



# COUNCIL MINUTES

## Ordinary Meeting of Council

7pm, Wednesday 21 July 2021

Council Chambers, 6177 Great Northern Highway, Bindoon



## PUBLIC QUESTION TIME

### 1. Time Permitted

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

### 2. Protocol

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

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

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

### 3. General Rules

The following general rules apply to Public Question Time:

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

## DEPUTATIONS

### 1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

### 2. Protocol

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

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

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

### 3. General Rules

The following rules apply when making a Deputation:

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

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

## RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

### **Objective**

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

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

### **Recording of Proceedings**

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

### **Access to Recordings**

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

### **Retention of Recordings**

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

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

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

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

#### **PREFACE**

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

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

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

#### **UNCONFIRMED MINUTES**

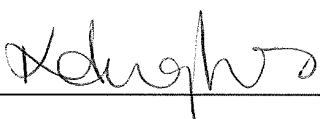
These minutes were approved for distribution on 29 July 2021.



**Matthew Gilfellon**  
**Chief Executive Officer**

#### **CONFIRMED MINUTES**

These minutes were confirmed at a meeting held on 18 August 2021

Signed 

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

#### **Disclaimer**

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

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

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

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



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*Good evening Councillors, staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Yued people. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.*

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

The Presiding Member declared the meeting open at 7.00pm.

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

### **Attendance**

The following members will be in attendance:

Cr Kylie Hughes	Presiding Member
Cr Carmel Ross	
Cr Peter Osborn	
Cr John Curtis	
Cr Mary Angus	
Cr Rebecca Foulkes-Taylor	
Cr Mark Campbell	(via telephone link)

The following staff will be in attendance:

Matthew Gilfellon	Chief Executive Officer
Melinda Prinsloo	Executive Manager Corporate Services
Peter Stuart	Executive Manager Development Services
Jake Whistler	Principal Planning Officer
Denaye Kerr	EA to the CEO

Members of the General Public: 2

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 Kylie Hughes**

16 June 2021	Ordinary Council Meeting
23 June 2021	Special Council Meeting
14 July 2021	Agenda Forum and Briefings

**Cr Carmel Ross**

16 June 2021	Ordinary Council Meeting
19 June 2021	Opening of the Bindoon Library Reading Nook
21 June 2021	Djidi Djidi Ridge renaming ceremony
23 June 2021	Special Council Meeting
30 June 2021	President and CEO Meeting
5 July 2021	Chamber of Commerce meeting with Mia Davies, Leader of the Opposition
14 July 2021	Agenda Forum and Briefings

**Cr Peter Osborn**

16 June 2021	Ordinary Council Meeting
19 June 2021	Opening of the Bindoon Library Reading Nook
23 June 2021	Special Council Meeting
8 July 2021	MTB Vision Meeting of Steering Group
14 July 2021	Agenda Forum and Briefings
19 July 2021	Rural Road Group Meeting – Moora

**Cr John Curtis**

16 June 2021	Ordinary Council Meeting
23 June 2021	Special Council Meeting
8 July 2021	MTB Vision Meeting of Steering Group
14 July 2021	Agenda Forum and Briefings

**Cr Mary Angus**

16 June 2021	Ordinary Council Meeting
23 June 2021	Special Council Meeting
14 July 2021	Agenda Forum and Briefings

**Cr Mark Campbell**

16 June 2021	Ordinary Council Meeting
19 June 2021	Opening of the Bindoon Library Reading Nook
23 June 2021	Special Council Meeting
8 July 2021	MTB Vision Meeting of Steering Group
11 July 2021	Meeting at Nesci with Reserve Road Concerned Residents
	Wildflower Ridge Community Meeting
14 July 2021	Agenda Forum and Briefings
19 July 2021	Rural Road Group Meeting - Moora

Cr Rebecca Foulkes-Taylor

16 June 2021	Ordinary Council Meeting
23 June 2021	Special Council Meeting
14 July 2021	Agenda Forum and Briefings

### 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.*

### ITEM 4. PUBLIC QUESTION TIME

Response to previous public questions taken on notice

Nil

Public question time

PQT01 – 07/21 Chris Waldie, Bindoon

**Question 1:** There is no street lighting on the corner of Hibbertia Lane and Great Northern Highway. Is there any plans for lighting to be installed on this corner?

*Response 1: The Chief Executive Officer advised that some Black Spot Funding had just been announced and as part of that the Shire received funding for Hibbertia Lane for lines and street lighting.*

### ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS

Petitions

Nil

Presentations

Nil

Deputations

Nil



## ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr John Curtis

**MOTION / COUNCIL RESOLUTION 010721**

Moved Cr Curtis / Seconded Cr Osborn

That Council approve the application for leave of absence for Cr Curtis for the period inclusive of Tuesday 17 August 2021 – Monday 30 August 2021.

**CARRIED 7 / 0**

TIME 7.04PM

## ITEM 7. CONFIRMATION OF MINUTES

Ordinary Meeting of Council: 16 June 2021

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020721**

Moved Cr Ross / Seconded Cr Foulkes-Taylor

That the minutes of the Ordinary Meeting of Council held on Wednesday 16 June 2021 be confirmed.

**CARRIED 7 / 0**

TIME 7.05PM

Special Meeting of Council: 23 June 2021

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 030721**

Moved Cr Foulkes-Taylor / Seconded Cr Angus

That the minutes of the Special Meeting of Council held on Wednesday 23 June 2021 be confirmed.

**CARRIED 7 / 0**

TIME 7.05PM

## ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

## ITEM 9. REPORTS

### DEVELOPMENT SERVICES

#### **DS01 – 07/21 Adoption of Amendment to Local Planning Policy No 7 - Outbuildings**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	18/06/0007
<b>Author</b>	Principal Planning Officer
<b>Authorising Officer</b>	Executive Manager Development Services
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Drafted Local Planning Policy No. 7 – ‘Outbuildings’ 2. Schedule of Submissions

#### **Executive Summary**

Council is requested to consider the advertised amended Local Planning Policy No. 7 – ‘Outbuildings’. The amendment seeks to increase outbuilding limitations in the Residential zones of the Shire. Two submissions were received during the advertising period, both requesting that the area limitation for the residential and Townsite zones be increased to 150sqm. This report discusses the options in detail, thereafter requesting Council to proceed with the Policy.

#### **Background**

At its meeting held on 21 April 2021, Council resolved to prepare and advertise an amendment to Local Planning Policy No. 7 (LPP7) as per the following:

#### *That Council:*

- Pursuant to Schedule 2, Part 2, Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to amend Local Planning Policy No. 7 – ‘Outbuildings’ as follows:*
  - Modify the heading of Section 6 of Local Planning Policy No. 7 – ‘Outbuildings’ to include the words ‘and Residential’ to read:*  
*‘6. Maximum Development Requirements in the Townsite and Residential Zones’*
  - Modify Section 6.1 of Local Planning Policy No. 7 – ‘Outbuildings’ to include the words ‘and Residential’ to read:*  
*‘The following Table 1 prescribes the maximum aggregate outbuilding size within the Townsite and Residential zone:’*
  - Modify Section 6.4 of Local Planning Policy No. 7 – ‘Outbuildings’ to include the words ‘and Residential’ to read:*  
*‘The construction of an outbuilding or shed in the Townsite and Residential zone shall be on the same lot as an existing dwelling, or a dwelling that has been substantially commenced.’*
- Pursuant to Schedule 2, Part 2, Clause 4(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 advertise modified Local Planning Policy No. 7 – ‘Outbuildings’ as per resolution 2.a) above, including requesting approval from the Western Australian Planning Commission.*
- Subject to receiving no submissions of objection and gaining approval from the Western Australian Planning Commission, resolves to proceed with the amended Local Planning Policy No. 7 – ‘Outbuildings’ as advertised and publish notice of the Policy Pursuant to Schedule 2, Part 2, Clause 4(1) of the Planning and Development (Local Planning Schemes) Regulations 2015.*

The LPP7 amendment effectively proposed to increase the shed size limitations in the Residential zones (namely Wildflower Ridge) to the following:

- Total Floor Area – 120m<sup>2</sup>
- Wall Height – 3.5m
- Ridge Height – 4.5m

The impetus for the amendment to LPP7 was to allow shed sizes to be increased in Wildflower Ridge, providing consistency with other similar sized and zoned lots within the Shire.

The above resolution of Council allowed the amended LPP7 to be adopted if no objections were received however, two objections were received during the advertising period. As such, the proposed amended LPP7 is brought back to Council for final consideration having regard to these submissions.

### **Consultation/Communication Implications**

#### Local

Pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), advertising of LPP7 was conducted. The advertising entailed publishing a copy of the proposed amended Policy on the Shire's website and also made it available for public inspection at the Shire office.

As a result of the advertising period, two objections were received to the proposed increase to shed limitations. Both objections commented that a further increase should be permitted to 150m<sup>2</sup> floor area, and a greater wall and ridge height. Both of these objectors were involved in an application for an oversized shed at 34 Narik Grove, Chittering, which was subsequently refused by Council at its April meeting. Both of these objectors believe that a 150m<sup>2</sup> shed sizes (with a 200mm increased wall height) should be permitted in the R2 coded areas to allow storage of more vehicles (i.e. boats, caravans, motorbikes). They have also contended that 150m<sup>2</sup> is consistent with other local governments' parameters for lots of a similar size.

A submission of support was also received from Riverside Investment, who are the developers of Wildflower Ridge Estate. The submission states that they support the proposed LPP7 amendment to increase the floor area to 120m<sup>2</sup> with a 3.5m and 4.5m wall and ridge height, respectively.

The Western Australian Planning Commission provided commentary on the proposed change to LPP7. The Commission advised that due to changes to the Residential Design Codes of WA, which occurred on 2 July, the approval of the WAPC was no longer required.

A full copy of the submissions received is contained in a schedule of submissions provided as an attachment to this report (**Attachment 2**).

#### State

Simultaneous to Council's resolution to amend LPP7, the Residential Design Codes of WA (R-Codes) required modifications to the prescribed limits of outbuilding sizes to gain the approval of the Western Australian Planning Commission (WAPC).

The Western Australian Planning Commission provide commentary back to the Shire during the advertising period and advised that due to changes to the Residential Design Codes of WA which occurred on 2 July, the approval of the WAPC was no longer required.

### **Legislative Implications**

#### State

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

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

- i. Proceed with the policy without modifications;
- ii. Proceed with the policy with modifications; or
- iii. Not to proceed with the policy

The above three options are available to Council with respect to the amended LPP7. Council has the ability to make modifications to the Policy if it sees fit (in response to the submissions received), it can proceed with the Policy as advertised, or determine that it no longer wants to amend LPP7.

Local

Nil

**Policy Implications**

State

• State Planning Policy 7.3 – Residential Design Codes

The R-Codes prescribes a 60m<sup>2</sup> floor area limit to outbuildings in all zones where an 'R' density is applied. It also prescribes a maximum wall and ridge height of 2.4m and 4.2m, respectively. These are the acceptable development standards that currently apply to Wildflower Ridge.

Pursuant to Part 7.3.1 of the updated R-Codes, the prescribed limits of outbuildings can be modified through a local planning policy. This can occur without the approval of the WAPC, as is reiterated in the submission provided by the WAPC during the LPP7 advertising period.

This enables Council to specify its own limitations on sheds in the Wildflower Ridge Estate, and other future Residential zones in the Shire.

Local

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Site Inspection**

Site inspection undertaken: Yes

**Triple Bottom Line Assessment**

Economic implications

The large lot sizes within Wildflower Ridge Estate (minimum 5000m<sup>2</sup>) makes it conducive to purchasers who desire additional space around their home. Permitting shed sizes commensurate with these larger lots sizes would be an expectation of a buyer. Limiting shed sizes to the current 60m<sup>2</sup> may detract prospective purchasers from choosing to buy in this estate, and thereby limiting population and in turn, economic growth in the Shire.

Social implications

It is understood that large residential sheds can create an 'industrial' feel in a non-industrial area which

ultimately influences an area's level of visual amenity. Alternatively, the lack of shed space for the storage of personal items and vehicles can lead to these items being stored in the open air around the periphery of a house, creating an untidy and unsavoury looking environment.

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

*Environmental implications*

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

**Officer Comment/Details**

Council resolved to prepare and advertise the amended LPP7 at its April Ordinary Council Meeting (OCM), determining that outbuilding sizes in Wildflower Ridge should be increased 120m<sup>2</sup> floor area, with a 3.5m and 4.5m wall and ridge height, respectively.

At this same April OCM, Council resolved to refuse an application for an outbuilding on 34 Narik Grove, Chittering (Wildflower Ridge), as it had a floor area of 147.5m<sup>2</sup>, with a 3.7m wall height and 4.5m ridge height. The two objections to the amended LPP7 were both involved in this refused development application (landowner and applicant) and contend that the Policy should allow shed sizes up to 150m<sup>2</sup>.

Officers consider that a clear and decisive decision was made at this April OCM for shed sizes in the Shire's residential zones, which includes Wildflower Ridge. Council is required to consider submissions received during the advertising period for the Policy amendment.

It is contended that the submissions received were not of a nature that provided any new or contrary details to those already considered by Council in their decision making process at the April OCM. The submissions did raise comparisons to other local governments whereby 150m<sup>2</sup> sheds were permitted on similar sizes properties (i.e. City of Gosnells and Shire of Serpentine-Jarrahdale). Officers are of the view however, that each local government setting is different and it is up to each local government to develop appropriate development parameters through local planning policies, that are contextually appropriate. Council have previously determined that a 150m<sup>2</sup> outbuilding within Wildflower Ridge would detract from the visual amenity of the area and is not consistent with the future character of Wildflower Ridge. This determination is specific to Wildflower Ridge and can be used to establish Council's vision for this area with respect to development standards.

Furthermore, the support of the amended LPP7 from a key stakeholder being Riverside Investment, lends to the consideration that the proposed amendments are fair and reasonable in the context of Wildflower Ridge.

With regards to the restrictive covenants over lots in the Wildflower Ridge estate, Riverside Investments have provided the Shire with some clarity. The covenants restrict outbuilding size to no greater than 150m<sup>2</sup> floor area. This was imposed by the developer as there was uncertainty around the Shire's restrictions at the time, so offering 150m<sup>2</sup> allowed flexibility within the covenant should the Shire decide to restrict sheds to either 120m<sup>2</sup> or 150m<sup>2</sup>. Ultimately, Riverside Investment have offered their support to the Shire's LPP7 restricting outbuilding sizes to 120m<sup>2</sup>.

As such, officers consider that the amended LPP7 should be finally adopted without any further modifications, and to establish clear development standards for outbuildings in the Residential zone.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040721**

Moved Cr Foulkes-Taylor / Seconded Cr Ross

That Council:

1. Pursuant to Schedule 2, Part 2, Clause 3(b)(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to proceed with the Local Planning Policy No. 7 – ‘Outbuildings’ as follows:
  - Modify the heading of Section 6 of Local Planning Policy No. 7 – ‘Outbuildings’ to include the words ‘and Residential’ to read:  
*‘6. Maximum Development Requirements in the Townsite and Residential Zones’*
  - Modify Section 6.1 of Local Planning Policy No. 7 – ‘Outbuildings’ to include the words ‘and Residential’ to read:  
*‘The following Table 1 prescribes the maximum aggregate outbuilding size within the Townsite and Residential zone:’*
  - Modify Section 6.4 of Local Planning Policy No. 7 – ‘Outbuildings’ to include the words ‘and Residential’ to read:  
*‘The construction of an outbuilding or shed in the Townsite and Residential zone shall be on the same lot as an existing dwelling, or a dwelling that has been substantially commenced.’*
2. Pursuant to Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, publish notice of the amended Local Planning Policy No. 7 in accordance with Clause 87 of the aforementioned Regulations.

**CARRIED 7 / 0**

TIME 7.06PM

**TECHNICAL SERVICES**

Nil

## **CORPORATE SERVICES**

### **CS01 – 07/21 List of Accounts Paid for the Period Ending 30 June 2021**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	12/03/4
<b>Author</b>	Finance Officer - Accounts
<b>Authorising Officer</b>	Executive Manager Corporate Services
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. List of Accounts Paid as at 30 June 2021

#### **Executive Summary**

Council is requested to endorse payments presented in the List of Accounts Paid for the period ending 30 June 2021.

#### **Background**

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

#### **Consultation/Communication Implications**

##### Local

Executive Manager Corporate Services

##### State

Nil

#### **Legislative Implications**

##### State

Local Government Act 1995

Local Government (Financial Management) Regulations

##### Local

Nil

#### **Policy Implications**

##### State

Nil

##### Local

Nil

#### **Financial Implications**

All expenditure has been approved via adoption of the 2020/21 Annual Budget, or resulting from a Council resolution for a budget amendment.

#### **Strategic Implications**

##### State

Nil



Local

Nil

**Site Inspection**

Not applicable

**Triple Bottom Line Assessment**

Economic implications

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

Social implications

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

Environmental implications

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

**Officer Comment/Details**

The attached "List of Accounts Paid as at 30 June 2021" is presented to Council for endorsement.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050721**

**Moved Cr Curtis / Seconded Cr Angus**

**That Council endorses the following List of Accounts Paid as per Attachment 1 totalling \$1,251,266.58 for the period ending 30 June 2021:**

- 1. PR5806, PR5814;**
- 2. EFT21782 – EFT21958; and**
- 3. Direct Debits, Cheques as listed.**

**CARRIED 7 / 0**

TIME 7.07PM

**CS02 – 07/21 Monthly Financial Report for the Period Ending 30 June 2021**

<b>File ref</b>	12/03/4
<b>Author</b>	Senior Finance Coordinator
<b>Authorised by</b>	Executive Manager Corporate Services
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Monthly Financial Report for the Period Ending 30 June 2021

**Executive Summary**

Council is requested to consider the financial statement for the period ending 30 June 2021.

**Background**

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

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

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

**Consultation/Communication Implications**

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

**Legislative Implications**

State

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

Local

Nil

**Policy Implications**

Local

Finance Policy 2.1 Budget Preparation

Finance Policy 2.2 Investment of Funds

Finance Policy 2.7 Significant Accounting Policies

**Financial Implications**

Nil

**Strategic Implications**

- Strategic Community Plan 2017-2027  
Focus area: Strong leadership  
Objective: S5.2 Strong partnerships and relationships  
Strategy: S5.2.1 Built effective partnerships with stakeholders  
  
Objective: S5.3 Accountable governance  
Strategy: S5.3.1 Good governance, which supports efficient and effective service delivery

**Site Inspection**

Not applicable

**Triple Bottom Line Assessment**

Economic implications

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

Social implications

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

Environmental implications

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

**Officer Comment/Details**

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

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060721**

**Moved Cr Osborn / Seconded Cr Angus**

**That Council receives the Monthly Financial Reports for period ending 30 June 2021, as per Attachment 1.**

**CARRIED 7 / 0**  
TIME 7.08PM

## CHIEF EXECUTIVE OFFICER

### CEO01 – 07/21 Lower Chittering Hall Replacement Reference Group – Terms of Reference

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	RCS.PROJ. LWR CHIT HALL REPLACEMENT
<b>Author</b>	Community Development Officer
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure or relevant details
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Lower Chittering Hall Replacement Project - Reference Group Terms of Reference

#### Executive Summary

Council is requested approve the Lower Chittering Hall Replacement Reference Group as an Advisory Group of Council and; to approve the attached terms of reference for the group.

#### Background

The “useful life” for the Lower Chittering Hall, located at 23 Chittering Valley Road, Lower Chittering, expired in 2020.

Included in the 2021-22 budget is funding which has been identified to create a Lower Chittering Hall Replacement Plan including architectural drawings, scope and costing for a new facility.

As the asset owner, it is important to ensure that the Lower Chittering Hall Replacement project is delivered in line with commitments to budget, scope and timeframe, and the expectations and needs of the community.

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

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

#### Consultation/Communication Implications

##### Local

Nil

##### State

Nil

#### Legislative Implications

##### State

Nil

##### Local

Nil

#### Policy Implications

##### State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Implications**

Local

- Strategic Community Plan 2017-2027

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

State

Nil

**Site Inspection**

Not applicable

**Triple Bottom Line Assessment**

Economic implications

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

Social implications

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

Environmental implication

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

**Officer Comment/Details**

In 2018, in preparation for the expiration of the useful life of current Lower Chittering Hall facility, a report was produced by the Shire's Principal Building Surveyor, through consultation with industry specialists, to ascertain the future development potential of current Lower Chittering Hall to meet the communities growing and changing needs.

The report states:

- *...to endeavour to develop the site with more venues to be used for larger events would be fraught with problems. The whole site is in an environmentally sensitive area.*
- *Kitchen cupboards and flooring are not compliant for a commercial kitchen. Food preparation is limited to tea/coffee and precooked items.*
- *Non compliant items include:*
  - *The internal and external toilet facilities are not accessible.*
  - *No accessible parking bays.*
  - *Paths and the thresholds of the entrance doors to the hall are not accessible due to steps.*

Consequently, further development of the site is not possible, and a replacement facility on an alternative site will be required to meet the community's needs.

The previous Lower Chittering Recreation Centre / Chittering Community Centre project was abandoned by Council in 2020.

Concurrently in 2020, the Community Development Team conducted a Community Development Review, and a Sport and Recreation Survey. The results of these consultations showed a need for community connectivity, and recreation facilities, in the Lower Chittering area.

Therefore, staff held further consultations with the community in 2020/2021 through Council's Community Advisory Forums, and Master Planning in Lower Chittering. The result of this is the aspirational plan endorsed by council at the June 2021 OCM. The plan outlines ideas for the Reserve area behind the fire station, previously identified as the preferred recreational and connectivity space for the Lower Chittering community.

In order to further develop the Lower Chittering Hall Replacement Project, it is recommended that a Reference group be created to act as an Advisory Group of Council.

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

- Commits the Shire and Council to being open and accountable;
- Assists the Shire and Council to plan services that continue to meet Community needs;
- Enables the Shire and Council to prioritise services and make better use of resources;
- Allows the broadest range of views to be expressed;
- Ensures the maximum amount of information is gathered prior to making decisions;
- Sees the Shire, Council and Community working together to achieve balanced decisions;
- Offers opportunities for the Community to contribute to and influence outcomes which directly affect their lives;
- Ensures an open and familiar process, which becomes easier for Community members to participate in.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 070721**

**Moved Cr Ross / Seconded Cr Foulkes-Taylor**

**Council is requested to:**

- 1. Approve the Lower Chittering Hall Replacement Reference Group as an Advisory Group of Council and;**
- 2. Approve the attached terms of reference for the group.**

**CARRIED 7 / 0**

TIME 7.11PM

## CEO02 – 07/21 Chief Executive Officer Review and Key Performance Objectives

<b>Applicant</b>	Melinda Prinsloo
<b>File ref</b>	22/10/153
<b>Author</b>	Acting Chief Executive Officer
<b>Authorising Officer</b>	N/A
<b>Disclosure of interest</b>	The author has a impartiality interest as it relates to their manager.
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	Nil

### Executive Summary

Council is requested to endorse the outcomes of the previously performed Chief Executive Officer Performance Review and to adopt the Key Performance Objectives for the 2021/2022 Financial Year.

### Background

Under Section 5.38 of the *Local Government Act 1995* the performance of a Chief Executive Officer is to be reviewed at least once in relation to every year of the Chief Executive Officer's Performance. A performance review took place on 14 July 2021. Following the performance review, the Chief Executive Officer was informed of the outcome, however a formal Council Resolution must be passed.

### Consultation/Communication Implications

Local  
Council

State  
Nil

### Legislative Implications

State

- Local Government Act 1995  
Section 5.38 of the Local Government Act 1995 establishes a requirement for Council to perform an annual review of the CEO's Performance. Though not expressly mentioned, in order to do this, Council would need to follow Human Resource management procedures, the foremost establishing Key Performance Objectives against which performance can be reviewed.

Local  
Nil

### Policy Implications

Nil

### Financial Implications

Nil

### Strategic Implications

Nil

### Site Inspection

Not applicable

### Triple Bottom Line Assessment

Economic implications



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

*Social implications*

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

*Environmental implication*

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

**Officer Comment/Details**

It is important in establishing Key Performance Objectives for the Chief Executive Officer that agreement is reached between Council and the Chief Executive Officer on what the Key Performance Objectives are.

The Draft Key Performance Objectives have been discussed and agreed with the CEO. These Key Performance Objectives are established taking into consideration aspirations Council has for the Shire and the Administration's contribution towards the successful achievement through leadership from the CEO.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 080721**

**Moved Cr Ross / Seconded Cr Angus**

**That Council:**

- 1. Endorse the outcome of the review of the Chief Executive Officer's Performance over the period from 1 July 2020 to 30 June 2021.**
- 2. Endorse the Chief Executive Officer's Key Performance Objectives for the period from 1 July 2021 to 30 June 2022.**

**CARRIED 7 / 0**

**TIME 7.14PM**

## ITEM 10. REPORTS OF COMMITTEES

### COM01 – 07/21 Chittering Health Advisory Group (CHAG)

<b>Applicant</b>	Chittering Health Advisory Group
<b>File ref</b>	03/01/3
<b>Author</b>	Community Development Coordinator
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Confirmed minutes from 18 February 2021 2. Confirmed minutes from 29 April 2021

#### Executive Summary

Council is requested to receive the confirmed minutes from the Chittering Health Advisory Group (CHAG) held on 18 February 2021 and the 29 April 2021.

#### Background

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

#### Consultation/Communication Implications

*Local*

Chittering Health Advisory Group

*State*

Nil

#### Legislative Implications

*State*

Nil

*Local*

Nil

#### Policy Implications

*State*

Nil

*Local*

Nil

#### Financial Implications

Nil

#### Strategic Implications

*Local*

Nil

*State*

Nil

**Site Inspection**

Not applicable

**Triple Bottom Line Assessment**

*Economic implications*

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

*Social implications*

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

*Environmental implications*

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

**Officer Comment/Details**

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

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

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 090721**

**Moved Cr Angus / Seconded Cr Foulkes-Taylor**

**That Council receive the confirmed minutes from the Chittering Health Advisory Group (CHAG) held on 18 February 2021 and the 29 April 2021 as per Attachment 1 and 2.**

**CARRIED 7 / 0**

TIME 7.15PM

## COM02 – 07/21 Chittering Tourism Advisory Group (CTAG)

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

### Executive Summary

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

### Background

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

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

### Consultation/Communication Implications

#### Local

Nil

#### State

Nil

### Legislative Implications

#### State

Nil

#### Local

Nil

### Policy Implications

#### State

Nil

#### Local

Nil

### Financial Implications

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

**Strategic Implications**

- Strategic Community Plan 2017-2027

Objective: S4.3 Increased Visitors  
Strategy: S4.3.1 Support and promote accommodation options  
S4.3.3 Facilitate, promote and support ecotourism

**Site Inspection**

Not Applicable

**Triple Bottom Line Assessment**

Economic implications

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

Social implications

Responsibility for running the event removed from the Shire

Environmental implications

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

**Officer Comment/Details**

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

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

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100721**

**Moved Cr Ross / Seconded Cr Angus**

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

**CARRIED 7 / 0**  
TIME 7.17PM

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

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

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

**ITEM 14. MEETING CLOSED TO THE PUBLIC**

**Matters for which the meeting may be closed**

Nil

**Public reading of resolution that may be made public**

Nil

**ITEM 15. CLOSURE**

The Presiding Member declared the meeting closed at 7.18pm.