 October 2025. No other amendments have been made.

As WACHS is an agency of the State Government of Western Australia, therefore s3.58 of the *Local Government Act 1995* does not need to be complied with in relation to the proposed lease as per s30(2)(c)(ii) of the *Local Government (Functions and General) Regulations 1996*.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 111225

Moved Cr Angus, seconded Cr Grayer

That Council:

1. Approve the new Lease Agreement between the Shire of Chittering and WA Country Health Services (WACHS) for the portion of the Chittering Multi-Purpose Health Centre, as provided in Attachment 1; and
2. Authorise the Shire President and Chief Executive Officer to sign the Lease Agreement and to affix the Shire of Chittering Common Seal.

CARRIED: 7 / 0

TIME: 8.16PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CEO07 - 12/24 Major Review – Council Plan 2026–2036: Engagement Outcomes Summary

Applicant	Shire of Chittering
File reference	SOCR-1845402348-41338
Author	Manager Governance & Corporate Performance
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting Requirements	Simple Majority
Attachments	1. Summary Report 2. Detailed Results Report

	<i>Authority / Discretion</i>	<i>Definition</i>
<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

To present Council with a summary of the community, business and stakeholder engagement undertaken as part of the major review of the Shire's Council Plan (SCP) 2026–2036, and to provide an overview of the key strategic outcomes emerging from the consultation.

Background

The Shire commenced a major review of the Council Plan (formerly the Strategic Community Plan) commenced in August 2025, in line with the *Local Government (Administration) Regulations 1996*.

To ensure an inclusive process with independent oversight, the Shire engaged Aha! Consulting, a specialist community engagement consultancy, to design and facilitate the engagement program, analyse feedback, and prepare the detailed Engagement Report (Attachment 2). Their involvement provided structure, neutrality, and professional methodology across all engagement activities.

Engagement ran from August to late September 2025 and was designed to capture a broad cross-section of the community, including residents, businesses, youth, staff, industry partners and community groups.

Engagement activities were delivered through:

- Online and hard-copy community survey
- Youth-specific survey
- Four pop-up engagement sessions, including at A Taste of Chittering
- A staff workshop
- A business breakfast workshop
- Four community workshops across Muchea, Bindoon, Wannamal and Lower Chittering

A full Engagement Report has been prepared by Aha! Consulting (**Attachment 2**), with a summary provided in (**Attachment 1**).

Consultation Summary

Local

The Shire achieved one of its strongest engagement responses in recent years.

Total participation across all activities: 630 participants, providing a statistically robust sample with 99% confidence for a population of approximately 6,000.

Breakdown:

- **267** community survey responses (244 online; 23 hard copy)
- **65** youth survey responses
- **144** people across four pop-ups
- **154** participants across six workshops, including:
 - 52 business representatives
 - 41 staff
 - 61 community members across the localities

This represents exceptional community involvement, with significant turnout from both residents and the business sector.

State

Nil

Legislative Implications

Local

Nil

State

The major review of the Council Plan (Strategic Community Plan) is required under the *Local Government (Administration) Regulations 1996*, which set out how long-term strategic planning is to be conducted and reviewed.

Relevant legislative requirements:

- **Regulation 19C – Strategic Community Plan (SCP)**
Requires every local government to prepare a Strategic Community Plan covering at least 10 years, addressing community vision, aspirations, and priorities.
- **Regulation 19DA – Corporate Business Plan (CBP)**
Requires a four-year plan aligned to the SCP including timeframes, resource requirements and delivery strategies.
- **Regulation 19D – Review of Plans**
Requires a full review of the Strategic Community Plan at least every four years and review of the Corporate Business Plan every year.
- **Local Government Act 1995 – Section 5.56**
Requires local governments to plan for the future of the district, including the development, adoption, and review of strategic and corporate plans.

Policy Implications

Local

Nil

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal• Strategic Community Plan**Strategic objective:**

5. Strengthen the Council's commitment to accountability, transparency, and responsible financial management while empowering residents and stakeholders.

Strategy:

5.1 Enhancing accountability and transparency

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Compliance	Likely	Moderate	High	By bringing this through the Council this risk is being mitigated, and compliance will be met.
Opportunity: Nil				

Officer Comment/Details

The major review delivered one of the strongest engagement responses the Shire has recorded, with 630 participants across surveys, workshops and pop-ups. Aha! Consulting's independent facilitation and analysis ensured the engagement was methodologically sound, balanced and reflective of the wider community voice. The findings demonstrate a high degree of consistency across all participation methods, strengthening confidence in the identified themes and priorities. The results now provide Council with a clear evidence base from which to shape strategic priorities for the next 10 years.

These findings will directly inform development of the draft Council Plan 2026–2036, to be returned to Council prior to public advertising.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 121225

Moved Cr Angus, seconded Cr Foulkes-Taylor

That Council:

1. Receive the *Major Review – Council Plan 2026–2036: Engagement Outcomes Detailed Report and Summary Report* as provided in Attachments 1 and 2.
2. Note that the engagement outcomes will directly inform the drafting of the Shire of Chittering Council Plan 2026–2036, to be presented to Council for consideration prior to public advertising.

CARRIED: 7 / 0

TIME: 8.20PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CEO08 - 12/24

Shire of Chittering Annual Report 2024/25

Applicant	Shire of Chittering
File reference	SOCR-1845402348-41338
Author	Manager Governance & Corporate Performance
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting Requirements	Absolute Majority
Attachments	1. 2024/25 Annual Report

	<i>Authority / Discretion</i>	<i>Definition</i>
<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 adopt the Shire of Chittering 2024/25 Annual Report, inclusive of the audited financial statements, and confirm the date for the Annual Meeting of Electors. Adoption will allow the report to be publicly released and ensure statutory timeframes for the Electors Meeting are met.

Background

The preparation of an Annual Report is a statutory requirement under the *Local Government Act 1995*. In accordance with Section 5.53(1), every local government must prepare an annual report for each financial year, with the required content specified in Section 5.53(2). The Act also requires local governments to hold an Annual Electors' Meeting within 56 days of Council accepting the Annual Report.

Under Section 5.54, Council must accept the Annual Report for a financial year no later than 31 December of the following year, unless the Auditor's Report is not available in time. In such cases, the Annual Report must be accepted within two months of the Auditor's Report becoming available.

The Annual Report is the Shire's primary public accountability document. It outlines achievements against the Strategic Community Plan and reports on performance and delivery of commitments identified in the Corporate Business Plan. This integrated reporting approach ensures clear and transparent communication with the community, stakeholders, and government agencies on financial performance, service delivery outcomes and organisational activity.

The Shire has progressively strengthened the structure and presentation of the Annual Report, aligned with best practice and the criteria of the Australasian Reporting Awards (ARA), which promote excellence in public sector reporting, transparency, and good governance.

The 2022/23 Annual Report achieved a Silver Award at the ARA, recognising the Shire's commitment to strong governance, high-quality reporting and transparent communication. Feedback from this assessment informed further improvements to the reporting structure and content for the 2023/24 Annual Report.

In 2024, these improvements were recognised through the Shire receiving a Gold Award for the 2023/24 Annual Report, demonstrating significant advancement in reporting quality, clarity and performance transparency. This achievement highlights the organisation's commitment to continuous improvement and excellence in public reporting.

The 2024/25 Annual Report builds on this strong foundation, further refining narrative clarity, strategic alignment, and performance reporting to ensure the Shire continues to meet high standards of accountability and transparency consistent with sector-leading practice.

Consultation Summary

Local

Internal consultation was undertaken with the Executive Management Team and key staff to ensure accurate reporting of performance across all service areas for 2024/25 and to validate the content of the Annual Report. The audited financial statements were also reviewed through the internal financial governance process, including consultation with the Executive, finance staff and audit representatives, prior to presentation to the Audit & Risk Committee and Council for adoption.

State

The audited financial statements were reviewed and finalised in consultation with the Office of the Auditor General as part of the external audit process. This included provision of draft financial statements, audit testing, audit queries and final sign-off, ensuring compliance with legislative requirements prior to presentation to the Audit & Risk Committee and Council.

Legislative Implications

Local

Nil

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 5.55
That Council give local public notice of the availability of the Annual Report once adopted by Council.
- 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.*

Policy Implications

Local

Nil

State

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan

Strategic objective:

5. Strengthen the Council's commitment to accountability, transparency, and responsible financial management while empowering residents and stakeholders.

Strategy:

5.1 Enhancing accountability and transparency

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Compliance	Likely	Moderate	High	By bringing this through the Council this risk is being mitigated and compliance will be met.
Opportunity: Nil				

Officer Comment/Details

Section 5.53 of the Local Government Act 1995 requires the Annual Report to include both the financial statements for the year and the Auditor's Report prepared under section 7.9(1) or 7.12AD(1). The documents are now complete and ready for inclusion.

As the Ordinary Council Meeting on 10 December 2025 is the final meeting of the year, adoption of the Annual Report at this meeting is necessary to ensure statutory compliance and allow the Shire to progress to the next stage of the reporting cycle, including the scheduling of the Annual Electors Meeting.

To meet legislative timeframes, the Annual Electors Meeting must be held within 56 days of Council adoption. It is therefore recommended that the Annual Electors Meeting be held on:

Wednesday, 4 February 2026

Bindoon Hall – Great Northern Highway, Bindoon

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 131225

Moved Cr Angus, seconded Cr Grayer

That Council:

1. **By an ABSOLUTE MAJORITY, pursuant to Section 5.54 of the Local Government Act 1995, accepts the 2024/25 Annual Report, inclusive of the Audited Financial Statements and Auditor's Report.**
2. **In accordance with Section 5.27(1) of the Local Government Act 1995, convenes the Annual Electors Meeting on Wednesday, 4 February 2026 at the Bindoon Hall, Great Northern Highway, Bindoon, commencing at 7.00pm.**

CARRIED: 7 / 0

TIME: 8.22PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

ITEM 10. REPORTS OF COMMITTEES**COM01 – 12/25 Chittering Bush Fire Advisory Committee – Unconfirmed Minutes from Thursday, 9 October 2025 & Scheduling of 2026 Meeting Dates**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-96291
Author	Support Officer – Bushfire, Emergency Services & Rangers
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 Chittering Bush Fire Advisory Committee meeting held on 9 October 2025

	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 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 <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input checked="" type="checkbox"/>	Information	Includes items for information purposes only and do not require a decision of Council (to ‘note’ only).

Executive Summary

Council is required to receive the unconfirmed minutes from the meeting held Thursday, 9 October 2025 and to endorse the Committee meeting dates for 2026 as proposed by the Committee.

Background

The Chittering Bushfire Advisory Committee held a meeting on Thursday, 9 October 2025. The following recommendation was carried at the meeting:

8.0 OFFICER RECOMMENDATION

Moved Shelly Pannell / Seconded Nathan Manning

That:

1. *The Chittering Bush Fire Advisory Committee meeting dates for 2026 are as follows:*
 - a. *Tuesday 10 March*
 - b. *Tuesday 14 July*
 - c. *Tuesday 13 October*
2. *The Chittering Bush Fire Advisory Committee meetings will be held in the Council Chambers, 6177 Great Northern Highway, Bindoon commencing at 7pm.*

CARRIED UNANIMOUSLY

Consultation SummaryLocal

- Chittering Bush Fire Advisory Committee Meeting

State

Nil

Legislative ImplicationsLocal

- Shire of Chittering Brigades Local Law 2012

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

State

- Local Government Act 1995 – s5.8 and s5.11
- Bush Fires Act 1954 – s67

Policy ImplicationsLocal

Nil

State

Nil

Financial Implications

There will be a charge for advertising the 2026 Chittering Bushfire Advisory Committee meeting dates in the local newspaper. These charges have been included in the 2025/26 Annual Budget.

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Theme:	Community
Community Aspiration:	Inclusive, Active, and Resilient Community
Strategy:	1.2 – Safety and well-being
Strategic Objective:	Foster a sense of inclusivity, activity and resilience where all members feel safe, valued, supported and empowered

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
Compliance: Non-Adherence to the Shire's Bush Fire Local Law 2012 for the holding of BFAC meetings	Unlikely	Minor	Low	Endorsing the BFAC meeting dates for 2026.
Opportunity: Nil				

Officer Comment / Details

During the Chittering Bush Fire Advisory Committee meeting held 9 October 2025, the dates for the Chittering Bushfire Advisory Committee for the 2026 calendar year are presented to Council for endorsement. As per the Bush Fires Act 1954 and Council Committee Booklet, the number of meetings is at the Committee's discretion. Neither the Act nor the Council Committee Booklet stipulate a minimum number of meetings to be held. The dates will be advertised in the local newspapers following Council's resolution.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 141225

Moved Cr Foulkes-Taylor, seconded Cr Grayer

That Council:

1. Receive the 'unconfirmed' Chittering Bush Fire Advisory Committee Minutes from the meeting held on 9 October 2025.
2. Endorse the Chittering Bush Fire Advisory Committee meeting dates for 2026 as follows:
 - a. Tuesday 10 March
 - b. Tuesday 14 July
 - c. Tuesday 13 October
3. Endorse that meetings will be held in the Council Chambers, 6177 Great Northern Highway, Bindoon commencing at 7pm.

CARRIED: 7 / 0

TIME: 8.24PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

COM02 - 12/25 Local Emergency Management Committee Unconfirmed Meeting Minutes & Scheduling of 2026 Meeting Dates

Applicant	Shire of Chittering
File reference	SOCR-1845402348-100280
Author	Support Officer – Bushfire, Emergency Services & Rangers
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 26 November 2025

	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 meetings held on Wednesday, 26 November 2025.

Background

The Chittering Local Emergency Management Committee meeting met on Wednesday, 26 November 2025 where the following formal recommendation was made and carried:

8.1 OFFICER RECOMMENDATION

Moved Ryan Hamblion / Seconded Nathan Manning

That:

1. *The Local Emergency Management Committee meeting dates for 2026 are as follows:*
 - a. *Wednesday 25 February*
 - b. *Wednesday 27 May*
 - c. *Wednesday 26 August*
 - d. *Wednesday 25 November*
2. *The Local Emergency Management Committee meetings will be held in the Council Chambers, 6177 Great Northern Highway, Bindoon commencing at 10am.*

CARRIED UNANIMOUSLY

Consultation Summary

Local

Local Emergency Management Committee

State

Nil

Legislative ImplicationsLocal

Nil

State

- 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.*

Policy ImplicationsLocal

Nil

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024-2034
Engagement Theme: Community
Aspiration: Inclusive, Active, and Resilient Community
Strategy Number: 1.2 – Safety and well-being

Prioritise the safety and well-being of all community members by investing in measures to prevent crime, address social issues, and support vulnerable populations. Collaborate with law enforcement agencies, social service organisations, and community groups to create a safe and supporting environment for everyone.

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				

Officer Comment/Details

Following the meeting of the Local Emergency Management Committee, Council is requested to endorse the 2026 committee meeting dates. The dates will be advertised in the local newspaper following Council's resolution.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 151225**Moved Cr Hughes, seconded Cr Campbell****That Council:**

1. Receives the 'unconfirmed' minutes from the Local Emergency Management Committee meeting held on Wednesday, 26 November 2025.
2. Endorse the Local Emergency Management Committee meeting dates for 2026 as follows:
 - a. Wednesday 25 February
 - b. Wednesday 27 May
 - c. Wednesday 26 August
 - d. Wednesday 25 November
3. Endorse that the meetings will be held in the Council Chambers, 6177 Great Northern Highway, Bindoon commencing at 10am.

CARRIED: 7 / 0

TIME: 8.27PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

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

MWPNO1 - 12/25 Trash or Treasure Pick Up Area – Cr John Curtis

Councillor Foulkes-Taylor declared a proximity interest in this item and left the Council Chambers at 8.27pm

Nature of Interest: Cr Foulkes-Taylor's property in Bindoon shares a boundary border with the Bindoon Landfill Site.

COUNCILLOR MOTION

Moved Cr Curtis, seconded Cr Hughes

That Council instructs the Chief Executive Officer to establish a Trash or Treasure picking area at the Bindoon Tip.

AMENDMENT

Moved Cr Angus, seconded Cr Hughes

That the Officer Recommendation be amended from 'establish' to 'investigate the feasibility of establishing' a Trash or Treasure picking area at the Bindoon Tip.

CARRIED: 5 / 1

TIME: 8.34PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Grayer, Cr Hughes

AGAINST: Cr Dewar

SUBSTANTIVE MOTION / COUNCIL RESOLUTION 161225

Moved Cr Curtis, seconded Cr Hughes

That Council instructs the Chief Executive Officer to investigate the feasibility of establishing a Trash or Treasure picking area at the Bindoon Tip.

CARRIED: 5 / 1

TIME: 8.35PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Grayer, Cr Hughes

AGAINST: Cr Dewar

OBJECTIVE

This motion objective is to divert reusable materials from landfill and encourage waste avoidance and resource recovery, which are key priorities in the state's waste strategy.

RATIONALE

Diverting reusable items to the picking is an effective, basic setup to encourage waste diversion and reuse.

Items can be taken free, purchased or donations to community groups.

if implemented this project aligns with WALGA's publication (Better practice guidelines for reuse shops).

OFFICER COMMENT

The intent of the motion, to support waste avoidance and resource recovery by diverting reusable items from landfill, is aligned with the objectives of the State Waste Strategy and reflects a positive community aspiration. WALGA's *Better Practice Guidelines for Reuse Shops* also acknowledges that structured reuse initiatives can contribute meaningfully to waste diversion when managed in a safe and controlled manner.

However, while the strategic objective is supported, establishing a public "Trash or Treasure" picking area within the Bindoon Waste Facility is not feasible without substantial further investigation due to significant safety, legal, planning and operational risk.

Personal Safety and WHS Exposure

Waste facilities are inherently high-risk workplaces, and public scavenging substantially elevates these risks. The presence of mobile plant such as compactors, loaders and trucks in confined operating areas creates a significant vehicle-pedestrian conflict risk, particularly for untrained members of the public.

The site environment includes slip and trip hazards, falls from height at transfer bays and uneven surfaces, and there have been fatalities internationally in similar public waste transfer settings. Manual handling injuries, sharp objects and needlestick exposure further increase the likelihood of harm. These risks are amplified for families and children, whose presence cannot be safely accommodated in an active waste environment.

Hazardous Materials Exposure

Construction and demolition waste at the facility may contain asbestos or silica fragments, which can become airborne or be disturbed when items are handled or removed. Household chemicals, paints, aerosols and lithium batteries also pose fire, explosion and toxic-exposure risks if scavenged or mishandled.

Without strict acceptance criteria and product screening, which, WALGA requires for reuse shops, the provenance and safety of items cannot be verified, making public access unsuitable.

Fire Risk and Environmental Harm

Allowing the public to handle or relocate items within the site increases the likelihood of ignition, particularly where batteries or flammable materials are present. Uncontrolled movement of waste materials can compromise environmental controls, including leachate management and litter containment, which are specific obligations under EPA guidance. Such outcomes conflict with established environmental protection controls applied to the facility.

Legal and Liability Exposure

The Shire has a clear duty of care to ensure the facility is as safe as reasonably practicable. The high foreseeability of harm associated with scavenging significantly increases potential LGIS insurance exposure and liability risks.

Additionally, once items are provided, sold or donated (whether formally or informally), the Shire becomes subject to consumer product safety laws, including mandatory electrical testing and prohibition of certain items. WALGA notes that such requirements cannot be met through unstructured scavenging. The Shire's waste local laws prohibit unauthorised removal of materials from the site, meaning a picking area would require substantial policy amendments, formal authorisation processes and new enforcement arrangements.

Operational and Cost Implications

A compliant reuse model cannot be integrated into the existing site layout without significant redesign. Safe operation would require separation from active waste operations, new traffic management systems, secure fencing or enclosure, CCTV, protected hardstands, and extensive signage. WALGA's guidance also expects trained staff to supervise reuse operations, manage acceptance criteria, undertake auditing, and monitor site safety. These requirements represent a significant shift from current operations and would introduce new staffing, insurance and WHS compliance costs, as well as the need for updated fire and emergency-management systems.

Planning and Buffer Constraints

The Bindoon Waste Facility is located within the Land Refuse Special Control Area, which is specifically intended to limit public exposure to landfill operations. Increasing public access or activity within this precinct by allowing scavenging would be inconsistent with the planning intent of the Special Control Area and may contravene established land-use protections designed to minimise risks to the Community.

Given these considerations, establishing an open picking or scavenging area at the Bindoon Waste Facility is not supported. To pursue the waste-diversion objectives in a safe and compliant manner, it is suggested that an investigation be done into the feasibility of a controlled, WALGA-compliant Reuse Shop. This would include

consideration of the required infrastructure, separation from active operations, safety and insurance obligations, operational and staffing models, potential community-group partnerships, and capital and operating costs. This approach provides a safer and more sustainable pathway to achieving the reuse outcomes sought while ensuring compliance with legislative, planning and WHS requirements.

Councillor Foulkes-Taylor returned to the Council Chambers at 8.36pm

ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE**QMWN01 – 12/25 Cr Dewar – Shire of Chittering Audit**

Question: Given that we have just been through the audit process and signed off that, I would like to know if there is an itemised account and what the total figure was for the auditing for this financial year?

Response: *The Chief Executive Officer advised that we will be receiving this, however, we do not have it as yet.*

QMWN02 – 12/25 Cr Curtis – Community Housing

Question: Have we received any money from the State Government for the Community Housing?

Response: *The Chief Executive Officer advised that the process is underway for the subdivision of the lots as we need to subdivide that off the Shire property in order to facilitate the sale of the units. That process is still underway and once that is concluded, the financial transaction will follow.*

QMWN03 – 12/25 Cr Hughes – Council Representation on Committees with Proximity Interest

Question: It is my understanding that Councillors need to declare an interest, certainly a proximity interest if they are a delegate on a committee, are you Cr Campbell the delegate for the Bridle Trail Reference Group?

Response: *The Presiding Member advised that yes you are right, as mentioned I have declared it this evening as I have only just become aware of the driveway that links me to the Bridle Trail this morning.*

Question: It light of that, you can't very well be representing the Council as you can take no part in that Committee. Do we need to introduce an urgent item to resign a new delegate to this Committee?

Response: *The Chief Executive Officer asked to take that question on notice and find out if there is a proxy delegate appointed to the Bridle Trail Reference Group.*

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

Nil

ITEM 14. MEETING CLOSED TO THE PUBLIC**Matters of which the meeting may be closed****OFFICER RECOMMENDATION / COUNCIL RESOLUTION 171225**

Moved Cr Dewar, seconded Cr Hughes

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

- CON01 – 12/25 **Confidential:** Declaration of Building Unfit for Habitation

Under the terms of the *Local Government Act 1995*, s5.23(2)(b):

(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 part of the meeting deals with any of the following:

(b) The personal affairs of any person

CARRIED: 7 / 0

TIME: 8.42PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

CON01 – 12/25 Confidential: Declaration of Building Unfit for Habitation - Lot 9 (165) Barracca Road, Muchea

Applicant	Shire of Chittering
File ref	A3035
Author	Executive Manager Development Services
Authorising Officer	Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	1. Inspection Photos 2. Accommodation Building Location Plans

Reason for Confidentiality**Local Government Act 1995, s5.23(2)(b) Meetings generally open to public**

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

(b) The personal affairs of any person

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 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 checked="" 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)

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 181225

Moved Cr Curtis, seconded Cr Dewar

That Council:

1. Declare that the accommodation building located at Lot 9 (165) Barracca Road, Muchea, as illustrated in Attachment 2, is unfit for human habitation pursuant to Section 135(1) of the *Health (Miscellaneous Provisions) Act 1911*;
2. Direct the Chief Executive Officer to serve a notice pursuant to Section 135(2) and Section 135 (3) of the *Health (Miscellaneous Provisions) Act 1911* on the accommodation building, located at Lot 9 (165) Barracca Road, Muchea, as illustrated in Attachment 2; and the land owner, requiring the accommodation building to be not inhabited within 14 days from the date of the Notice being served.

CARRIED: 7 / 0

TIME: 8.44PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

PROCEDURAL MOTION / COUNCIL RESOLUTION 191225

Moved Cr Dewar, seconded Cr Campbell

The Council come out from behind closed doors.

CARRIED UNANIMOUSLY 7 / 0

TIME: 8.45PM

FOR: Cr Angus, Cr Campbell, Cr Curtis, Cr Dewar, Cr Foulkes-Taylor, Cr Grayer, Cr Hughes

AGAINST: Nil

Public reading of resolution that may be made public

The Presiding member read aloud the resolution.

ITEM 15. CLOSURE

The Presiding Member declared the meeting closed at 8.46pm