



# COUNCIL MINUTES

CONFIRMED: 17 AUGUST 2022

## Ordinary Meeting of Council

7pm, Wednesday 20 July 2022

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**

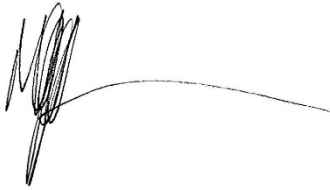
When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

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 2 August 2022.



**Matthew Giffellon**  
Chief Executive Officer

#### **CONFIRMED MINUTES**

These minutes were confirmed at a meeting held on 17 August 2022.



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

The following staff will be in attendance:

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

Members of the General Public: 5

Media: 0

### **Apologies**

Nil

### **Approved leave of absence**

Cr Mark Campbell

**Announcements**

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

**Cr Aaron King**

15 June 2022	Ordinary Council Meeting
21 June 2022	President & CEO Meeting
22 June 2022	Budget Workshop
25 June 2022	Volunteer Bush Fire Brigade Recognition Event 2022
28 June 2022	President & CEO Meeting
29 June 2022	Special Meeting of Council
4 July 2022	Muchea Hall User Group Meeting
5 July 2022	President & CEO Meeting
6 July 2022	Meeting with Shane Love and Martin Aldridge
	CEO Performance Review Update
11 July 2022	Community Forum – Lower Chittering
13 July 2022	Agenda Forum and Briefings
19 July 2022	President & CEO Meeting

**Cr Mary Angus**

15 June 2022	Ordinary Council Meeting
21 June 2022	President & CEO Meeting
22 June 2022	Budget Workshop
23 June 2022	Grants Commission Visit
28 June 2022	President & CEO Meeting
29 June 2022	Special Meeting of Council
5 July 2022	President & CEO Meeting
6 July 2022	CEO Performance Review Update
11 July 2022	Community Forum – Lower Chittering
13 July 2022	Agenda Forum and Briefings
18 July 2022	CWA State Conference hosted by the Bindoon Belle's
19 July 2022	President & CEO Meeting

**Cr Kylie Hughes**

15 June 2022	Ordinary Council Meeting
22 June 2022	Budget Workshop
29 June 2022	Special Meeting of Council
6 July 2022	CEO Performance Review Update
11 July 2022	Community Forum – Lower Chittering
13 July 2022	Agenda Forum and Briefings

**Cr Carmel Ross**

15 June 2022	Ordinary Council Meeting
22 June 2022	Budget Workshop
23 June 2022	Local Government Grants Commission Visit
25 June 2022	Volunteer Bushfire Brigade Recognition Event 2022
29 June 2022	Special Meeting of Council
6 July 2022	CEO Performance Review Update
11 July 2022	Community Forum – Lower Chittering



12 July 2022	Men's Shed 10 <sup>th</sup> Anniversary Function
13 July 2022	Agenda Forum and Briefings
18 July 2022	CWA State Conference hosted by the Bindoon Belle's

Cr John Curtis

15 June 2022	Ordinary Council Meeting
22 June 2022	Budget Workshop
29 June 2022	Special Meeting of Council
6 July 2022	CEO Performance Review Update
11 July 2022	Community Forum – Lower Chittering
13 July 2022	Agenda Forum and Briefings

Cr Mark Campbell

15 June 2022	Ordinary Council Meeting
29 June 2022	Special Meeting of Council
6 July 2022	CEO Performance Review Update
11 July 2022	Community Forum – Lower Chittering
13 July 2022	Agenda Forum and Briefings

Cr David Dewar

15 June 2022	Ordinary Council Meeting
22 June 2022	Budget Workshop
29 June 2022	Special Meeting of Council
6 July 2022	CEO Performance Review Update
11 July 2022	Community Forum – Lower Chittering
13 July 2022	Agenda Forum and Briefings
16 July 2022	Youth Krew

### ITEM 3. DISCLOSURE OF INTEREST

Nil

### ITEM 4. PUBLIC QUESTION TIME

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

Nil

**Public question time**

**PQT01 – 07/22 Anne Elliot**

Question 1: What is the Shire's position concerning Club Moolia?

*Response: This is an approved development, and was assessed as having met the requirements of the Shire of Chittering Local Planning Scheme No.6 and associated State Policy*

*and legislation. Full detailed information on the assessment and determination can be found on the Joint Development Assessment Panel (JDAP) minutes via their website.*

Question 2: What is the Shire's position concerning water allocation and preservation for this venture?

*Response: The Shire is not an authority on proclaimed water source allocations. At the time of assessment, the proponent for the application simply justified the query by stating they would source the water from external means. The Shire understands that the Department of Water and Environmental Regulation have issued the proponent a licence to take water for both construction and use of the facility.*

Question 3: What is the Shire's position concerning justification/rationale in acceding to the 'wants' of an exclusive Club as compared to the 'needs' of permanent residents, ratepayers and retirees?

*Response: The Shire is not a party to the development nor does it set out to prevent market demands in terms of whether there is more or less local interest. The local government's role in this instance was to assess whether the application meets the legislative requirements as set out above. In the advent that a private entity were to seek development approval for an aged care, the same legislation would be applied in assessing its suitability for its intended location.*

Question 4: What is the current planned number of new residences that could be added to the present scheme?

*Response: The Shire is reliant upon the Local Planning Strategy, which states that the Shire at a growth rate of 2.3% per annum, will reach a population of 6,460 by the year 2031. In interpolating the data from the 2021 census in comparison to the 2016 census, the Shire is maintaining this statistical average. The year 2031 is nominated as it aligns with the State Planning Strategy "Directions 2031".*

Question 5: Considering the widespread interest of many regarding aged care and accommodation locally, what land is the Shire intending to provide for this much needed amenity, so we – collectively – can give assurance to the enquirers and allay their concerns?

*Response: We will make available all suitably sized Shire owned land for developers wanting to set up an aged care facility. The priority would be to attract a developer to set up such a facility anywhere within the Shire of Chittering, therefore the specific site will not be predetermined. The final allocation will be dependent upon expressions of interest.*

## ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS

### Petitions

Nil

### Presentations

Nil

### Deputations

Nil

## ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE

### **MOTION / COUNCIL RESOLUTION 010722**

Moved Cr Angus, seconded Cr King

That Council approve the following leave of absence:

- Councillor Kylie Hughes – Thursday 21 July through to Wednesday 27 July 2022 (inclusive).

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 7.30PM

### **MOTION / COUNCIL RESOLUTION 020722**

Moved Cr Angus, seconded Cr Ross

That Council approve the following leave of absence:

- Councillor John Curtis – Monday 15 August through to Monday 5 September 2022 (inclusive).

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 7.31PM

## ITEM 7. CONFIRMATION OF MINUTES

### Ordinary Meeting of Council: 15 June 2022

### **OFFICER RECOMMENDATION / COUNCIL RESOLUTION 030722**

Moved Cr Ross, seconded Cr Dewar

That the minutes of the Ordinary Meeting of Council held on Wednesday 15 June 2022, as published on the Shire website, be confirmed.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 7.31PM

**Special Meeting of Council: 29 June 2022**

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040722**

Moved Cr Dewar, seconded Cr Angus

That the minutes of the Special Meeting of Council held on Wednesday 29 June 2022, as published on the Shire website, be confirmed.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 7.32PM

**ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER**

**ITEM 9. REPORTS**

**DEVELOPMENT SERVICES****DS01 – 07/22      Endorsement of Scheme Amendment 73 – Exempting Development Approval in the Water Prone Special Control Area**

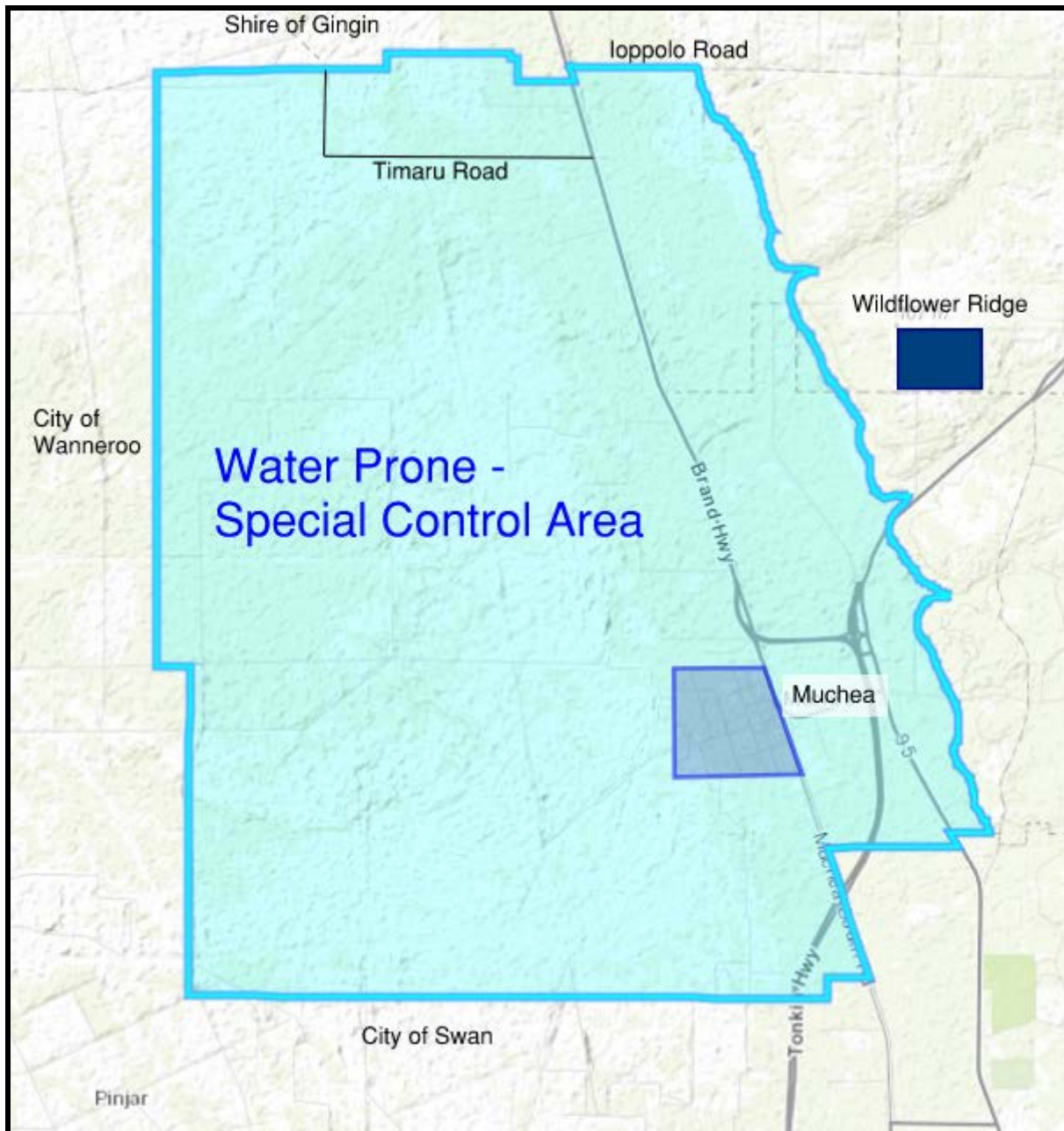
<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	PLN.SA.73
<b>Author</b>	Principal Planning Officer
<b>Authorising Officer</b>	Executive Manager Development Services
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Scheme Amendment 73 Document 2. EPA Advice 3. Schedule of Submissions

	<b>Authority / Discretion</b>	<b>Definition</b>
<input checked="" type="checkbox"/>	<b>Advocacy</b>	<b><i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i></b>
<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 type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

**Executive Summary**

Council is requested to consider endorsing Amendment 73 to Local Planning Scheme No. 6 to remove the requirement for development approval for incidental (minor) development in the Water Prone Special Control Area.

### Location Plan



### Background

At its meeting held 15 September 2021, Council resolved the following:

#### *OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020921*

*Moved Cr Ross, seconded Cr Foulkes-Taylor*

*That Council:*

*1. Pursuant to Part 5, Division 1, Regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 resolves to prepare Scheme Amendment No. 73 to the Shire of Chittering Local Planning Scheme No. 6 to amend clause 5.3.1 by deleting the second sentence of this clause and in its place, insert the following provision:*

*'Development approval is required for any development within the Special Control Area, excluding development of a class specified in Column 1 of an item in the following Table and if all of the conditions set out in Column 2 of the Table opposite that item are satisfied in relation to the development.'*

Table

	<u>Column 1</u> <u>Development</u>	<u>Column 2</u> <u>Conditions</u>
1.	<ul style="list-style-type: none"> <li>a) Demolition of buildings and structures.</li> <li>b) Internal building work.</li> <li>c) Erection, installation, alterations, additions of or to pergolas, patios, garages, carports, decks, verandahs, shade sails, swimming pools forming part of, connected to, or are detached from (but associated with) an existing dwelling on the lot.</li> <li>d) Outbuildings that are characterised as sheds, barns, workshops, lean-to's and similar buildings or structures that could be reasonably characterised as an outbuilding.</li> <li>e) Erection, installation, alterations, additions of or to boundary or retaining walls or fences and other means of boundary enclosures.</li> <li>f) Cubby houses.</li> <li>g) Solar panels.</li> <li>h) Flagpoles.</li> <li>i) The signage and advertisements contained in Schedule 6 of this Scheme.</li> <li>j) Maintenance and repair works.</li> <li>k) Works for public safety, the safety or security of plant or equipment, installation and maintenance of essential services or the protection of the environment.</li> </ul>	<ul style="list-style-type: none"> <li>• The development works are not located in a heritage-protected place.</li> <li>• The development works are not located within 30 metres of any natural water body.</li> <li>• The development works do not alter the natural flow of surface water.</li> <li>• The relevant requirements of the R-Codes are satisfied.</li> <li>• The relevant requirements of Local Planning Policy No.18 - Setbacks are satisfied.</li> <li>• The outbuildings the subject of d) that are not subject to the requirements of the R-Codes are to be used for warehouse/storage purposes associated with an existing approved land use on the lot, and the requirements of Local Planning Policy No.7 – Outbuildings are satisfied.</li> <li>• The development requirements of this Scheme for the underlying zone are satisfied.</li> <li>• The local government confirms that the Objectives of the underlying zone and the Purpose of any other Special Control Area applicable to the land are satisfied.</li> </ul>

*The provisions of this clause prevail where a conflict arises with any other provision of this Scheme that requires development approval for development of a class specified in Column 1 of the Table.'*

2. Pursuant to Part 5, Division 1, Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 resolves that Scheme Amendment No. 73 is a 'standard amendment' as it is:

- An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- An amendment that is not a complex or basic amendment.

**CARRIED 7 / 0**

TIME: 7.25pm

The above resolution supported the 'initiation' of Scheme amendment 73, which proposes changes to Local Planning Scheme No. 6 (LPS6) to reduce the requirement for Development Approval to be obtained in the Shire's Water Prone Special Control Area (SCA). The amendment document is provided as Appendix 1 to this report.

Pursuant to the above resolution and the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), Scheme amendment 73 was advertised after receiving advice from the Environmental Protection Agency that the amendment did not require formal assessment under *Environmental Protection Act 1986* (Attachment 2).

### **Consultation Summary**

Advertising of Scheme amendment 73 was conducted between 17 November 2021 and 13 January 2022 in the following ways:

- A notice of the Scheme amendment was published on the Shire's website;
- An advertising sign was erected at John Glenn Park, Muchea for the duration of the advertising period; and
- Notices sent to the following agencies inviting comment:
  - Chittering Landcare;
  - Department of Primary Industries and Regional Development;
  - Department of Biodiversity, Conservation and Attractions;
  - Department of Water and Environmental Regulation;
  - Department of Health;
  - Main Roads WA;
  - Department of Defence;
  - Civil Aviation Safety Authority; and
  - Australian Gas Infrastructure Group

Responses to the advertising period for the Scheme amendment are contained in a schedule of submissions appended to this report (Attachment 3). The responses are accompanied with Shire officer comment against each.

Only one objection to the Scheme amendment was received, with it being from the Department of Health (DoH) citing concerns for the protection of a Public Drinking Water Source Protection Area (PDWSPA). It was indicated that there are on-site wastewater management issues in this area that should be addressed particularly as the Water Prone SCA is within a sewerage sensitive area.

In light of the objection received, Shire officers made contact with DoH directly in order to clarify the intent of Scheme amendment 73, and to address its concerns. It took several months for DoH to provide a response to the Shire which has caused delays in this Scheme amendment progressing.

Following additional clarification being provided to the Department of Health regarding the negligible impact this Scheme amendment will have on the approval requirements for waste water disposal in the area, DoH withdrew their objection.

Both DoH submissions are included in the Schedule of Submissions (Attachment 3).

### **Legislative Implications**

#### State

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



As described above, the Scheme Amendment is to be processed in accordance with the Regulations. Part 5, Division 3, Regulation 50(3) directs local government to do one of the following three –

- (a) to support the amendment without modification; or
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or
- (c) not to support the amendment.

The above three options are available to Council when making a resolution on this Scheme amendment.

Local

- Shire of Chittering Local Planning Scheme No. 6

Scheme Amendment 73 seeks to alter the provisions within Clause 5.3 to exempt certain development from the requirement for development approval.

While the Regulations provide the statutory foundation for certain developments to be exempted throughout the State, they cannot be applied to areas affected by an SCA. Development approval exemptions within an SCA need to be applied within the provisions of the Scheme, and need to relate specifically to that SCA and provide conditions under which development approval is not required.

If Scheme Amendment 73 is ultimately endorsed by the Minister for Planning, it will alter Clause 5.3.1 of LPS6 and will exempt a series of minor development within the Water Prone SCA.

**Policy Implications**

State

Nil

Local

Both Local Planning Policy 18 – ‘Setbacks’ and Local Planning Policy 7 – ‘Outbuildings’ will continue to have effect in the Water Prone SCA. Scheme Amendment 73 seeks to introduce conditions attached to the list of exemptions that ensure that development complies with the above-mentioned Policies. If a proposed development does not comply with either of the Policies, the Shire will still have the legal capabilities to require a development application to be lodged, and assess the application against the planning framework.

**Financial Implications**

Endorsement of Scheme Amendment 73 will remove the need for development approval to be gained for minor development by landowners in the Water Prone SCA. This will reduce the amount of development applications received by the Shire which attracts a fee, based on the cost of development. For the minor development proposed to be exempted, a fee of \$147 is typically charged (\$147 is the minimum fee for development applications when the cost of development is less than \$50,000). A reduction in applications being lodged with the Shire will see a reduction in revenue generated from fees charged.

The \$147 fee however, is a cost recovery fee for officers’ time in considering, assessing and processing the application. It is contended that the standard \$147 fee does not completely cover the costs associated with processing applications of this nature. As such, the reduction in applications being received as a result of this Scheme Amendment will likely have a positive effect on Council’s finances as less officer time is required to process development applications.

**Strategic Assessment / Implications**

Local

- Strategic Community Plan 2022-2032

Focus area: Strong Leadership

Objective: S5.3 Accountable Governance

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

#### Site Inspection

Not applicable.

#### Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Natural Environment:</b> The risk that an exempt development has an adverse impact on the ground water.	Rare	Minor	Low	Waste water disposal systems will still require Shire approval.
<b>Opportunity:</b> Reducing unnecessary approval requirements for ratepayers constructing minor development in the Water Prone SCA.				

#### Officer Comment/Details

Scheme Amendment 73 is proposed to create greater efficiencies in the planning process for landowners within the Water Prone SCA. It seeks to exempt development within the SCA that is relatively minor in nature and does not warrant a formal assessment against the planning framework.

For landowners within the SCA that wish to construct minor development (i.e. shed, patio, pergola, retaining wall, swimming pool etc.) the proposed changes to the Scheme will allow them to by-pass the planning process, and go straight to lodgement of a building permit application. For Council's confidence, the Shire has an internal process where the Planning department review each building permit that is lodged, to determine whether development approval is required or not. It will remain the responsibility of the Shire's Planning department to ensure that any development that is not specifically exempt by LPS6 or the Regulations, obtains the necessary development approval prior to a building permit being issued.

It is recommended that Council resolve to 'support without modifications' Scheme Amendment 73 and request to the Western Australian Planning Commission the endorsement of the amendment by the Minister for Planning.

#### OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050722

Moved Cr Curtis, seconded Cr Ross

That Council pursuant to Part 5, Division 3, Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), advise the Western Australian Planning Commission that it supports proposed Scheme Amendment No. 73 to the Shire of Chittering Local Planning Scheme No. 6, without modification.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 7.34PM

**TECHNICAL SERVICES**

Nil

**CORPORATE SERVICES****CS01 – 07/22 List of Accounts Paid for the Period Ending 30 June 2022**

<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 2022

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

**Executive Summary**

Council is requested to endorse payments presented in the List of Accounts Paid for the period ending 30 June 2022.

**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 2021/22 Annual Budget, or resulting from a Council resolution for a budget amendment.

**Strategic Implications**State

Nil

Local

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

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

**Officer Comment/Details**

The attached "List of Accounts Paid as at 30 June 2022" is presented to Council for endorsement.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060722**

Moved Cr King, seconded Cr Dewar

That Council endorses the following List of Accounts Paid as per Attachment 1 totalling \$1,168,091.43 for the period ending 30 June 2022:

1. PR6061, PR6066;
2. EFT23537 – EFT23715; and
3. Direct Debits, Cheques as listed.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 7.35PM

**CS02 – 07/22      Monthly Financial Report for the Period Ending 30 June 2022**

<b>File ref</b>	12/03/4
<b>Author</b>	Finance Manager
<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 2022

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

**Executive Summary**

Council is requested to consider the financial statement for the period ending 30 June 2022.

**Background**

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

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

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

**Consultation/Communication Implications**

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

**Legislative Implications****State**

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

Local

Nil

**Policy Implications**Local

Finance Policy 2.1 Budget Preparation

Finance Policy 2.2 Investment of Funds

Finance Policy 2.7 Significant Accounting Policies

**Financial Implications**

Nil

**Strategic Implications**

- Strategic Community Plan 2022-2032

Focus area: Strong leadership

Objective: S5.2 Strong partnerships and relationships

Strategy: S5.2.1 Built effective partnerships with stakeholders

Objective: S5.3 Accountable governance

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

**Site Inspection**

Not applicable

**Risk Assessment/Implications**

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

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

**Officer Comment/Details**

Council adopted the Annual Budget for the 2021/22 financial year on 23 June 2021 (Resolution 130621). The figures in this report are compared to the Adopted Budget.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 070722****Moved Cr Hughes, seconded Cr Angus****That Council receives the Monthly Financial Report for period ending 30 June 2022, as per Attachment 1.****CARRIED UNANIMOUSLY 6 / 0**

TIME: 7.36PM

**CHIEF EXECUTIVE OFFICER****CEO01 – 07/22 Lower Chittering Hall Replacement – Community Centre Plans and Reports**

<b>Applicant</b>	Alison Reliti
<b>File ref</b>	RCS.PROJ. LWR CHIT HALL REPLACEMENT
<b>Author</b>	Community Development Officer
<b>Authorising Officer</b>	Matthew Gilfellow, CEO
<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>	<ol style="list-style-type: none"> <li>1. Lower Chittering Community Centre Schematic Design Report – SAS</li> <li>2. Lower Chittering Community Centre Project Plan</li> <li>3. Lower Chittering Community Centre Community Engagement Plan</li> <li>4. LCHR Reference Group Minutes – 22 February 2022</li> </ol>

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

**Executive Summary**

Council is requested to accept the Lower Chittering Community Centre Schematic Design Report produced by Site Architectural Studio, noting the design demands identified in the planning process, and consider the Lower Chittering Community Centre Project Plan, and Community Engagement Plan, as part of budget allocations and the Long Term Financial Plan.

In addition, Council are requested to provide direction concerning the future of the project, and instruct officers to further develop the Reflections Area and Walk paths sub project, including applications for funding.

Council is also requested to receive the minutes of the 22 February 2022 meeting of the Lower Chittering Hall Replacement Reference Group.

**Background**

The existing Lower Chittering Hall is reaching its end of life and more relevant, its end of useful life. Upgrades to the building and site to meet future needs of the community would require development approval and the need to bring the waste treatment system up to current standards. The current site is not



able to house the size of waste treatment system required, therefore redevelopment of the site is not possible and an alternate site has been selected.

An aspirational plan for the site behind the Lower Chittering Fire Station was created after a number of community consultations, and approved by Council in June 2021.

Council allocated funding in the 2021/2022 annual budget towards planning for the replacement of the existing building.

The Lower Chittering Hall Replacement (LCHR) Reference Group was formed in August 2021 and Site Architectural Studio (SAS) were selected to work with the group to create a plan for the development of the reserve behind the Lower Chittering Fire Station.

SAS have produced a Schematic Design Report which is now available for Council to review.

*Council Resolution 170222* - Staff have also created a project plan and community engagement plan to facilitate discussion as per the February 2022 Council Resolution.

### **Consultation Summary**

#### Local

- Community Development Review – 2019/2020
- Sport and Recreation Plan Review – 2020/2021
- Community Forums 2019 – 2021
- LCHR Reference Group

#### State

Nil

### **Legislative Implications**

#### State

Nil

#### Local

Nil

### **Policy Implications**

#### State

Nil

#### Local

Nil

### **Financial Implications**

Nil

### **Strategic Assessment / Implications**

#### Local

- Strategic Community Plan 2022-2032
  - S1 – Connected Communities
  - S3 – Improving Infrastructure
  - S5 – Accountable and Transparent Governance

State

Nil

**Site Inspection**

Site inspection undertaken: Not Applicable

**Risk Assessment / Implications**

All Council decisions are subject to risk assessment according to the Shires Risk Framework. The risks below have been identified for the decisions listed in the resolution only.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Project /Time</b> – Council is unable to agree on approving SDR. Council resolution deferred.	Likely	Insignificant, as project is still in planning stages	Low	The SDR has been created through a lot of consultation. The plans meet the needs of the current users of the existing facility. Further consultation with the Reference Group will be ongoing to assist with decision-making.
<b>Opportunity:</b> Chance to consider multiple points of view.				

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation &amp; Financial Impact</b> – Council wants to further consult and create alternate plan. Resulting in additional costs for project and negative effects on localised community trust.	Possible	Minor	Moderate	The SDR has been created through a lot of consultation. The plans meet the needs of the current users of the existing facility. The needs of the wider community have also been included in the planning and obtained through multiple community consultations. The estimated cost for the project is in line with similar projects.
<b>Opportunity:</b> Awareness of previous consultations conducted by officers, and recognition of the contribution of the Reference Group Members by accepting their planning decisions.				

**Officer Comment/Details**

The LCHR project has been developed through various consultations, considering the current and future needs of the Lower Chittering Community and surrounding localities in the Shire of Chittering.

They include:

- The ability to create multiple spaces, which is ideal for groups who require areas for different age groups. This also provides the capacity for it to be used as a training facility, emergency evacuation centre, and for large conferences.
- Ability for multiple groups to use the space at one time. For example, Yoga, Book Club, and a health workshop could be running at the same time.
- Kitchen access from outside of the centre, which can be used as a canteen if required.
- Storage for regular users.
- External ablution access for casual parkland users.

- There is a space that can be used for a pop up shire office, creating a connection between the community and the shire.

The Schematic Design Report provided by Site Architectural Studio addresses these needs, outlining how they impact the design. The SDR also includes Electrical, Hydraulic, Civil, and Hydrogeology Reports, a Groundwater Operating Strategy, and Bore Water Test Results. The plans have been developed with a “community” focus, whilst allowing room for future active and passive recreational pursuits.

The financial implications of the project going forward are listed below as per the Site Architectural Studio Schematic Design Report and can be used as part of the discussions regarding staging and layout.

**STAGE 1**

Total cost Stage 1: \$5,203,616

1. Loan \$3,500,000 – allocated in 2024/2025 in the LTFP.
2. LRCI \$665,218 – allocated in 2024/2025 in the LTFP.
3. Additional Funding (grants and other) \$1,038,398 - Lotterywest, Safer Communities, Crowd Funding, Corporate Sponsorship.

NB: \$2.4 mil has been allocated in the Sport and Recreation Plan for 2022/2023 with a Muni contribution of \$1,434,782 (loan). The Sport and Rec Plan is a working document and will be updated to reflect the current LTFP.

**FUTURE WORKS**

Total Cost Future Works: \$6,546,112

1. Oval & Clubrooms combined - \$1,781,228.
  - \$1,500,000 has been allocated in the Sport and Rec Plan for Muchea Overflow Oval for Football and Cricket Clubs in 23/24 with a muni contribution of \$1,000,000 (loan) and grants of \$500,000 (CSRFF)
  - Additional Funding \$281,228 – Grants (possibly State Sporting associations who would like to increase participation, or introduce new clubs to their associations.) or corporate sponsors
2. Reflections Area and Walk \$366,100, plus a portion of landscaping and site works
  - Up to \$150,000 through Saluting Their Service Commemorative Grants Program (up to \$150,000 for regional projects, or projects of significance to service personnel),
  - Remainder \$ Lotterywest, and NRM grants
3. Additional Funding \$4,398,784

**Reflections Area**

While the Community Centre has been identified as the main priority for the community, there is an opportunity to access funding to begin the Reflections Area and Walk Paths in the Aspirational Plan. This would create a visual development for the community, and provide a space for fundraising events and community connection, while the Community Centre Project is being further developed.

The Reflections Area is has been developed as a result of conversations with local returned servicemen, and retired fire brigade members. The concept includes a calm and alternative area for those who have returned from, or are still in active service in the military, who do not wish to attend major commemorative services. It will identify and recognise conflicts that local residents have participated in, and will also provide spaces for those currently serving in the Fire, Rescue, Ambulance, and Police Services.

Members of the local fire brigade have been actively involved in the design and planning for the space, and the Soldiers and Sirens Group (who offer counselling and support for military, police and other services) have expressed an interest in being involved in this project.

2023/2024:

**Reflections area and Walk Paths** – \$366,100 (plus site works and landscaping)

- Reflections Area Walk paths \$366,100 – Funding through Saluting Their Service Commemorative Grants Program (up to \$150,000 for regional projects, or projects of significance to service personnel), Lotterywest, and NRM grants.
- Reflections Area Landscaping and Site Preparation - A portion of this could be included in the Reflections Area Project, and could be funded through community crowdfunding, corporate sponsorship, or in kind contributions.

This sub project will provide a recreational and social connection space on the site. Some of the site preparation works and landscaping required to create the reflections area, if developed before the Community Centre, will reduce the costs of the larger project.

**Sound Shell / Markets area / Training space** - \$605,200 - could be included with Reflections Area Project as this space could be used as a gathering space for service personnel/volunteers recognition.

**Muchea Second Oval** - Consider constructing the second oval in Lower Chittering in 2023/24 as per Sport and Rec Plan. Site preparation, parking etc could be included in this project and reduce the costs of the Community Centre project.

**OFFICER RECOMMENDATION**

That Council:

1. Accept the Lower Chittering Community Centre Schematic Design Report produced by Site Architectural Studio, noting the design demands identified in the planning process;
2. Provide feedback on the plans and approve the engagement of consultants to create Business and Economic plans to further development of the project;
3. Consider the Lower Chittering Community Centre Project Plan, and Community Engagement Plan in the Long Term Financial Plan;
4. Instruct the Chief Executive Officer to proceed with the Reflections Area and Walk Path project;
5. Receive the minutes of the 22 February 2022 meeting of the Lower Chittering Hall Replacement Reference Group.

ALTERNATIVE MOTION

Moved Cr King, seconded Cr Dewar

That Council:

1. Receive the Lower Chittering Community Centre Schematic Design Report produced by Site Architectural Studio, noting the design demands identified in the planning process;
2. Instruct the CEO to revise the Lower Chittering Hall Replacement Reference Group Terms of Reference requiring members to develop a site master plan to accommodate the future provision of facilities and community events outlined below in 3(a);
3. Instruct the CEO to engage Site Architectural Studio with consultation from the reference group to develop a dimensioned master plan of the site incorporating the community centre as proposed with:
  - a. due consideration to the future provision of:
    - i. Sporting facilities, including but not limited to club rooms, change rooms, full size football / cricket oval, multipurpose indoor courts and soccer pitch;
    - ii. Holding community events such as a Farmers Market, Taste of Chittering and others as identified by the reference group;
    - iii. Reflections area and walk path project.
  - b. Revise the Lower Chittering Community Centre Schematic Design Report (including costs) as necessary to reflect the Lower Chittering Master Plan;
4. Authorise the Architects professional services fee to be funded from the undrawn budget allocation for professional services; or if not sufficient, authorises additional allocation from the current budget;
5. Instruct the CEO to table the Lower Chittering Master Plan and Project Implementation Plan (and cost) at the next Ordinary Council Meeting after the information becomes available.
6. Receive the minutes of the 22 February 2022 meeting of the Lower Chittering Hall Replacement Reference Group.

LOST DUE TO ABSOLUTE MAJORITY REQUIRED 3 / 3

TIME: 8:07PM

*For: Cr King, Cr Curtis, Cr Dewar*

*Against: Cr Hughes, Cr Ross, Cr Angus*

COUNCIL RESOLUTION

Moved Cr Ross, seconded Cr King

That Council suspend Standing Orders.

CARRIED 4 / 2

TIME: 7:48PM

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

*Against: Cr Hughes, Cr Angus*

FORESHADOWED MOTION

Moved Cr Hughes, seconded Cr Ross

That Council:

1. Accept the Lower Chittering Community Centre Schematic Design Report produced by Site Architectural Studio, noting the design demands identified in the planning process;
2. Provide feedback on the plans and approve the engagement of consultants to create Business and Economic plans to further development of the project;
3. Consider the Lower Chittering Community Centre Project Plan, and Community Engagement Plan in the Long Term Financial Plan;
4. Instruct the Chief Executive Officer to proceed with the Reflections Area and Walk Path project;
5. Receive the minutes of the 22 February 2022 meeting of the Lower Chittering Hall Replacement Reference Group.

COUNCIL RESOLUTION

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

CARRIED UNANIMOUSLY 6 / 0

TIME: 8:05PM

AMENDMENT 1 / COUNCIL RESOLUTION

Moved Cr King, seconded Cr Curtis  
That Council amends point 1 to read:

1. Receive the Lower Chittering Community Centre Schematic Design Report produced by Site Architectural Studio, noting the design demands identified in the planning process.

CARRIED 5 / 1

TIME: 8:14PM

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

*Against: Cr Hughes*

AMENDMENT 2 / COUNCIL RESOLUTION

Moved Cr King, seconded Cr Curtis  
That Council delete point 2 of the officer recommendation.

CARRIED 3 / 3

TIME: 8:20PM

*For: Cr King, Cr Dewar, Cr Curtis*

*Against: Cr Hughes, Cr Ross, Cr Angus*

*\*The President utilised his casting vote in favour of this amendment.*

AMENDMENT 3 / COUNCIL RESOLUTION

Moved Cr King, seconded Cr Curtis  
That Council amend point 4 of the officer recommendation to read:

4. Instruct the Chief Executive Officer to proceed with a project plan for the Reflections Area and Walk Path to be presented to Council at the Ordinary Meeting of Council as soon as practicable.

CARRIED 3 / 3

TIME: 8:31PM

*For: Cr King, Cr Curtis, Cr Dewar*

*Against: Cr Angus, Cr Ross, Cr Hughes*

*\*The President utilised his casting vote in favour of this amendment.*

COUNCIL RESOLUTION

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

CARRIED 4 / 2

TIME: 8:34 PM

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

*Against: Cr King, Cr Dewar*

**COUNCIL RESOLUTION**

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

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 8:40PM

**SUBSTANTIVE MOTION / COUNCIL RESOLUTION 080722**

Moved Cr Hughes, seconded Cr Ross

That Council:

1. Receive the Lower Chittering Community Centre Schematic Design Report produced by Site Architectural Studio, noting the design demands identified in the planning process;
2. Consider the Lower Chittering Community Centre Project Plan, and Community Engagement Plan in the Long Term Financial Plan;
3. Instruct the Chief Executive Officer to proceed with a project plan for the Reflections Area and Walk Path to be presented to Council at the Ordinary Meeting of Council as soon as practicable;
4. Receive the minutes of the 22 February 2022 meeting of the Lower Chittering Hall Replacement Reference Group.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 8:41PM

## CEO02 – 07/22

## Expression of Interest for Bindoon Tip Shop

Applicant	N/A
File ref	WM.PROG.EOI.TIP SHOP
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Voting requirements	Simple Majority
Attachments	Nil

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

**Executive Summary**

That Council note the Shire did not receive any expression of interests from community groups to operate a tip shop / recycling centre at the Bindoon Rubbish Tip.

**Background**

At the Ordinary Meeting of Council held 15 December 2021, Cr Curtis raised the following motion of which Council unanimously adopted:

<p><b>MOTION / COUNCIL RESOLUTION 171221</b>  Moved Cr Curtis, seconded Cr King  That Council instruct the Chief Executive Officer to issue expression of interest to community groups to operate tip shop/recycling centre at the Bindoon Rubbish Tip.</p>	<p><b>CARRIED UNANIMOUSLY 7/0</b>  TIME: 8.32pm</p>
---	---

Shire officers advertised for expressions of interests from community groups to operate a tip shop / recycling centre at the Bindoon Rubbish Tip in the April Northern Valley News, on the Shire website and Facebook page and received no submissions of interest.

The advertising period was extended until 5 July and readvertised in the June Northern Valley News and still no expressions of interest were received.



### Tip Shop Recycling Centre EOI

Community groups are invited to enter an Expression of Interest (EOI) to run a Tip Shop/Recycling Centre at the Bindoon Landfill Site. Community groups putting in an EOI must provide a brief statement on their capacity to ensure each of the following criteria:

- Administrative ability to meet DWER Reporting Requirements;
- Hours of Operation;
- Occupational Safety and Health;
- COVID Vaccination Directions (Waste sites are currently classified as Level 2 positions requiring up to date vaccinations);
- Security of the tip shop/recycling centre.

Following this process, suitable groups will be provided with further information to tender for the licence.

EOI should be addressed to Mr Matthew Gilfellon, Chief Executive Officer, Shire of Chittering. They can be sent to [chatter@chittering.wa.gov.au](mailto:chatter@chittering.wa.gov.au), PO Box 70, Bindoon WA 6502, or they can be hand delivered to the administration office. *Expressions of Interest must be received by 4:00pm, Friday 29 April 2022.*

### Tip Shop Recycling Centre EOI

Community groups are invited to enter an Expression of Interest (EOI) to run a Tip Shop/Recycling Centre at the Bindoon Landfill Site. Community groups putting in an EOI must provide a brief statement on their capacity to ensure each of the following criteria:

- ♦ Administrative ability to meet DWER Reporting Requirements;
- ♦ Hours of Operation;
- ♦ Occupational Safety and Health;
- ♦ COVID Vaccination Directions (Waste sites are currently classified as Level 2 positions requiring up to date vaccinations);
- ♦ Security of the tip shop/recycling centre.

Following this process, suitable groups will be provided with further information to tender for the licence.

EOI should be addressed to Mr Matthew Gilfellon, Chief Executive Officer, Shire of Chittering.

They can be sent to [chatter@chittering.wa.gov.au](mailto:chatter@chittering.wa.gov.au), PO Box 70, Bindoon WA 6502, or they can be hand delivered to the administration office. *Expressions of Interest must be received by 4:00pm, Tuesday 5th July, 2022.*

## Consultation Summary

### Local

Nil

### State

Nil

## Legislative Implications

### State

Nil

### Local

Nil

## Policy Implications

### State

Nil

### Local

Nil

## Financial Implications

Nil

## Strategic Assessment / Implications

### Local

- Strategic Community Plan 2022-2032  
 Focus area: Natural Environment  
 Objective: S2.1 Sustainable Lifestyle  
 Strategy: S2.1.2 Improved waste management and recycling practices

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Natural Environment:</b> Excessive waste going to the tip rather than being recycled	Likely	Minor	Moderate	Review the interest again in the future
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

Nil

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 090722**

Moved Cr Angus, seconded Cr Ross

That Council note the Shire received no expressions of interest from community groups to operate a tip shop / recycling centre at the Bindoon Rubbish Tip.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 8.48pm

**FORESHADOWED MOTION**

Moved Cr Curtis, seconded

That Council direct the Chief Executive Officer for the Shire to operate a Tip Shop at the Bindoon Tip.

**CEO03 – 07/22 Chittering Waste Recovery Group**

<b>Applicant</b>	N/A
<b>File ref</b>	WM.PLN.WASTE RECOVERY GROUP
<b>Author</b>	Executive Assistant
<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 require disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	Nil

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

**Executive Summary**

That Council note the Shire did not receive an appropriate number of submissions to be able to form a Chittering Waste Recovery Group.

**Background**

At the Ordinary Meeting of Council held 16 March 2022, Cr Curtis raised the following motion of which Council unanimously adopted:

<p><b>SUBSTANTIVE MOTION / COUNCIL RESOLUTION 110322</b>  <b>Moved Cr Curtis, seconded Cr King</b>  <b>That Council establish a Chittering Waste Recovery Group with Terms of Reference to include:</b></p> <ol style="list-style-type: none"> <li><b>Objectives</b> <ol style="list-style-type: none"> <li>To make recommendations and advise Council on matters relating to waste recovery opportunities and practices across the Shire.</li> </ol> </li> <li><b>Management</b> <ol style="list-style-type: none"> <li>A Council member will facilitate all group meetings.</li> </ol> </li> <li><b>Roles and Responsibilities</b> <ol style="list-style-type: none"> <li>Develop a communication plan to guide how the Shire should inform and seek input from stakeholders and community;</li> <li>Provide valuable input into considerations in regards to the Shires wastes construction/operation of all activities; and</li> <li>Appreciate and understand that all decisions have impacts and to demonstrate a measured approach to promoting views and contributing to discussion.</li> </ol> </li> </ol>
---

4. *Membership*
  - a. *The inaugural Waste Recovery Group members with the exception of Council, Shire representatives shall be selected by Council, which the tenure of these members shall be until the first Ordinary Council Elections following the formation of the Group.*
  - b. *Interested parties will be invited to complete an application form and send to the Chair of the Waste Recovery Group who will consult with existing membership to consider the application.*
5. *Delegated Authority*
  - a. *The Group has no delegated authority but may make recommendations to Council on matters outlined in the roles and responsibilities.*
6. *Frequency of Meeting*
  - a. *To be held and advised by Chairperson.*

CARRIED UNANIMOUSLY 6 / 0

TIME: 7.59PM

Shire officers advertised for interested persons to form the Chittering Waste Recovery Group in the April Northern Valley News, on the Shire website and Facebook page and only received two submissions within the one month advertising period.



The advertising period was extended for another month and no further submissions were received.

#### **Consultation Summary**

##### Local

Nil

##### State

Nil

#### **Legislative Implications**

##### State

Nil

##### Local

Nil

**Policy Implications**State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**Local

- Strategic Community Plan 2022-2032  
 Focus area: Natural Environment  
 Objective: S2.1 Sustainable Lifestyle  
 Strategy: S2.1.2 Improved waste management and recycling practices

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Natural Environment:</b> Excessive waste going to the tip rather than being recycled	Likely	Minor	Moderate	Review the interest in a Waste Recovery Group again in the future
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

With the lack of interest and having only received two submissions, it is not recommended to form a Chittering Waste Recovery Group at this time.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100722**

Moved Cr Curtis, seconded Cr Hughes

That Council note the two submissions received, however, does not proceed with forming a Chittering Waste Recovery Group at this time.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 8:52PM

**CEO04 – 07/22 Occupational Safety and Health Statistics Report – June 2022**

<b>Applicant</b>	N/A
<b>File ref</b>	GOV.REP.OSH
<b>Author</b>	Chief Executive Officer
<b>Disclosure of interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. OSH Statistics Report for the period ending 30 June 2022

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

**Executive Summary**

Council is requested to receive the Shire of Chittering's Occupational Safety and Health Statistics Report for the period ending 30 June 2022.

**Background**

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

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

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

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

**CARRIED UNANIMOUSLY 7 / 0**

*TIME: 9.53pm*

### **Consultation Summary**

#### Local

Nil

#### State

Nil

### **Legislative Implications**

#### State

- *Work Health and Safety Act 2020*

#### Local

Nil

### **Policy Implications**

#### State

Nil

#### Local

- *Shire of Chittering Policy 3.8 Occupational Safety and Health (OSH)*

### **Financial Implications**

Nil

### **Strategic Assessment / Implications**

#### Local

- *Strategic Community Plan 2022-2032*
  - Focus area: Accountable governance
  - Objective: S5.3 Accountable Governance
  - Strategy: S5.3.1 Good governance which supports efficient and effective service delivery

#### State

Nil

### **Site Inspection**

Site inspection undertaken: Not applicable

**Risk Assessment / Implications**

Nil

**Officer Comment/Details**

Nil

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110722**

Moved Cr King, seconded Cr Hughes

That Council receive the Shire of Chittering Occupational Safety and Health Statistics Report for the period ending 30 June 2022.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 8:56PM



**CEO05 – 07/22 Proposed Engineering, Construction and Maintenance Policy – Verge Maintenance**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	04/03/1
<b>Author</b>	Executive Management Assistant
<b>Authorising Officer</b>	Chief Executive Office
<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>	<ol style="list-style-type: none"> <li>1. Draft Engineering, Construction and Maintenance Policy 8.xx – Verge Maintenance</li> <li>2. Council Engineering, Construction and Maintenance Policy 7.4 – Roadside Burning</li> <li>3. Council Parks and Landscaping Policy 8.2 – Road Verge Development Criteria</li> <li>4. Council Parks and Landscaping Policy 8.3 - Street Tree Removal</li> </ol>

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

**Executive Summary**

Council is requested to consider the adoption of a Verge Maintenance Policy to provide guidance for Shire Officers and clear, consistent information around roles and responsibilities to the community in relation to the maintenance of the verge, as per **Attachment 1**.

**Background**

Shire Officers consistently field resident requests to undertake works on the verge areas adjacent to residents' properties and with no formally approved position, it is left to Officer discretion as to what is appropriate or not. Clear guidance is required for Officer benefit to provide consistent outcomes as well as being able to provide useful information to the community. This could be in the form of a Council adopted policy.

The informal position with verge areas at this stage is:

- The Shire manages certain operational aspects within the road reserve including road pavement, drains, footpaths, kerbs as well as the amenity of planted street trees.

- The Shire does not have the resources to maintain verges in front of private properties and individual landholders are encouraged to maintain the verge area adjacent to their property boundaries.
- The Shire will only take action on a verge adjacent to private property if it constitutes a significant sight-line hazard or is causing an obstruction to public infrastructure i.e. roads, drains and footpath.

The Shire does not become involved in verge maintenance issues involving the presentation or perceived levels of neglect when an adjoining landholder does not maintain the adjoining verge. Verge areas are usually narrow strips of land that could potentially catch fire, however, from a fire hazard perspective they are not addressed by the Shire unless deemed a strategic fire risk by the Shire's Community Emergency Safety Manager. Strategic fire hazards are addressed through an ongoing Shire fire mitigation program.

### Consultation Summary

#### Local

It is recommended that the proposed policy be advertised for public comment in accordance with the Shire's Community Engagement Framework.

#### State

Nil

### Legislative Implications

#### State

Section 55 (2) of the *Land Administration Act 1997* states:

- (2) *Subject to the Main Roads Act 1930 and the Public Works Act 1902, the local government within the district of which a road is situated has the care, control and management of the road.*

**road** means, subject to section 54 of the *Land Administration Act 1997*, land dedicated at common law or reserved, declared or otherwise dedicated under an Act as an alley, bridge, court, lane, road, street, thoroughfare or yard for the passage of pedestrians or vehicles or both;

#### Local

The Shire of Chittering's current "*Activities on Thoroughfares and Trading in Thoroughfares and Public Places (2001)*" Local Law states:

### 2.1 General prohibitions

*A person shall not -*

- (a) *plant any plant which exceeds or which may exceed 0.75m in height on a thoroughfare so that the plant is within 6m of an intersection;*
- (b) *damage a lawn or a garden or remove any plant or part of a plant from a lawn or a garden unless—*
  - (i) *the person is the owner or the occupier of the lot abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or*
  - (ii) *the person is acting under the authority of a written law;*
- (c) *plant any plant (except grass or a similar plant) on a thoroughfare so that it is within 2m of a carriageway;*
- (d) *place on any footpath any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the footpath;*
- (e) *unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government or a person acting under the authority of a written law;*

- (f) *play or participate in any game or sport so as to cause danger to any person or thing or impede the movement of vehicles or persons on a thoroughfare; or*
- (g) *within a mall, arcade or verandah of a shopping centre, ride any skateboard, rollerblades or similar device.*

## **2.2 Activities allowed with a permit - general**

- (1) *A person shall not, without a permit–*
  - (a) *dig or otherwise create a trench through or under a kerb or footpath;*
  - (b) *subject to Division 3 of this Part, throw, place or deposit anything on a verge except for removal by the local government under a bulk rubbish collection, and then only during the period of time advertised in connection with that collection by the local government;*
  - (c) *cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare;*
  - (d) *cause any obstruction to a water channel or a water course in a thoroughfare;*
  - (e) *throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;*
  - (f) *damage a thoroughfare;*
  - (g) *light any fire or burn anything on a thoroughfare other than in a stove or fireplace provided for that purpose or under a permit issued under clause 5.13;*
  - (h) *fell any tree onto a thoroughfare;*
  - (i) *unless installing a permissible verge treatment –*
    - (i) *lay pipes under or provide taps on any verge; or*
    - (ii) *place or install anything on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;*
  - (j) *provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;*
  - (k) *on a public place use anything or do anything so as to create a nuisance;*
  - (l) *place or cause to be placed on a thoroughfare a bulk rubbish container; or*
  - (m) *interfere with the soil of, or anything in a thoroughfare or take anything from a thoroughfare.*
- (2) *The local government may exempt a person from compliance with subclause (1) on the application of that person.*

### *Division 3 - Verge treatments Subdivision 1 - Preliminary*

## **2.6 Interpretation**

*In this Division, unless the context otherwise requires –*

*"acceptable material" means any material which will create a hard surface, and which appears on a list of acceptable materials maintained by the local government.*

## **2.7 Application**

*This Division only applies to the townsite.*

### *Subdivision 2 - Permissible verge treatments*

## **2.8 Permissible verge treatments**

- (1) *An owner or occupier of land which abuts on a verge may on that part of the verge directly in front of her or his land install a permissible verge treatment.*
- (2) *The permissible verge treatments are*
  - (a) *the planting and maintenance of a lawn;*
  - (b) *the planting and maintenance of a garden provided that*

- (i) *clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare; and*
- (ii) *where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;*
- (c) *the installation of an acceptable material; or*
- (d) *the installation over no more than one third of the area of the verge (excluding any vehicle crossing) of an acceptable material in accordance with paragraph (c), and the planting and maintenance of either a lawn or a garden on the balance of the verge in accordance with paragraph (a) or (b).*

## **2.9 Only permissible verge treatments to be installed**

- (1) *A person shall not install or maintain a verge treatment which is not a permissible verge treatment.*
- (2) *The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 2.10.*

## **2.10 Obligations of owner or occupier**

*An owner or occupier who installs or maintains a permissible verge treatment shall*

- (a) *keep the permissible verge treatment in a good and tidy condition and ensure, where the verge treatment is a garden or lawn, that a footpath on the verge and a carriageway adjoining the verge is not obstructed by the verge treatment;*
- (b) *not place any obstruction on or around the verge treatment; and*
- (c) *not disturb a footpath on the verge.*

## **2.11 Notice to owner or occupier**

*The local government may give a notice in writing to the owner or the occupier of a lot abutting on a verge to make good, within the time specified in the notice, any breach of a provision of this Division.*

### *Subdivision 3 - Existing verge treatments*

## **2.12 Transitional provision**

- (1) *In this clause*  
*"former provisions" means the local law of the local government which permitted certain types of verge treatments, whether with or without the consent of the local government, and which was repealed by this local law.*
- (2) *A verge treatment which*
  - (a) *was installed prior to the commencement day; and*
  - (b) *on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions,**is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.*

### *Subdivision 4 - Public works*

## **2.13 Power to carry out public works on verge**

*Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority*

- (a) *is not liable to compensate any person for that disturbance;*
- (b) *may backfill with sand, if necessary, any garden or lawn; and*

- (c) *is not liable to replace or restore any*
- (i) *verge treatment and, in particular, any plant or any acceptable material or other hard surface; or*
- (ii) *sprinklers, pipes or other reticulation equipment.*

**Policy Implications**State

Nil

Local

Nil

**Financial Implications**

The verge maintenance policy has been created with the current level of resources available within the approved budget. Should Council support substantially expending the Shire's verge maintenance responsibilities, additional resources and therefore, additional funds will be required.

**Strategic Assessment / Implications**Local• Strategic Community Plan 2022-2032

Focus Area: Natural Environment

Objective: S2.1 Sustainable Lifestyle

Strategy: S2.1.1 Encouraging development in keeping with the environment.

Focus area: Built Environment

Objective: S3.2 Outcome: Improving Infrastructure

Strategy: S3.2.2 Town sites with attractive streetscapes

Focus area: Administration and Governance

Objective: S5.2 Outcome: Accountable and Transparent Governance

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

S5.2.2 Responsible, sustainable and planned use of the Shires financial resources

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational:</b> Loss of reputation by no longer doing things done in the past	Likely	Minor	Moderate	Adopting a policy that outlines all expectations provides more equity, consistency and transparency.
<b>Opportunity:</b> Nil				

**Officer Comment/Details**

A verge policy would be a welcome addition to the Shire as it will provide consistent guidance to Officers dealing with these matters and useful information to the community.

In addition to any policy, the Shire would continue to maintain, renew and upgrade other Shire owned road reserve infrastructure i.e. road, drainage, footpath, kerbing and structures.

The maintenance of the road verge has been a contentious topic over the past few years, therefore it is expected that this policy will promote a high level of community discussion.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 120722**

**Moved Cr Ross, seconded Cr King**

**That Council:**

- 1. Adopt the Verge Maintenance Policy, as attached to this report;**
- 2. Delete the following policies and ensure that the numbering is updated accordingly:**
  - a. Engineering, Construction and Maintenance Policy 7.4 Roadside Burning**
  - b. Parks and Landscaping Policy 8.2 – Road Verge Development Criteria**
  - c. Parks and Landscaping Policy 8.3 – Street Tree Removal**
- 3. Instruct the Chief Executive Officer to:**
  - a. Publicly advertise the Verge Maintenance Policy as attached to this report for not less than two weeks; and**
  - b. Bring a report to the September 2022 Ordinary Council Meeting, or at an earlier Ordinary Meeting of Council, incorporating any feedback received.**

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 8:58PM

**CEO06 – 07/22 Register of Policies: Amendments**

<b>Applicant</b>	Shire of Chittering
<b>File ref</b>	04/03/1
<b>Author</b>	Executive Management 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
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Administration Policy 1.1 – Policy Register</li> <li>2 Administration Policy 1.2 – Use of Civic Centre – Council Chambers</li> <li>3 Administration Policy 1.3 – Australian Citizenship Ceremonies</li> <li>4 Administration Policy 1.4 – Complaints Reporting</li> <li>5 Administration Policy 1.6 – Travel &amp; Accommodation</li> <li>6 Administration Policy 1.13 – Honorary Freeman of the Shire of Chittering</li> <li>7 Administration Policy 1.14 – Risk Management Policy</li> <li>8 Administration Policy 1.15 – Integrated Workforce Planning and Management Policy</li> <li>9 Administration Policy 1.18 – Recording and Access to Recordings of Council Meetings</li> <li>10 Finance Policy 2.1 – Budget Preparations</li> <li>11 Finance Policy 2.10 – Credit Cards</li> <li>12 Finance Policy 2.11 – Purchasing</li> <li>13 Finance Policy 2.14 – Improvements to Council Properties by External Groups</li> <li>14 Finance Policy 2.15 – Related Party Disclosure Policy</li> <li>15 Staff Policy 3.1 – Bereavement Recognition</li> <li>16 Staff Policy 3.3 – Council Contribution to Staff Functions</li> <li>17 Staff Policy 3.21 – Staff Superannuation</li> <li>18 Staff Policy 3.22 – Attraction and Retention</li> <li>19 Community Facilities and Recreation Policy 5.2 – Concerts, Events and Organised Gatherings</li> <li>20 Community Development Policy 6.7 – Community Assisted Transport Service</li> <li>21 Administration Policy 1.xx – Execution of Documents and Use of the Common Seal</li> <li>22 Elected Member Policy 4.xx – Council Positions</li> </ol>

	<b>Authority / Discretion</b>	<b>Definition</b>
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input checked="" type="checkbox"/>	<b>Legislative</b>	<b><i>When Council initiates or adopts a policy position, or a local law</i></b>
<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 amendments to the Policy Register as per the attachments.

### Background

Policies are determined by Council and may be amended or waived according to circumstances. This power is conveyed to Council in section 2.7(2)(b) of the *Local Government Act 1995*. Policies cannot be made in relation to those powers and duties given directly to the CEO by the Act.

The objectives of the Council's Policy Manual are:

- to provide Council with a formal written record of all policy decisions;
- to provide the staff with clear direction to enable them to respond to issues and act in accordance with Council's general direction;
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Shire;
- to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
- to enable electors to obtain immediate advice on matters of Council Policy.

Policies should not be confused with operational directives and/or procedures, which are determined by the CEO, as a mechanism for good management, and implementation of Council policies.

Council will conduct a complete review of all policies at least every one year.

### Consultation Summary

#### Local

- Chief Executive Officer
- Executive Manager Corporate Services
- Executive Manager Technical Services
- Executive Manager Development Services

#### State

Nil



**Legislative Implications**State

Section 2.7(2)(b) of the *Local Government Act 1995* states:

**2.7. Role of council**

- (1) *The council —*
- (a) *governs the local government's affairs; and*
  - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
- (a) *oversee the allocation of the local government's finances and resources; and*
  - (b) *determine the local government's policies.*

Local

Nil

**Policy Implications**State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**Local

- *Strategic Community Plan 2022-2032*
  - Focus area: Administration and Governance
  - Objective: S5.2 Outcome: Accountable and Transparent Governance
  - Strategy: S5.2.1 Become a leader in the areas of transparency, disclosure and public accountability

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational:</b> Loss of reputation by no longer doing things that have been done in the past	Possible	Insignificant	Low	Reviewing policies and updating them in line with current legislation and operational practices provides more equity, consistency and transparency.
<b>Opportunity:</b> To provide clear direction to staff, Councillors and the community pertaining to matters, in keeping with community expectations, current trends and circumstances.				

**Officer Comment/Details**

A review of the Shire of Chittering's Policy Register, containing 106 policies, was conducted and the following policies require amendments:

Administration Policy 1.1 - Policy Register

The Policy has been updated in line with current operational practices and technological advancements. **(Attachment 1)**

Administration Policy 1.2 - Use of Civic Centre – Council Chambers

The Policy is recommended to be deleted, as the new Act specifically prevents the transfer of a Work Health and Safety Duty of Care. It is also impractical for community groups to use the Council Chambers at night unless a staff member is present. **(Attachment 2)**

Administration Policy 1.3 - Australian Citizenship Ceremonies

The Policy has been updated in line with current operational practices. **(Attachment 3)**

Administration Policy 1.4 – Complaints Reporting

The Policy has been updated in line with current operational practices, as an "Information Bulletin" is not currently produced. **(Attachment 4)**

Administration Policy 1.6 - Travel & Accommodation

The Policy is recommended to be deleted, as it is covered in other policies and is a duplication of information. **(Attachment 5)**

Administration Policy 1.13 - Honorary Freeman of the Shire of Chittering

The Policy has been updated in line with current legislation; as "Special Majority" was deleted from the Local Government Act 1995 No. 16 of 2019 S. 6. **(Attachment 6)**

Administration Policy 1.14 - Risk Management Policy

The Policy has been updated to delineate the Shire's Risk Assessment Criteria, as utilised in line with current daily operational practices. **(Attachment 7)**

Administration Policy 1.15 - Integrated Workforce Planning and Management Policy

The Policy has been updated to help distinguish between, Work Health and Safety (WHS / OSH) & - Health and Wellbeing. **(Attachment 8)**

Administration Policy 1.18 - Recording and Access to Recordings of Council Meetings

The Policy has been updated to reflect that an Annual Review of the entire policy register is conducted; so to double up with dates is superfluous and inefficient. **(Attachment 9)**

Finance Policy 2.1 - Budget Preparations

The Policy has had a timeline included to delineate the optimal budget planning, in line with current operational practices. **(Attachment 10)**

Finance Policy 2.10 - Credit Cards

The Policy has been updated to reflect current operational practices. **(Attachment 11)**

Finance Policy 2.11 - Purchasing

This Policy formulates part of the "Procurement Review" which the Executive Manager of Corporate Services has discussed with Council at a previous Agenda Forum and the Policy has accordingly been updated in line with current legislation and daily operational practices as described. **(Attachment 12)**

Finance Policy 2.14 - Improvements to Council Properties by External Groups

The Policy is recommended to be deleted, as this is controlled via the Lease or Licence held between the Shire and the External Group. **(Attachment 13)**

Finance Policy 2.15 - Related Party Disclosure Policy

The Policy was reviewed in line with current legislation, current operational practices and the new "Council Positions" Policy of Transparency & Accountability taken into consideration. **(Attachment 14)**

Staff Policy 3.1 - Bereavement Recognition

The Policy has been updated from an administrative perspective. **(Attachment 15)**

Staff Policy 3.3 - Council Contribution to Staff Functions

The Policy has been updated from an administrative perspective and in line with current living costs and inflation rates, as a change has not occurred to this policy since 2014. **(Attachment 16)**

Staff Policy 3.21 - Staff Superannuation

The Policy has been updated in line with current statutory requirements that have come into effect on 1 July 2022. **(Attachment 17)**

Staff Policy 3.22 - Attraction and Retention

The Policy has been updated to reflect the current organisational values. **(Attachment 18)**

Community Facilities and Recreation Policy 5.2 - Concerts, Events and Organised Gatherings

The Policy has been updated in line with current operational practices. **(Attachment 19)**

Community Development Policy 6.7 - Community Assisted Transport Service

The Policy has been updated in line with current operational practices. **(Attachment 20)**

NEW Administration Policy 1.xx - Execution of Documents and Use of the Common Seal

The Policy has been created to delineate protocols and procedures for the execution of documents and the affixing and administration of the Shire of Chittering's Common Seal. **(Attachment 21)**

NEW Elected Member Policy 4.xx - Council Positions

The Policy has been created to provide a record of resolutions in relation to Councils Position pertaining to certain matters. **(Attachment 22)**

Of the remaining 87 policies, there are still an additional 9 that need to be brought before Council at the conclusion of their revision. Those being:

Administration Policy 1.12	Smoking, Other Drugs and Alcohol
Administration Policy 1.16	OSH Fleet Safety and Motor Vehicle Guidelines
Staff Policy 3.4	Staff Uniforms
Staff Policy 3.8	Occupational Safety and Health (OSH)
Staff Policy 3.9	Protection from the sun for Outdoor Work
Staff Policy 3.10	Contractors
Staff Policy 3.17	Use of Council Vehicles
Staff Policy 3.18	Social Media
Staff Policy 3.19	Training and Development

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 130722**

Moved Cr King, seconded Cr Ross

That Council:

1. Endorse the following amended policies and ensure that the numbering is updated accordingly:
  - Administration Policy 1.1 - Policy Register
  - Administration Policy 1.3 - Australian Citizenship Ceremonies
  - Administration Policy 1.4 - Complaints Reporting
  - Administration Policy 1.13 - Honorary Freeman of the Shire of Chittering
  - Administration Policy 1.14 - Risk Management Policy
  - Administration Policy 1.15 - Integrated Workforce Planning and Management Policy
  - Administration Policy 1.18 - Recording and Access to Recordings of Council Meetings
  - Finance Policy 2.1 - Budget Preparations
  - Finance Policy 2.10 - Credit Cards
  - Finance Policy 2.11 - Purchasing
  - Finance Policy 2.14 - Improvements to Council Properties by External Groups
  - Finance Policy 2.15 - Related Party Disclosure Policy
  - Staff Policy 3.1 - Bereavement Recognition
  - Staff Policy 3.3 - Council Contribution to Staff Functions
  - Staff Policy 3.21 - Staff Superannuation
  - Staff Policy 3.22 - Attraction and Retention
  - Community Facilities and Recreation Policy 5.2 - Concerts, Events and Organised Gatherings
  - Community Development Policy 6.7 - Community Assisted Transport Service
2. Delete the following policies and ensure that the numbering is updated accordingly:
  - Administration Policy 1.2 - Use of Civic Centre – Council Chambers
  - Administration Policy 1.6 - Travel & Accommodation
  - Finance Policy 2.14 - Improvements to Council Properties by External Groups
3. Endorse the following new policies and ensure that the numbering is updated accordingly:
  - Administration Policy 1.xx - Execution of Documents and Use of the Common Seal
  - Elected Member Policy 4.xx - Council Positions

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 9:08PM

**AMENDMENT**

Moved Cr King, seconded

That Draft staff policy 3.3 be amendment to retain the current Council contribution levels of \$200.

**LAPSED FOR WANT OF A SECONDER**

**CEO07 – 07/22 Aged and Disability Care Project Plan**

<b>Applicant</b>	N/A
<b>File ref</b>	03/01/0005
<b>Author</b>	Chief Executive Officer
<b>Authorising Officer</b>	N/A
<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. Draft Aged and Disability Care Project Plan

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

**Executive Summary**

Council is requested to endorse the Aged and Disability Care Project Plan as per **Attachment 1** of the Agenda Item.

**Background**

Aged and Disability Care have a long history at the Shire of Chittering. Over the more recent history, some of the following have occurred:

- 2013 – Retiree Housing and Aged Services Survey;
- 2014 – Wheatbelt Aged Support and Care Solutions Final Report;
- 2016 – Aged Friendly Community Plan;
- 2017 – Health Survey;
- 2019 – Respite Care Expression of Interest;
- 2020 – Leading Aged Services Meetings;
- 2020 – Aged Care Report & Presentation provided to Council;
- 2020 – Council Decision re Aged Care Direction;
- 2020 – Aged Care Forum;
- 2020 – Reserve Land for Aged Care;
- 2021 – Independent Living Unit Feasibility Study;
- 2021 – Shire of Chittering Needs Study;
- 2021 – Bindoon Town Centre Masterplan;
- 2021 – Aged Services Forum;

- 2022 – Verso Feasibility Study.

At the May 2022 Ordinary Meeting of Council, the following decision was made:

**SUBSTANTIVE MOTION / COUNCIL RESOLUTION 150522**

*Moved Cr King, seconded Cr Curtis*

*That:*

1. *"The Shire of Chittering" adopts the following position statements:*
  - a. *"The Shire of Chittering is committed to retaining older people and people with disability support needs in the Chittering community".*
  - b. *"The Shire of Chittering is committed to investigating options to facilitate the development of a multi service housing, aged care and associated health service campus within the Shire of Chittering".*
2. *Instructs the Chief Executive Officer to:*
  - a. *Workshop with Council potential land (and other) contributions (and terms for provision thereof) from the Shire of Chittering to incentivise the attraction of a suitable developer;*
  - b. *Develop a Project Plan outlining the execution strategy, resources and budget allocation required;*
  - c. *Present the Project Plan to Council at the July 2022 Ordinary Council Meeting.*

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 8.40PM

**Consultation Summary**

Local

No specific consultation was carried out for the development of this plan, however over a number of years there has been several different community engagement efforts made that were used as a background to the development of this plan.

State

Nil

**Legislative Implications**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil. The estimated projects cost for this plan is \$48,000, not inclusive of staff time, but provision has been made in the 2022-2023 Annual Financial Budget.

**Strategic Assessment / Implications**

Local

- Strategic Community Plan 2022-2032

Focus area:	Community
Objective:	S2 A Safe and Healthy Community
Strategy:	S1.2.1 Improve education, health, disability and aged services

State

Nil

**Site Inspection**

Site inspection undertaken: Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputation:</b> Sections of the community may not agree with the direction of Council.	Possible	Insignificant	Low	Continued community engagements as the plan progresses.
<b>Opportunity:</b> Greater engagement with the community on the direction of Council.				

**Officer Comment/Details**

Nil

**OFFICER RECOMMENDATION**

Moved Cr Ross, seconded Cr Curtis

That Council:

1. Endorse the Aged Care Plan as per Attachment 1;
2. Include the resources requirements of the Aged Care Plan as part of the Chief Executive Officer Key Performance Indicator discussions.

**AMENDMENT 1**

Moved Cr Ross, seconded Cr King

That the attached plan be amended where necessary to indicate that Council and the CEO will perform relevant advocacy.

CARRIED UNANIMOUSLY 6 / 0

TIME: 9:17PM

**COUNCIL MOTION**

Moved Cr Ross, seconded Cr Curtis

That Council:

- 1a. Endorse the Aged Care Plan as per Attachment 1;
  - 1b. That the plan be amended where necessary to indicate that Council and the CEO will perform relevant advocacy
2. Include the resources requirements of the Aged Care Plan as part of the Chief Executive Officer Key Performance Indicator discussions.

**AMENDMENT 2**

Moved Cr King, seconded Cr Curtis

That point 2 of the Council Motion be deleted.

CARRIED UNANIMOUSLY 6 / 0

TIME: 9:22PM

**SUBSTANTIVE MOTION / COUNCIL RESOLUTION 140722**

**Moved Cr Ross, seconded Cr Curtis**

**That Council:**

- 1. Endorse the Aged Care Plan as per Attachment 1;**
- 2. That the plan be amended where necessary to indicate that Council and the CEO will perform relevant advocacy.**

**CARRIED UNANIMOUSLY 6 / 0**

**TIME: 9:23PM**



**CEO08 – 07/22 Donations, Contributions and Sponsorships Policy**

<b>Applicant</b>	N/A
<b>File ref</b>	04/03/1
<b>Author</b>	Chief Executive Officer
<b>Authorising Officer</b>	N/A
<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 (Absolute Majority if a policy is adopted that has a financial implication)
<b>Attachments</b>	1. Donations, Contributions and Sponsorships Policy

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

**Executive Summary**

Council is requested to adopt the Donations Policy as per **Attachment 1** of this Agenda Item.

**Background**

A request was made by Cr King for the preparation and adoption of a Donations Policy by Council in order to make a determination on which donations are to be received by the Shire or via a third party to the Shire.

Council are currently poised to receive the following donations:

<b>Organisation</b>	<b>Industry</b>	<b>Purpose</b>	<b>Via Third Party</b>
Tronox	Mining	Muchea Recreation Centre	Yes
Muchea Sporting Clubs	Community	Muchea Recreation Centre	No
Tronox	Mining	Bindoon Mountain Bike Park	No
Bendigo Bank	Financial	Bindoon Mountain Bike Park	No
Chittering Tourist Association	Community	Bindoon Mountain Bike Park	No
Caspin Resources	Mining	Bindoon Mountain Bike Park	No
Chalice Mining	Mining	Bindoon Mountain Bike Park	Yes
Chalice Mining	Mining	Taste of Chittering	No

Tronox, a mining company, have made many contributions to the community both directly to the Shire and to community groups. They have funded many Shire events and projects including Taste of Chittering and the Fire Support Vehicle.

The Shire has recently received donations from Hancock Prospecting Pty Ltd, a mining company, for equipment and infrastructure to support the Shire's Bush Fire Brigades and firefighting efforts.

In the past, the Shire received support from the Coffin Cheaters Motorcycle Club for the construction of infrastructure in the Bindoon townsite.

### Consultation Summary

#### Local

Nil

#### State

Nil

### Legislative Implications

Nil

### Policy Implications

#### State

Nil

#### Local

The adoption of this policy will create a new Council Policy.

### Financial Implications

The proposed policy will not have any financial implications. If the adopted policy does prevent any of the donations being made, then it will have a financial implication.

### Strategic Assessment / Implications

#### Local

- Strategic Community Plan 2022-2032

Focus area: Our community

Objective: S1.1 An active and supportive community

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

#### State

Nil

### Site Inspection

Not applicable

### Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational:</b> There is a risk that some sections of the community will think	Rare	Insignificant		The create of the policy and proper engagement with the community will help them to properly

that Council's Decision Making has been influenced				understand Council's position on donations and the limited decision making responsibility of Council in relations to large projects.
<b>Opportunity:</b> By having a policy and being upfront with the community, the community can attain benefits of partnering with external organisations.				

**Officer Comment/Details**

The reasoning for the policy being required is due to the potential future conflict with Council's decision-making role, however often Council has limited decision making, for example:

- Mining Proposals are controlled by the Mining Act and determined by the State Government. In rare situations, some land is Mineral to Owner and controlled by Planning, however this is only land within our shire;
- Use of roads is determined by the RAV Network which is controlled by Main Roads. Vehicles up to semi-trailers are considered as of right and cannot be refused;
- The expansion of processing facilities could be determined Council. This would need to be an expansion under \$8 million, otherwise it will be determined by a Joint Development Assessment Panel. Under this amount, planning decisions must be made in line with the Planning Scheme which is determined by the Minister for Planning.

Council does still have a role to play in trying to influence outcomes, however often it is easier to influence outcomes when Council is already involved in the matter.

<b>OFFICER RECOMMENDATION / COUNCIL RESOLUTION</b> Moved Cr Curtis, seconded Cr King That Council adopt the Donations Policy as per Attachment 1.	LOST UNANIMOUSLY 0 / 6 <small>TIME: 9:44PM</small>
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<b>AMENDMENT</b> Moved Cr Curtis, seconded Cr King That the Officer Recommendation be amended to include "Council does not accept sponsorship/donations from mining companies that propose to mine in the Julimar Forest or in the Shire of Chittering."	LOST 1 / 5 <small>TIME: 9:30PM</small> <i>For: Cr Curtis</i> <i>Against: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Dewar</i>
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<b>FORESHADOWED MOTION</b> Moved Cr Ross, seconded Cr King That Council workshops with the CEO to develop a policy on donations, contributions and sponsorships.
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**AMENDMENT TO FORESHADOWED MOTION**

Moved Cr King, seconded Cr Hughes

That the foreshadowed motion be amended to read as follows:

That Council

1. Instructs the CEO to seek legal advice on the ability of Council to accept/reject donations, contributions and sponsorships;
2. Following the receipt of the legal advice, that Council workshops with the CEO to develop a policy on donations, contributions and sponsorships.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 9:51PM

**SUBSTANTIVE MOTION / COUNCIL RESOLUTION 150722**

Moved Cr Ross, seconded Cr King

That Council

1. Instructs the CEO to seek legal advice on the ability of Council to accept/reject donations, contributions and sponsorships;
2. Following the receipt of the legal advice, that Council workshops with the CEO to develop a policy on donations, contributions and sponsorships.

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 9:52PM

**ITEM 10. REPORTS OF COMMITTEES****COM01 – 07/22 Membership of the Chittering Bush Fire Advisory Committee and Unconfirmed Minutes from meeting held 14 June 2022**

<b>Applicant</b>	N/A
<b>File ref</b>	ES.MEET.CBFAC.2022
<b>Author</b>	Development Services Support Officer
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	The Author has an impartiality interest as a member of the Upper Chittering Volunteer Bushfire Brigade
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Unconfirmed Minutes of CBFAC Meeting held 14 June 2022

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

**Executive Summary**

Council is requested to receive the unconfirmed minutes from the meeting held 14 June 2022 and to endorse the Chittering Bushfire Advisory Committee meeting membership for the financial year 2022/23.

**Background**

The Chittering Bushfire Advisory Committee (CBFAC) met on 14 June 2022 and during the meeting the membership for the Committee was carried:

<b>10.0 OFFICER RECOMMENDATION</b>	
<i>Moved Peter Watterston / Seconded Paulette Embling</i>	
<i>That the Chittering Bush Fire Advisory Committee recommends to Council that membership effective 14 June 2022 is as follows:</i>	
<b>Delegate</b>	<b>Deputy</b>
<i>Cr Carmel Ross</i>	<i>Cr David Dewar</i>
<i>Matthew Gilfellow, Chief Executive Officer</i>	<i>Nil</i>
<i>David Carroll, Community Emergency Services Manager/Chief Bush Fire Control Officer</i>	<i>Nil</i>
<i>David Wilson, Deputy Chief Bush Fire Control Officer - Southern Region</i>	<i>Nil</i>

<i>Phill Humphry, Deputy Chief Bush Fire Control Officer - Central Region</i>	<i>Nil</i>
<i>Kim Haeusler, Deputy Chief Bush Fire Control Officer - Northern Region</i>	<i>Nil</i>
<i>Peter Watterston, Bindoon Volunteer Bush Fire Brigade</i>	<i>Nic Walter, Bindoon Volunteer Bush Fire Brigade</i>
<i>Jeremy Tennant, Lower Chittering Volunteer Bush Fire Brigade</i>	<i>Max Brown, Lower Chittering Volunteer Bush Fire Brigade</i>
<i>Shelly Pannell, Muchea Volunteer Bush Fire Brigade</i>	<i>Shane Robertson, Muchea Volunteer Bush Fire Brigade</i>
<i>Aaron Cover, Upper Chittering Volunteer Bush Fire Brigade</i>	<i>Gordon Carter, Upper Chittering Volunteer Bush Fire Brigade</i>
<i>Richard Rose, Wannamal Volunteer Bush Fire Brigade</i>	<i>Clayton Smith, Wannamal Volunteer Bush Fire Brigade</i>
<i>Paulette Embling, Chittering Incident Support Brigade</i>	<i>Peter Hall, Chittering Incident Support Brigade</i>

**CARRIED UNANIMOUSLY**

**Consultation Summary**Local

Chittering Bush Fire Advisory Committee

State

Nil

**Legislative Implications**State

- Local Government Act 1995, s5.12 and s5.13

Local

Nil

**Policy Implications**State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**

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

**Site Inspection**

Not applicable

## Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational:</b> Members bringing the Shire into disrepute.	Rare	Moderate	Low	Clear and transparent communication with members.
<b>Opportunity:</b> Build strong relationships with officers of the Chittering Fire Services.				

## Officer Comment/Details

The officer's recommendation is reflective of the motion passed at the Committee meeting held 14 June 2022.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 160722**

Moved Cr Ross, seconded Cr Angus

That Council:

1. Receive the "unconfirmed" minutes of the Chittering Bushfire Advisory Committee meeting held 14 June 2022.
2. Endorses the membership of the Chittering Bush Fire Advisory Committee for 2022/23 as follows:

Delegate	Deputy
Cr Carmel Ross	Cr David Dewar
Matthew Gilfellon, Chief Executive Officer	Nil
David Carroll, Community Emergency Services Manager/Chief Bush Fire Control Officer	Nil
David Wilson, Deputy Chief Bush Fire Control Officer - Southern Region	Nil
Phill Humphry, Deputy Chief Bush Fire Control Officer - Central Region	Nil
Kim Haeusler, Deputy Chief Bush Fire Control Officer - Northern Region	Nil
Peter Watterston, Bindoon Volunteer Bush Fire Brigade	Nic Walter, Bindoon Volunteer Bush Fire Brigade
Jeremy Tennant, Lower Chittering Volunteer Bush Fire Brigade	Max Brown, Lower Chittering Volunteer Bush Fire Brigade
Shelly Pannell, Muchea Volunteer Bush Fire Brigade	Shane Robertson, Muchea Volunteer Bush Fire Brigade
Aaron Cover, Upper Chittering Volunteer Bush Fire Brigade	Gordon Carter, Upper Chittering Volunteer Bush Fire Brigade
Richard Rose, Wannamal Volunteer Bush Fire Brigade	Clayton Smith, Wannamal Volunteer Bush Fire Brigade
Paulette Embling, Chittering Incident Support Brigade	Peter Hall, Chittering Incident Support Brigade

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 9:53PM

**COM02 – 07/22 Appointment of Bush Fire Control Officers 2022/23**

<b>Applicant</b>	N/A
<b>File ref</b>	ES.PLN.2022/23
<b>Author</b>	Development Services Support Officer
<b>Authorising Officer</b>	Chief Executive Officer
<b>Disclosure of interest</b>	The officer has an impartiality interest as a member of the Upper Chittering Volunteer Bushfire Brigade
<b>Voting requirements</b>	Simple Majority
<b>Attachments</b>	1. Unconfirmed Minutes of CBFAC Meeting held 14 June 2022

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

**Executive Summary**

Council is requested to endorse the appointment of Bush Fire Control Officers for 2022/2023.

**Background**

Bush Fire Control Officer positions from each Brigade become vacant annually in May. The following recommendation was carried at the Committee meeting held 14 June 2022:

<p><b>9.0 OFFICER RECOMMENDATION</b>  <b>Moved Aaron Cover / Seconded Peter Watterston</b>  <b>That the Chittering Volunteer Bush Fire Brigade recommends to Council the following appointments:</b></p> <p>1. <b>Fire Control Officer:</b></p> <ul style="list-style-type: none"> <li>a. Shelly Pannell and Shane Robertson representing Muchea Volunteer Bush Fire Brigade.</li> <li>b. Jeremy Tennant and Max Brown representing Lower Chittering Volunteer Bush Fire Brigade.</li> <li>c. Aaron Cover and Gordon Carter representing Upper Chittering Volunteer Bush Fire Brigade.</li> <li>d. Dennis Badcock and Nic Walter representing Bindoon Volunteer Bush Fire Brigade.</li> <li>e. Kim Haeusler and Clayton Smith representing Wannamal Volunteer Bush Fire Brigade.</li> <li>f. Matthew Johns, Barry Cilliers and Graham Furlong representing the Shire of Chittering.</li> </ul> <p>2. <b>Captain and Fire Control Officer</b></p> <ul style="list-style-type: none"> <li>a. Shelly Pannell, Captain of Muchea Volunteer Bush Fire Brigade.</li> <li>b. Will Lee, Captain of Upper Chittering Volunteer Bush Fire Brigade.</li> <li>c. Peter Watterston, Captain of Bindoon Volunteer Bush Fire Brigade.</li> <li>d. Richard Rose, Captain Wannamal Volunteer Bush Fire Brigade.</li> </ul>
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e. *Jeremy Tennant, Captain Lower Chittering Volunteer Bush Fire Brigade.*

3. *Deputy Chief Bush Fire Control Officer:*

- a. *David Wilson representing the South region.*
- b. *Phillip Humphry representing the Central region.*
- c. *Kim Haeusler representing the North Region.*

4. *David Carroll as the Chief Bush Fire Control Officer (as appointed by the Commissioner).*

CARRIED UNANIMOUSLY

### Consultation Summary

#### Local

Chittering Bush Fire Advisory Committee

#### State

Nil

### Legislative Implications

#### Local

- *Bush Fire Brigades Local Law 2013*

**3.6 *Holding of annual general meeting***

*A bush fire brigade is to hold its annual general meeting during the month of May each year.*

**3.7 *Nomination of bush fire control officers to Bush Fire Advisory Committee***

*At the annual general meeting of a bush fire brigade, brigade member/s are to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade until the next brigade annual general meeting.*

**3.8 *Minutes to be tabled before the Bush Fire Advisory Committee***

- (1) *The brigade Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.*
- (2) *The Chief Bush Fire Control Officer is to table the minutes of the bush fire brigade's annual general meeting at the next meet of the—*
  - (a) *Bush Fire Advisory Committee; or*
  - (b) *Council, if there is no Bush Fire Advisory Committee.**following their receipt under subclause (1)*

**3.9 *Functions of Advisory Committee***

*The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as determined by the local government.*

**3.10 *Advisory Committee to nominate bush fire control officers***

*As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government from the persons nominated by each bush fire brigade a person for the position of a bush fire control officer for the brigade area.*

**3.11 *Local government to have regard to nominees***

*When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.*

**3.12 *Advisory Committee to consider bush fire brigade motions***

*The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.*

State

- Bush Fire Act 1954

**43. Election and duties of officers of bush fire brigades**

*A local government which establishes a bush fire brigade shall by its local laws provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.*

*[Section 43 amended by No.51 of 1979 s.5; No.14 of 1996 s.4.]*

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

There will be costs incurred for the advertising of the appointed Fire Control Officers, which has been allowed for in the Shire's adopted 2022/2023 Annual Budget.

**Strategic Assessment / Implications**

Local

- Strategic Community Plan 2022-2032

Focus area:	Our community
Objective:	S1.2 Strong sense of community
Strategy:	S1.2.1 Actively support community, volunteer groups and networks
Objective:	S1.3 A safe and healthy community
Strategy:	S1.3.1 Improve the safety of our community
Focus area:	Our natural environment
Objective:	S2.3 Protection of life and property
Strategy:	S2.3.1 Improve Bush Fire preparedness and recovery

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
<b>Reputational:</b> Fire Control Officers bringing the Shire into disrepute.	Rare	Moderate	Low	Clear and transparent communication with Fire Control Officers as well as annual refreshers.

**Opportunity:** Build strong relationships with Fire Control Officers and have strong representation in the community.

**Officer Comment/Details**

The Officer Recommendation is reflective of the motion passed at the Chittering Bush Fire Advisory Committee meeting held 14 June 2022.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 170722**

**Moved Cr Ross, seconded Cr Hughes**

**That Council endorses the following appointments for the 2022/23 financial period:**

- 1. Fire Control Officers:**
  - a. James Marotta and Shane Robertson representing Muchea Volunteer Bush Fire Brigade.
  - b. Jeremy Tennant and Max Brown representing Lower Chittering Volunteer Bush Fire Brigade.
  - c. Aaron Cover and Gordon Carter representing Upper Chittering Volunteer Bush Fire Brigade.
  - d. Dennis Badcock and Nic Walter representing Bindoon Volunteer Bush Fire Brigade.
  - e. Kim Haeusler and Clayton Smith representing Wannamal Volunteer Bush Fire Brigade.
  - f. Matthew Johns, Barry Cilliers and Graham Furlong representing the Shire of Chittering.
- 2. Captain and Fire Control Officers:**
  - a. Shelly Pannell, Captain of Muchea Volunteer Bush Fire Brigade.
  - b. Will Lee, Captain of Upper Chittering Volunteer Bush Fire Brigade.
  - c. Peter Watterston, Captain of Bindoon Volunteer Bush Fire Brigade.
  - d. Richard Rose, Captain of Wannamal Volunteer Bush Fire Brigade.
  - e. Jeremy Tennant, Captain of Lower Chittering Volunteer Bush Fire Brigade.
- 3. Deputy Chief Bush Fire Control Officers:**
  - a. David Wilson representing the Southern region.
  - b. Phillip Humphry representing the Central region.
  - c. Kim Haeusler representing the Northern region.
- 4. David Carroll as the Chief Bush Fire Control Officer (as appointed by the Commissioner).**

**CARRIED UNANIMOUSLY 6 / 0**

TIME: 9:57PM

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

Nil

## ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

### Response to previous questions taken on notice from Cr Aaron King

1. Can the Chief Executive Officer direct Council to the decision of Council namely the Resolution authorising the taking out of a loan in the amount of \$1,878,251 (Loan 89) from WA Treasury Corporation (WATC) for the Muchea Recreation Centre Redevelopment?

*Council Resolution 080321 authorised the loan and all necessary requirements under the Local Government Act 1995 were followed. Further, as part of the Western Australian Treasury Corporation loan application process, checks are performed to ensure that the loan has meet the requirements of the Local Government Act 1995.*

#### **COUNCIL RESOLUTION 080321**

*Moved Cr Angus / Seconded Cr Curtis*

*That Council:*

1. *Allocate funding of \$2,707,964 for the construction of a multi-purpose community facility at Muchea Oval that incorporates Clubroom and Change room facilities.*
2. *Allocate funding of \$80,500 in the 2021-2022 Annual Financial Budget For the demolition of the Muchea Hall, with the demolition to be carried out at the completion of the construction of the new facility.*
3. *Cease aesthetic maintenance of the Muchea Hall due to the impending construction of the new facility. Maintenance is to be carried out only to ensure the safety of Muchea Hall Users.*
4. *Approve a loan of \$1,998,251 for a period of 20 years as per Section 6.20(1)(a) of the Local Government Act 1995;*
5. *Instruct the Chief Executive Officer to commence public advertising of the loan as per Section 6.20(2)(b) of the Local Government Act 1995.*
6. *Instruct the Chief Executive Officer to commence public advertising of the Major Land Transaction Business Plan as per Section 3.59 of the Local Government Act 1995 and ensure that the content of this document aligns with the Council resolution.*
7. *Incorporate the requested lighting upgrade into the plan.*

**CARRIED 5 / 1**

TIME 20.07pm

2. Can the Chief Executive Officer provide the project scope and project capital costs that was the basis for the authorising Resolution (question 1 above) and explain how Loan 89 in the amount of \$1,878,251 was determined?

The Muchea Multi-Purpose Community Centre has a building cost of approximately \$2.41m, but the estimated total finished cost is \$2.7. The capital cost is proposed to be met using the following contribution allocations:

Funding Source	Details
Community Sport and Recreation Facilities Fund Grant	\$300,000 (Grant)
Muchea Hall User Group	\$86,714 (Contributions) \$78,700 (Business Sponsorship) \$22,954 (Volunteer Labour) \$170,059 (Local Business Donated Materials) \$190,000 (Grants)
Shire of Chittering	\$1,878,251 (Loan)

The scope, project capital costs and funding explanation are contained within the Section 3.59 Business plan that was developed and publicly released at the time and is still available on the shire's website.

3. Can the CEO advise the bank account where the proceeds from Loan 89 received from WATC \$1,878,251 is deposited?
- a. What is the current bank account balance of Loan 89?

*Please refer to Cash & Investment note (page 14) in Monthly report – all loans and investments and their interest rates are disclosed in the note.*

- b. What are the amounts of principal and interest (separately) repayments to the period ending 30 June 22?

*Please refer to Cash & Investment note (page 14) in Monthly report – all loans and investments and their interest rates are disclosed in the note.*

- c. What if any interest was earned on Loan 89 and what is the interest rate?

*Please refer to Cash & Investment note (page 14) in Monthly report – all loans and investments and their interest rates are disclosed in the note.*

- d. How have the interest repayments been funded?

*This was included in the Budget and the LTFP*

- e. How have the principal repayments been funded?

*This was included in the Budget and the LTFF*

4. What is the value of the Shire's current borrowings as of 30 June 22 including Loan 89?

*Please refer to Borrowings note (Page 20 in Monthly report for latest figures). - \$3,610,249.30 – principal outstanding actual.*

5. What is the Shire's current borrowing capacity (\$) for new loans (additional to existing loans) based on WATC interest rates of 3.0%, 3.5%, 4.0% and 4.5%; 40 Semi Annual compounding repayment (20 year loan)?

*The Western Australian Treasury Corporation does not prescribe a limit to borrowing capacity. Instead they assess each loan on its merits. Further, as of 1 July 2022, the methodology for assessing these loans will be changing. These changes will include increasing the number of credit criteria for each loan application and increasing the time horizon of financial information over which a loan application can be assessed to provide a more accurate indication of credit worthiness.*

- a. What is the increase in rate revenue (% and \$) require for 22/23 to the annual borrowing costs given the 2022/2023 rate revenue increase of \$240,942, CPI of 5.1% and additional costs for the Workforce recommendations not covered in CPI?

*Under Western Australian Local Government Budgeting Principles and Financial Management Principles, an increase from a funding source, for example rates, is not directly tied to one expense, for example loan repayments. In determining the budget, Council make a range of decisions over what services to provide, what level of each service should be provided, capital costs, reserve transfers in and out, and funding sources including loans and rates. It is the combination of all of these decisions that determine what rate increase is required, should loans be taken out and for which purpose the loan should be taken out for.*

*The Budget for the 2022/2023 Financial Year has not yet been determined by Council, however the table below shows a comparison of the potential difference in Loan Repayment from the 2021/2022 Financial Year and the 2022/2023 Financial Year (depending on decisions made by Council in relation to the Budgeted and Tenders that are still yet to be received) and the 2021/2022 Budgeted Rates and Budgeted Total Income:*

	Repayments	Principal Payments	Interest Payments
Difference in 2021/2022 and 2022/2023 Potential Repayments	375,968	230,823	145,146
Repayments as a % of Budgeted Rates 2021/2022	6.16%	3.78%	2.38%
Repayments as a % of Budgeted Total Income 2021/2022	2.58%	1.58%	1.00%

6. What are the costs (individual and total) of Chief Executive Officers eight (8) Workforce recommendations listed in the report titled "Shire of Chittering Workforce Plan Report" and presented to Council at the 8 June 22 Councillor Information Session?

*This answer will be provided separately to avoid breaching the Code of Conduct, as this was a confidential report and disclosing information from the report would be a breach of confidentiality requirements.*

7. What is the increase (compared to 21/22) in rate revenue (% and \$) required for 22/23 to repay the annual borrowing costs for the below Muchea staging given the 2022/2023 rate revenue increase of \$240,942, CPI of 5.1% and additional costs for the Workforce recommendations not covered in CPI?
- Muchea Stage 1: Project Cost of \$2,276,414
  - Muchea Stages 1-2: Project Cost of \$5,079,726
  - Muchea Stages 1-3: Project Cost of \$5,521,645
  - Muchea Stages 1-4: Project Cost of \$5,678,608

*Under Western Australian Local Government Budgeting Principles and Financial Management Principles, an increase from a funding source, for example rates, is not directly tied to one expense, for example loan repayments. In determining the budget, Council make a range of decisions over what services to provide, what level of each service should be provided, capital costs, reserve transfers in and out, and funding sources including loans and rates. It is the combination of all of these decisions that determine what rate increase is required, should loans be taken out and for which purpose the loan should be taken out for.*

*The Budget for the 2022/2023 Financial Year has not yet been determined by Council, however the table below shows the annual repayments for each of the amounts given in the question based on a loan of 4.33% interest compared to the 2021/2022 Budgeted Rates and Budgeted Total Income:*

	Loan \$2,276,414	Loan \$5,079,726	Loan \$5,521,645	Loan \$5,678,608
Difference in 2021/2022 and 2022/2023 Potential Repayments	171,286	382,217	415,469	427,279
% Budgeted Rates 2021/2022	2.81%	6.26%	6.81%	7.00%
% Budgeted Total Income 2021/2022	1.17%	2.62%	2.85%	2.93%

8. Can the CEO please confirm the date of closing tenders for the Construction of Muchea Recreation Centre?

27 July 2022.

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

Nil

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

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

Nil

**ITEM 15. CLOSURE**

The Presiding Member declared the meeting closed at 9:58pm.