



COUNCIL AGENDA

COVID-19 PANDEMIC UPDATE – CONTACT TRACING

With the easing of COVID-19 restrictions and in alignment with Phase Four of the State Government's Four Phase Roadmap, members of the public are welcome to attend noting the following in accordance with State Government requirements:

- Strict limit of a minimum of 2 sqm per person.
- Maintain physical distancing
- Maintain hygiene standards
- Members of the public must register to attend any meeting.

As the Council Chambers is located in the Library area, it is a requirement that all attendees register via the QR Code. There will be a tablet located in the Library near the entrance to Council Chambers for all attendees to register, this includes Councillors and staff.

Members of the public who wish to ask Public Questions or present a Deputation are requested to submit these in writing prior to the meeting, in accordance with the *Local Government (Council Meetings) Local Law 2014*.

Ordinary Meeting of Council

7pm, Wednesday 16 June 2021

Council Chambers, 6177 Great Northern Highway, Bindoon

PUBLIC QUESTION TIME

1. Time Permitted

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

2. Protocol

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

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

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

3. General Rules

The following general rules apply to Public Question Time:

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

DEPUTATIONS

1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

2. Protocol

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

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

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

3. General Rules

The following rules apply when making a Deputation:

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

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

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

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

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

Recording of Proceedings

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

Access to Recordings

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

Retention of Recordings

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

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

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

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



Notice is hereby given that the next Ordinary meeting of the **Shire of Chittering** will be held on **Wednesday 16 June 2021** in the Council Chambers, Bindoon commencing at **7.00pm**.

MATTHEW GILFELLON
Chief Executive Officer
11 June 2021

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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

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

Attendance

The following members will be in attendance:

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

The following staff will be in attendance:

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

Apologies

Approved leave of absence

Nil

Announcements

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

Cr Kylie Hughes

19 May 2021 Ordinary Council Meeting
28 May 2021 Additional Budget Session - Detailed Discussions
9 June 2021 Agenda Forum and Briefings

Cr Carmel Ross

19 May 2021 Ordinary Council Meeting
27 May 2021 Netball Meeting
28 May 2021 Additional Budget Session - Detailed Discussions
9 June 2021 Agenda Forum and Briefings
10 June 2021 Chittering Tourism Advisory Group
12 June 2021 Bushfire Brigade Recognition Event
16 June 2021 President and CEO Meeting

Cr Peter Osborn

19 May 2021 Ordinary Council Meeting
24 May 2021 North Road Inspection with Chief Executive Officer
28 May 2021 Additional Budget Session - Detailed Discussions
9 June 2021 Agenda Forum and Briefings

Cr John Curtis

19 May 2021 Ordinary Council Meeting
28 May 2021 Additional Budget Session - Detailed Discussions
9 June 2021 Agenda Forum and Briefings
10 June 2021 Chittering Tourism Advisory Group

Cr Mary Angus

19 May 2021 Ordinary Council Meeting
28 May 2021 Additional Budget Session - Detailed Discussions
9 June 2021 Agenda Forum and Briefings
12 June 2021 Bushfire Brigade Recognition Event
15 June 2021 Development Assessment Panel Training

Cr Mark Campbell

28 May 2021 Additional Budget Session - Detailed Discussions
1 June 2021 Lower Chittering Ambulance Service Meeting
9 June 2021 Agenda Forum and Briefings
12 June 2021

Cr Rebecca Foulkes-Taylor

19 May 2021 Ordinary Council Meeting (Video Link)
28 May 2021 Additional Budget Session - Detailed Discussions
9 June 2021 Agenda Forum and Briefings
12 June 2021 Bushfire Brigade Recognition Event

ITEM 3. DISCLOSURE OF INTEREST

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

ITEM 4. PUBLIC QUESTION TIME

Response to previous public questions taken on notice

PQT01 – 06/21 Clint O’Neil, Chittering

Taken on notice from the 19 May 2021 Ordinary Council Meeting.

Question 1: My question is one of clarity to your response to my question PQT03 – 04/21. I am assuming that you have relied on sound and reliable advice when addressing the question. The question was posed based on advice from the Regional Manager of DWER that *‘any further questions in regard to access to properties vested with the Shire should be directed to the Shire’*. For the benefit of other Councillor’s being fully informed of the DWER written advice, referred to in my question of 21 April 2021, I am requesting that you read aloud DWER’s clarification response marked in the correspondence before you and whether you would like to take this opportunity to reconsider your response to my question.

Response 1: Now that a copy of the letter has been forwarded to the shire, and we have reviewed the original letter that was sent from the shire to DWER, a copy of which has been provided to yourself, we cannot confirm the advice provided by DWER.

PQT02 – 06/21 Megan Black, Chittering

Taken on notice from the 19 May 2021 Ordinary Council Meeting.

Question 1: Has the Shire got in its Budget enough money to cover road improvements to the main thoroughfare to 140 Blue Plains Road as the road certainly has not been built to take the quantity of traffic that would come along with a 900 capacity venue. Does the Shire also have money in their Budget to relocate the three School Bus stops that are on the access roads including Blue Plains and both Maddern Roads.

Response 1: The approval is subject to a Road Traffic Assessment and until the assessment is provided, we cannot say with certainty what improvements may be required, if any. The approval also contains the requirement that the applicant pay for all recommendations of the Road Traffic Assessment. The shire’s budget is for a twelve month period, with the current budget finishing on 30 June 2021, and is quite specific to road projects so it does not contain potential works required outside of the twelve month period, however it is sizable enough to, in theory, incorporate road upgrades and moving bus stops should the need arise in the future.

PQT03 – 06/21 John Nagel, Bindoon

Taken on notice from the 19 May 2021 Ordinary Council Meeting.

Question 1: From a gentleman at 265 Ridgetop Ramble, he sent a request in on 18 March 2021 to get a drain cleared out and received a response to say your request has now been completed. After inspection, the drain is still blocked.

Response 1: Below is a timeline of events from when the works request was received:

- The drain was inspected by the Executive Manager of Technical Services and the Works Supervisor on 11 May. The main problem affecting the drain was that the resident at 265 Ridgetop Ramble had put a bund across the creek inside his property to stop storm water from entering his property. This caused the open drain to silt up. The resident was asked to shift the bund but declined. Staff then cleaned out the open drain down to the intersection to fix the problem and the ICS had been closed. The resident was informed about the work that had been completed.*
- A letter was then sent to the resident informing them that the ICS was closed.*
- On 13 May, the Executive Manager of Technical Services spoke to the resident about the ICS. The resident informed the Executive Manager of Technical Services that the pipe had not been cleared as he had asked when he put the works request in, only the open drain. The Executive Manager of Technical Services apologised and reopened the ICS.*
- On 14 May, an internal conversation was held regarding the flushing out of the pipe. With the equipment available to staff, the pipe was not able to be flushed out. Normally a hose on the end of the water truck would be used however in this situation the equipment would not provide an effective solution. It was decided to hire a pump truck and a quote was sought.*
- On 18 May, the resident was called by the Executive Manager of Technical Services and he was informed that we did not have the equipment to clear the pipe and that a pump truck would be hired to clear the pipe. The resident appeared happy at this answer.*
- On 4 June the pump truck cleared the drain as well as other drains in the area. The pump truck provides a better service as it both flushes the pipes and collects the leaves as well. The price of using a specialised contractor is also not significant when compared to the cost involved in using Shire staff and equipment that is not suited to the task and the opportunity cost of other budgeted works that the Shire equipment should be performing.*

Public question time

ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS

Petitions

Presentations

Deputations

ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE

ITEM 7. CONFIRMATION OF MINUTES

Ordinary Meeting of Council: 19 May 2021

OFFICER RECOMMENDATION

That the minutes of the Ordinary Meeting of Council held on Wednesday 19 May 2021 be confirmed.

ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER

ITEM 9. REPORTS

DEVELOPMENT SERVICES

DS01 – 06/21 Adoption of Local Planning Policy No.34 – Telecommunications Infrastructure

Applicant	Shire of Chittering
File ref	PLN.POL.TELECOMMS
Author	Executive Manager Development Services
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Draft Local Planning Policy No.34 – Telecommunications Infrastructure

Executive Summary

Council is requested to resolve to adopt the draft Local Planning Policy No.34 Telecommunications Infrastructure, following public comment.

The Shire's development services staff have prepared a draft Local Planning Policy (LPP) giving guidance for the development of Telecommunications Equipment within the Shire. The LPP has been drafted pursuant to Council's resolution of 9.1.1 at its 1 July 2020 Special Council meeting. Following a specified period of public advertising, which resulted in nil submissions, no changes to the draft policy have been undertaken.

Background

The reasoning for creating the LPP derives from Council's resolution on a related matter whereby an application for telecommunications infrastructure was refused by Council outside of planning grounds. The resolution to initiate the LPP occurred at the Special Council Meeting of 1 July 2020. Council reconsidered its position in relation to a refused NBN telecommunications tower in Lower Chittering. As part of the resolution to reconsider its reasons for refusal, it became apparent that a local planning policy relating to telecommunications equipment was needed. The resolution for investigating the policy intended to investigate regulatory control over the siting and visual landscape of such developments.

Subsequent research has found that only a small number of local authorities have local planning policies relating to telecommunications equipment. Additionally, only a smaller number of those appear to be commensurate with the standards and requirements contained within State Planning Policy 5.2 (SPP5.2) Telecommunications Infrastructure, since many were drafted and adopted prior to SPP5.2 coming into effect.

Following this research, the first copy of the policy was drafted and initiated by Council at its February 2021 Ordinary Council Meeting. The draft policy attached has borrowed heavily from two WA LGA local planning policies – the Cities of Joondalup and Mandurah - as these two examples appear to be most up to date and legally sound. The resultant draft is attached at **Attachment 1**.

Consultation/Communication Implications

Pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), the policy was advertised through:

- (a) (publishing of) a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of—

- (i) the subject and nature of the proposed policy; and
- (ii) the objectives of the proposed policy; and
- (iii) where the proposed policy may be inspected; and
- (iv) to whom, in what form and during what period submissions in relation to the proposed policy may be made.

The policy was subsequently published within the Northern Valley News April 2021 edition (page 30). The advertisement directed interested persons to the Shire's website, or to the Shire offices in order to be able to review the draft policy. The advertisement was written to be consistent with the Regulations.

Legislative Implications

State

Division 2 Part 3 of the Regulations sets out the manner in which a Local Planning Policy may be prepared and adopted.

In preparing the policy, the Regulations provide specific and strict guidance on what a local planning policy can regulate and how.

For this reason, the subject local planning policy cannot contain measures which conflict with SPP5.2, LPS6, the Regulations, nor apply health based standards since a local government cannot regulate this through a planning instrument.

Policy Implications

State

- State Planning Policy 5.2 – Telecommunications Infrastructure
SPP5.2 sets out the State standards for regulating telecommunications towers and equipment.

Local

Nil

Financial Implications

An allocation of the budget has been applied to advertising draft policies such as this, as the Regulations require the policy to be advertised within a local news print that circulates the Shire.

Strategic Implications

Local

- Strategic Community Plan 2017-2027
Focus area: Our community
Objective: S1.1 An active and supportive community
Strategy: S1.1.1 Strengthen aged, youth and children service access through partnerships and advocacy
- Shire of Chittering Local Planning Strategy 2019
The Shire's Local Planning Strategy anticipates the demand for telecommunication towers within the Shire and notes that there are ongoing upgrades to telecommunications infrastructure to support lifestyle and commercial activities within the Shire.

State

- State Planning Strategy 2050 (2014)
The *State Planning Strategy 2050* (Strategy) outlines its strategic direction for the state and ascertained a variety of areas it envisaged to achieve social, environmental and economic objectives.

The document outlines areas 'Telecommunications' from which they wish to plan for, outlining "Telecommunications facilities are also crucial to improving regional and remote education and training outcomes." The Strategy also states that 'Telecommunications services in Western Australian are provided through a mixture of fixed, wireless and satellite based networks operated by a number of licenced commercial carriers. Technology improvements mean that telecommunications infrastructure is in a constant state of upgrade and replenishment.'

The State's strategic document outlines the State government's support in establishing a broad range of telecommunications infrastructure for both urban and regional centres, with an underpinning theme of enhancing the social and economic benefits of its residents.

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

The economic implications as a result of the establishment of Telecommunications Infrastructure may provide the following significant benefits to Chittering residents and in the long term the broader Shire of Chittering in the following ways:

- 1) Meet the objectives outlined in the *Shire of Chittering's Strategic Community Plan 2012 -2022* in terms of supporting local business and advocating for improved broadband access;
- 2) Provide opportunities for local business to conduct business activities over the internet in a more efficient and time effective way due to faster speeds.

Economic sustainability for the Shire ultimately relies on the availability of services for which Telecommunications Infrastructure is viewed as a key service that has the potential to provide further opportunity for home businesses.

Social implications

The policy intends to provide greater assurance to the placement of infrastructure as well as more clarity around the local authority's role. Therefore the social impacts are likely proximity and that health based implications are confirmed not applicable to the local authority's decision making process.

Environmental implications

The policy proposes to assess the appropriateness of the Telecommunications Infrastructure in terms of topography of the site and surrounding area, the size, height and type of the proposed facility, the location and density of surrounding vegetation, and the general visibility of the proposal from surrounding developments.

Officer Comment/Details

The LPP was drafted to reflect current legislation and issues associated with telecommunications land use not being covered by LPS6 or SPP5.2. The clauses have been proposed so as to include requirements for siting and vegetation retention.

While Health issues remains a significant concern for a number of residents, the policy helps to clarify how this applies in a local government context. Notably no submissions were received regarding this aspect of the policy, which was previously a topic of interest from within the community.

Following the expiry of the submissions period, along with a public reminder from the Council President during the May OCM, the proposed policy no submissions were received.

Subsequently, the policy is put to Council in order to resolve to proceed with the policy without modification.

OFFICER RECOMMENDATION

That Council in pursuance of Part 2 Schedule 2 Clause 4,3(b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to proceed with *Local Planning Policy No.34 Telecommunications* without modification.

DS02 – 06/21 Statistical Analysis of Bushfire Compliance 2020-21 Season

Applicant	Shire of Chittering
File ref	09/01/4
Author	Executive Manager Development Services
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council is requested to receive the statistics relating to bushfire control for the 2021-21 season. Shire administration have compiled the data relating to number of properties inspected over the fire season, and the degree of works required.

The statistics are put to Council with the intention of both transparency of how many properties were surveyed, as well as acknowledgement of the works undertaken to improve the Shire bushfire safety.

Background

Since at least 1954, the Shire of Chittering has maintained an obligation to help prevent bushfires. More latterly the Shire has gazetted and published a Firebreak & Bushfire Hazard Reduction Notice applicable to all lands within the Shire.

In 2020/21, particular emphasis was placed on Asset Protection Zones (APZ) along with firebreaks. Overall, the document outlines:

- The minimum requirements for properties to be compliant throughout the season - firebreaks and asset protection zones
- The dates for the Restricted and Prohibited Burning Times
- The conditions for the use of pizza ovens and solid fuel barbecues in the Restricted Burning Time
- The listing of Bush Fire Control Officers for the season
- Other relevant information for the fire season

Firebreak notices are common to most regional Shires. How they are interpreted and applied however can differ from each Shire. In order to establish a consistent message between the Shire’s three assessing officers, a tiered system was applied this past season. These tiers were as follows:

Tier 1 – Work Order only	Very minor work to be conducted (i.e. has odd branch to be removed for height, small improvements to APZ)
Tier 2 – Work Order and Minor Work Letter	Minor work to be done (i.e. has fuel still left in breaks after work done, minor regrowth, odd tree/shrub to be removed, improve width or height of break)
Tier 3 – Work Order and Warning Notice	Nothing undertaken however does not have a history of non-compliance or only the odd non-compliance issue
Tier 4 – Work Order and Infringement	Blatant ignorance of requirements, and has a history of non-compliance
Tier 5 – Work Order and Contractor works	Consistently disregarding compliance requests and ongoing history of non-compliance

Efforts were also made throughout the season to improve residents' knowledge of bushfire risk reduction

Consultation/Communication Implications

Local

Nil.

State

Nil

Legislative Implications

State

- Bush Fires Act 1954

As a measure to assist in the control of bushfires and pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, the Shire adopts the Firebreak and Bushfire Hazard Reduction Notice. The Notice requires all owners and occupiers of land within the Shire's district before the 16th day of October in each year or within 14 days of becoming the owner or occupier of land if after that date, to clear firebreaks and/or take measures in accordance with this notice and to maintain those firebreaks and measures in accordance with this notice up to and including the 31st day of May in the following year.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

- Strategic Community Plan 2017-2027
 - Focus area: Our Natural Environment
 - Objective: S2.3 Protection of life and property
 - Strategy: S2.3.1 Improve bushfire preparedness and recovery

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

Achieving bushfire safety standards can improve the social wellbeing of a community, particularly during fire season. By raising awareness of how to achieve better bushfire safety standards, administration strive to improve bushfire safety equally.

Environmental implications

Improved bushfire safety conditions as well as environmentally designed bushfire risk reduction programs can help to improve the growth and retention of native vegetation within the Shire.

Officer Comment/Details

As mentioned previously, this report concerns itself with the analysis of the Shire's efforts to maintain bushfire safety from 1 November 2020, until 1 May 2021. It relates to the three Shire employed Fire Control Officers (FCOs) abilities to inspect, reinspect and guide landowners / residents on how to maintain their property in a manner that is considered to be best practice.

Generally the FCOs will start within the highest risk areas, where assets are likely to be most impacted earlier, and move outwards to less asset prone areas, however the FCO may inspect any property at any time.

What are the statistics?

With that being said, out of a total approximate 2700 possible properties able to be inspected within the fire season, 559 were achieved. Of the 559 properties inspected, the following resulted:

Total Work orders issued:	278
Tier1 Work Order Only:	1
Tier2 Letter + Work Order:	119
Tier3 Warning Notice + Work Order:	156
Tier4 Infringement + Work Order:	2

Total Infringement issued: 6

What the statistics mean

This season placed heavy emphasis was placed on APZs along with firebreaks. It meant organising to meet and spending time with individual landowners where a risk was observed. This takes time and repeat visits. However it tends to improve outcomes in terms of compliance with the Firebreak Notice, and better relationships between the Shire and residents.

Anecdotal evidence from recent bushfires in WA were that homes that installed and maintained an APZ were in far better condition (i.e. survived the fire) following fires than those who did not install and maintain an APZ.

Hence the statistic that only six infringements issued out of 559 means that the vast majority of people in the Shire acknowledge and are willing to make the efforts to become fire safe. This not only improves the safety of the property, but the neighbourhood in turn.

What next

Moving forward, administration would like to continue working with residents throughout the year in an effort to reduce the numbers in tiers 2 and 3, despite having no jurisdiction of enforcement. The intention will be offer help where agreed to with all parties, and so that the FCOs can spend more time in fire season working on a greater range of properties. Those who scored in tiers two to four will be written to, advising them of the Shire's offer to help.

Additionally, new landowners will be offered the same courtesy.

Additionally, Council are aware that the Shire won almost \$500,000 in grants for risk mitigation, to be undertaken over the next 12-24 months.

With a number of new subdivisions and properties being built, the task of administering the Firebreak and Hazard Reduction Notice will become more technical and time consuming. It remains the opinion of senior staff that the district of the Shire of Chittering has never been better prepared, although there remains significant works to be undertaken to improve.

Accordingly, Council is requested to acknowledge the efforts made by Shire administration, in particular the three FCOs, to help maintain fire safe communities, through the statistics provided.

OFFICER RECOMMENDATION

That Council:

- 1. Receive the information;**
- 2. Acknowledges the efforts made by residents in helping to maintain a fire safe district; and**
- 3. Supports the efforts made by Shire staff and relevant Volunteer Bushfire Brigade members in helping landowners achieve a bushfire safe property for the 2020-21 season.**

DS03 – 06/21 Application for Mobile Food Vendor to Trade within the Bindoon Town Site

Applicant	Haider Al Marshadi (Easy Kebab Food Van)
File ref	IAPP215670
Author	Contract Environmental Health Officer
Authorising Officer	Executive Manager Development Services
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council is requested to consider the approval of a traders permit within Clune Park, which is within the Bindoon town site, for the purposes of mobile food vending operations within public places. This application has been requested on behalf of the food business Easy Kebab Food Van.

It is recommended that Council approves the application as the food operator is looking at trading when other food businesses are closed and is offering the community food products that are not otherwise readily available within the town site.

Background

The mobile food business, Easy Kebab, is currently registered as a Medium Risk Food Business pursuant to the *Food Act 2006* and was granted a traders permit on 6 August 2020. Since commencing trading at the Brockman Centre, the proprietor has had several requests to trade closer to Bindoon.

The proposed location requires a trader's permit under the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* (Local Law). The proposed location and trading time is Clune Park from 4pm until 9pm Wednesdays.

Consultation/Communication Implications

Local

Assessment of the trading application was conducted by the Principal Environmental Health Officer in consultation with the Executive Manager Development Services.

As Council previously resolved to allow mobile food vendors to explore opportunities within Clune Park, no additional external consultation was undertaken.

Trading within a public place is managed by the Local Laws, and the location proposed in the application is inside the 300m which is not in compliance with the local laws. Additionally the application is not compliant with Council policy 10.9 trading in thoroughfares and public places (The Policy).

State

Nil

Legislative Implications

State

The *Food Act 2008* requires all food businesses to be registered with the Local Government where they operate from or in the case of food vehicles where they are permanently located (i.e. home or commercial premises).

Local

The Shire of Chittering adopted the “*Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law*” (Local Law) on 21 April 2001. Part 6 of the Local Law applies, particularly 6.3 – Trader’s Permits, 6.5 – Relevant considerations in determining application for permit, 6.6 – Conditions of permit and 6.8 – Conduct of stallholders and traders. Attached are excerpts from the Local Law.

It should be noted in Clause 6.3(3) that a permit holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the permit holder must move on from that location within a reasonable time of the last purchase being made.

Clause 6.8(2) is discussed more in detail in comments section.

It should also be noted under clause 7.10 that a permit may be cancelled by the Shire for a range of reasons including non-compliance with a condition of the permit. Clause 10.3 (offences) provides for penalties up to \$5000 or daily penalties up to \$500 a day for not complying with any requirement of the Local Law.

If unsuccessful, applicants for Trader’s Permits are able to appeal under Clause 8.1 of the Local Law.

Policy Implications

State

Nil

Local

The Shire of Chittering adopted the Council Policy *10.9 Trading in Thoroughfares and Public Places* (The Policy) on 12 December 2019. The policy assists Council in determining suitability of applications in relation to Council’s Local Law.

It should be noted that part 2 of The Policy, trader’s permits for food vehicles/stalls will not be issued for venues within the Bindoon town site, Muchea town site or other locations of commercial sensitivity.

Financial Implications

Nil

Strategic Implications

Local

- Strategic Community Plan 2017-2027
 - Focus area: Economic growth
 - Objective: S4.2 Local business growth
 - Strategy: S4.2.1 Encourage and support local business and new investments for the future

Although the application is for a temporary small business, the Shire Strategic Community Plan 2017-2027 encourages and support for local business. By supporting the application, the operator would be given an opportunity to contribute to the economic growth of the Shire at a time of day otherwise dormant of activity.

State

Nil

Site Inspection

Site inspection undertaken:

A site inspection were conducted at the proposed location of Clune Park. There is adequate parking for customers and bins are provided for the disposal of waste.

Triple Bottom Line Assessment

Economic implications

There are no anticipated economic implications on permanent food business as the operator will be providing a different range of products that is not been offered by the permanent premises that still operate after 6pm. The van operating after 6pm may also boost business for premises still operating as customers may see it as an opportunity to purchase a few items before heading home.

Social implications

The approval of a mobile food van trading within the town site may promote a sense of community within the Shire by encouraging interaction between customers in a public space.

Environmental implications

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

Officer Comment/Details

There have been recent separate enquiries about trading in the town sites from a food van owner and a coffee van operator who are currently registered under the *Food Act 2008*. The Locavore Store has enquired about having a food van trade outside the store in order to encourage customers to come in when the store is open late on Thursdays. It is expected that the Shire will continue to receive Trader's Permit applications in the future therefore it is important that all applications take into consideration Council's views. This should encompass the views of permanent business owners, the food van operators and the general community so as to enable the best possible outcome in an economic and social sense.

In relation to the subject proposal, Section 6.8(2)(a) of the Local Law provides the relevant matter to consider:

'attempt to conduct a business within a distance of 300m of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader except with the written approval of the local government'

Even though within the 300 metre zone, the Bindoon Mediterranean restaurant closed in 2020 and therefore would not be affected by the operations of the food van. The Bindoon general store does not offer cooked meals and the Bindoon Sport and Recreation Association only operates when they have a sporting event on. This therefore gives the food van an opportunity to trade within the town site once a week at a time when no other competing businesses will be open.

The Local Law further states:

6.5 (2) (d) *The local government may refuse to approve an application for a permit under this Division on any one or more of the following grounds –*

That the needs of the district, or part for which the permit is sought are adequately catered for by established shops or by persons who have valid permits to carry on trading or to conduct a stall.

Local business were recently canvassed for feedback on such proposals, where it was evident that Bindoon town site food businesses have not opposed the food van operating in town as the operator is offering something completely different and the trading hours are different to the established food businesses. Easy Kebab mainly sells "Chicken and Doner Kebabs, Chicken and Beef Burgers, Meatbox, Hotdogs, Chips

and Drinks". While both the Bindoon Roadhouse and Bakehaus offer burgers as well as chips and drinks, they are not open for business after 6pm. Therefore approval will be in accordance with the Local Law.

OFFICER RECOMMENDATION

That Council, pursuant to Part 6, Division 1, Subdivision 2, 6.5 (1) of the Shire of Chittering's *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law*, APPROVES the application for an annual Trader's Permit to trade from Clune Park, Bindoon for a period of one year, and subject to the following conditions:

- 1. The applicant is advised that this approval does not permit the applicant exclusive use of the site;**
- 2. A three month review of the approval is to be conducted by the Chief Executive Officer and is to assesses the economic impacts associated with the mobile food van use in context of surrounding local businesses;**
- 3. All conduct shall be in the compliance with the Shire of Chittering 'Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law'; the *Food Act 2008* and the Food Standards Code;**
- 4. At conclusion of each trading day, the permit holder shall remove all waste generated from the event from the designated area;**
- 5. Trading is permitted to occur on Wednesdays between 6:00pm – 9:00pm only;**
- 6. Approval permit is to be displayed at all times; and**
- 7. Any issues/complaints arising from the operations of permit holders are to be submitted the Chief Executive Officer. Any unresolved complaints may result in a revocation of the permit.**

TECHNICAL SERVICES

Nil

CORPORATE SERVICES

CS01 – 06/21 List of Accounts Paid for the Period Ending 31 May 2021

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

Executive Summary

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

Background

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

Consultation/Communication Implications

Local

Executive Manager Corporate Services

State

Nil

Legislative Implications

State

Local Government Act 1995

Local Government (Financial Management) Regulations

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

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

Strategic Implications

State

Nil

Local

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

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

Environmental implications

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

Officer Comment/Details

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

OFFICER RECOMMENDATION

That Council endorses the following List of Accounts Paid as per Attachment 1 totalling \$898,703.48 for the period ending 31 May 2021:

1. PR5791, PR5793;
2. EFT21667 – EFT21781; and
3. Direct Debits, Cheques as listed.

CS02 – 06/21 Monthly Financial Reports for period ending 31 May 2021

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

Executive Summary

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

Background

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

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

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

Consultation/Communication Implications

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

Legislative Implications

State

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

Local

Nil

Policy Implications

Local

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

Financial Implications

Nil

Strategic Implications

- Strategic Community Plan 2017-2027
Focus area: Strong leadership

Objective: S5.2 Strong partnerships and relationships
Strategy: S5.2.1 Built effective partnerships with stakeholders

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

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

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

Environmental implications

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

Officer Comment/Details

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

OFFICER RECOMMENDATION

That Council receives the Monthly Financial Reports for period ending 31 May 2021, as per Attachment 1.

CS03 – 06/21 Adoption of the 2021-22 Annual Budget

File ref	13/02/37
Author	Executive Manager Corporate Services
Authorised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. 2021-2022 Draft Statutory Budget 2. 2021-2022 Fees and Charges

Executive Summary

Council is requested to adopt the 2021-2022 Draft Budget as presented.

Background

Local Governments must prepare annual budgets in the format prescribed in the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

The Shire of Chittering commenced the 2021-2022 budget process in April. The budgeting process and Council engagement were aimed at ensuring complete transparency and knowledge sharing throughout all engagements.

The budget engagement process included six Budget workshops with Council:

- 21 April 2021 – Budget Process overview, approach and roadmap
- 27 April 2021 – Budget Programs and Schedules
- 12 May 2021 – Operational Budget (Statutory- and non-statutory services)
- 19 May 2021 – Non-statutory services, capital projects and projects
- 28 May 2021 – Full budget workshop
- 9 June 2021 – Presentation of the final draft budget (in preparation for adoption meeting on 16 June 2021).

The Shire and Councillors have extensively engaged with the community throughout 2020/2021, which assisted in identifying the priorities for the upcoming financial year.

Overall this budget has been drafted as a zero-based, lean budget with commitment from the Shire management team to further seek areas of reducing costs at every opportunity.

The objective of this budget was to lay a solid foundation for the Long Term Financial success of the Shire, and to focus on what needs to be incorporated now to ensure no above average rate rises occur over the long term. The Shire remains committed to our cause to assist in making it easier for our communities to continue living a safe, healthy lifestyle in our shire.

Consultation/Communication Implications

Local

Budget Forums (Workshops) with Councillors and the Executive Management Team were held. During these sessions Council workshopped the budgets relating to statutory service, non-statutory services, governance & compliance and business services. The Rates Setting Statement and discretionary spend items and items to be included as part of an additional Local Roads & Community Infrastructure Program grant were included in an additional workshop. All schedules have been circulated and updated after each workshop. Councillors have also engaged with the community and have brought items into the budget that addressed pain points in the community, focusing on all areas within the shire.

State

Nil

Legislative Implications

State

- Local Government Act 1995
- Local Government (Financial Management) Regulations 1996 (as amended)

Local

Nil

Policy Implications

Nil

Financial Implications

This agenda item provides for the adoption of the budget and the imposition of rates and fees and charges for the 2021-2022 financial year.

Strategic Implications

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

The draft 2021-2022 budget has been developed based on sound financial management and accountability principles and is considered to deliver a sustainable economic outcome for the Council and the community.

Social implications

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

Environmental implications

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

Officer Comment/Details

Budget

The 2021/22 budget includes some major capital projects, which are sure to benefit the majority of the community. A new community centre, incorporating clubrooms and change rooms, will be built in Muchea, replacing the current Muchea Hall. This facility will enable girls' sports to have more appropriate changing facilities, and will enable the multiple clubs who use the facilities to comfortably coexist. It would further ensure that a multi-purpose facility is available for the community to utilise.

The Bindoon Mountain Bike Park's first phase will also be built, which will allow our member of the community to access the grounds for cycling or walking on the various new trails. A kiosk and toilet/change rooms will be built as part of this phase. Facilities such as barbeques and shelters will enable the families to spend a day out there.

The Shire will also commence work on North Road to address the safety concerns of our Wannamal community. This project will run over two years, and will include the widening of the road surface and straightening of problematic areas. These works will be council-funded.

Wandena Road will be sealed in the coming year. The area sealed will be from Powderbark Road to Great Northern Highway. These works will be council-funded.

The Shire has focused very heavily on keeping rates low in the past, but this has been to the detriment of our scheduled plant renewals. Postponing the renewals resulted in a build-up of plant that needs replacement, which necessitates major investment in plant in the 2021/22 financial year. To assist with funding the plant replacement, funds will be transferred from reserves.

Council has elected to keep the same rate for Councillor Sitting Fees and Allowances, which has applied for the past year.

Council has elected to leave the Landfill Access/Maintenance Rate unchanged at \$60 this. Commercial fees will continue to be charged for all rubbish deemed to not be domestic waste.

Council continues to allocate funds to reserves to assist in funding the creation of aged care, employee entitlements, specialist consulting services and buildings.

The loans previously approved for the Muchea Clubroom Redevelopment and the Bindoon Mountain Bike Park land purchase are carried forward into this budget. A loan will be applied for to fund Phase 1 of the Bindoon Mountain Bike Park. This will be tied to the successful outcome of the current grant application.

Highlights of the budget include

- Schedule 4 - Governance
 - Fair Value Assessment for Land and Buildings
 - Funding for the Reconciliation Action Plan

- Schedule 5 – Law Order Public Safety
 - Continued focus on Fire, Safety and Animal Control activities
 - Substantial Grant-funded Fire Mitigation works

- Schedule 8 – Education and Welfare
 - Funding for Education Scholarships
 - Funding for Youth Services (Youth Events, Youth Development Program, School Holiday Activities, Youth Sponsorship and Youth Chaplaincy)
 - Funding for Events (Wear Ya Wellies, Taste of Chittering, Shire support for the Volunteer Day/Week Promotions)
 - Funding to support localised Community Events
 - Ongoing provision of Community Assistance Grants and sponsorships for community groups

- Schedule 9 – Housing
 - Scheduled works for senior housing
 - Scheduled works for community housing

- Schedule 10 – Community Amenities
 - Continued support of the Chittering Landcare
 - Funds transferred to Waste Management Reserve for tip rehabilitation

- Schedule 11 – Recreation and Culture
 - Wannamal tennis courts resurfacing & fence replacement
 - Muchea Clubroom Redevelopment
 - Development of plans for a Community Centre to replace the Lower Chittering Hall

- Mountain Bike Park Stage 1
- Funding for various Australia Day Events throughout the Shire
- Continuation of the Community Courtesy Bus Program

- Schedule 12 – Transport
 - Council funded roadworks at:
 - North Road
 - Charolais Trail
 - Sussex Bend
 - Stephens Road
 - Regional Road Group (RRG) works on Muchea East Road and Chittering Road
 - Roads to Recovery works on Chittering Valley Road.
 - Local Roads & Community Infrastructure grant works on Wandena Road and the Binda Place Car Park.
 - Black Spot Roadworks continue on
 - Ridgetop Ramble Road
 - Teatree Road
 - Hibbertia Road
 - Footpath and cycleway works at Clune to Brockman trail and Chittering Walk trail
 - Bridge works on Chittering Road
 - Plant purchases as per the 10-year Plant Replacement Plan

- Schedule 13 – Economic Services
 - Shire Entry Statement on Tonkin Highway
 - Continued support of the Taste of Chittering Event – Council Contribution
 - Continuation of the Shop Local Campaign
 - Continued support for tourism and area promotion, as well as visitor centre
 - Business development and directory upgrade

- Schedule 14 – Other Property and Services
 - Continue to provide improved customer services and make better use of staff resources
 - Continue upgrade of Council website to provide a platform for interactive customer service

OFFICER RECOMMENDATION

That Council;

1. Pursuant to the provision of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, adopts the budget for the Shire of Chittering for the 2021-2020 financial year which includes the following:
 - a. Statement of Comprehensive Income by Nature and Type;
 - b. Statement of Comprehensive Income by Program;
 - c. Statement of Cash Flows;
 - d. Rate Setting Statement;
 - e. Notes to and forming part of the Budget;
 - f. Budget Program Schedules;
 - g. Other Supporting Documents and Schedules; and
 - h. Transfers to/from Reserve accounts.
2. Pursuant to Sections 6.32, 6.34 and 6.35 of the *Local Government Act 1995* impose the following:
 - a. Where the General Rate is to apply, for all rateable properties with Gross Rental Valuations a rate in the dollar of 0.106792, with a minimum rate of \$1,050.00 be imposed; and
 - b. Where the General Rate is to apply, for all rateable properties with Unimproved Valuations a

- rate in the dollar of 0.006647, with a minimum rate of \$1,000.00 be imposed.
3. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest rate of 7% for rates (and charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.
 4. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest rate of 0% where the owner has elected to pay rates and charges through an instalment option and 5.5% upon default.
 5. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, offer the following payment options:
 - a. **Option 1**
To pay the total of rates and charges included on the rate notice in full by the due date 2 September 2020, which is 35 days after the date of service. Failure to pay will attract penalty charges.
 - b. **Option 2**
To pay by instalments. Details of these dates and amounts are included on the rate notice. Failure to pay such costs by the due dates will attract penalty charges. This option can only be selected where the first instalment including all arrears (if any) is paid by the due date. Payment dates are 2 August 2021, 4 October 2021, 6 December 2021 and 9 February 2022.
 6. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, adopts an instalment charge where the owner has elected to pay rates (and charges) through an instalment option of \$10.00 for each instalment after the initial instalment is paid.
 7. Pursuant to Section 67 of the *Waste Avoidance and Resource Recovery Act 2007*, impose a Waste Collection & Disposal Fee in the compulsory areas, as following:
 - a. \$334.00 per annum – for one refuse mobile garbage bin (collected weekly) and one recycling mobile garbage bin (collected fortnightly);
 - b. \$151.00 per annum – for any additional recycling mobile garbage bins (collected fortnightly); and
 - c. \$184.00 per annum – for any additional refuse mobile garbage bins (collected weekly).
 8. Pursuant to Section 66 of the *Waste Avoidance and Resource Recovery Act 2007*, adopts the following waste services rate and minimum payment to fund the operations of the Bindoon and Muchea Landfill Centres:
 - a. GRV base rate \$0.000038;
 - b. UV base rate \$0.000038; and a
 - c. Minimum payment of \$60.00 to apply to both GRV and UV rated land.
 9. Adopts as part of the budgetary process, the attached Fees and Charges Schedule.
 10. Pursuant to the *Salaries and Allowances Tribunal determination dated 6 April 2021*, adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:
 - a. President \$17,821.00; and
 - b. Councillors \$11,510.00.
 11. Pursuant to the *Salaries and Allowances Tribunal determination dated 6 April 2021*, adopts the following annual allowances under Section 5.99A of the Local Government Act 1995 for elected members:
 - a. Reimbursement of Expenses Allowance \$3,000.00.
 12. Pursuant to the *Salaries and Allowances Tribunal determination dated 6 April 2021*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - a. President \$13,702.00.

13. Pursuant to the *Salaries and Allowances Tribunal determination dated 6 April 2021*, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - a. Deputy President \$3,425.00.
14. In accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and AASB 1031 Materiality, adopts a variance of 10% and a minimum of \$10,000.00 to be used in the statements of financial activity and annual budget review.

CS04 – 06/21 Adoption of the 2021-2031 Long Term Financial Plan and Corporate Business Plan

File ref	13/02/37
Author	Executive Manager Corporate Services
Authorised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. 2021-2031 Long Term Financial Plan and Corporate Business Plan

Executive Summary

Council is requested to adopt the 2021-2031 Long Term Financial Plan and Corporate Business Plan as presented.

Background

The Corporate Business Plan activates The Strategic Community Plan priorities. It prioritises Councils Informing Strategies including the Long Term Financial Plan, Workforce Plan, Asset Management Plan, Sport and Recreation Plan (incorporating the Trails Strategy) and Economic Development Plan (incorporating the Tourism Strategy). The output of the Corporate Business Plan is the Annual Budget, being the financial Representation of “Year 1” of the Corporate Business Plan and a reprioritised/roll forward Corporate Business Plan outlining all of the local government’s operations (including services, assets, Council priorities and projects), with detailed financial estimates, administrative responsibility and linkage to the Strategic Community Plan.

The Long Term Financial Plan (LTFP) is a ten year rolling plan that informs the Corporate Business Plan to activate Strategic Community Plan priorities. From these planning processes, Annual Budgets that are aligned with strategic objectives can be developed.

The Corporate Business Plan incorporates the Workforce Management Plan, and Asset Management Plan. It also incorporates the Economic Development Plan and Sport- and Receptions plan. These were informed by the numerous community engagement interactions.

Having a longer term vision of the projected projects and its impact on the budget, allows Council to make informed decisions on major capital investments and its impact on rates.

The Long Term Financial Plan and Corporate Business Plan has been prepared as part of the Budget Process, and has been presented to Council in detail, including the projected loans and reserves to be incurred during this timeframe.

Overall this Plan has been drafted as a three percent rate base increase (meaning the increase in the number to residents and businesses settling into the Muchea Industrial Park will be incorporated in this growth, therefore the real increase to each rate payer should not exceed three percent).

The objective of this Long Term Financial Plan was to lay a solid foundation for the success of the Shire over an extended period

Consultation/Communication Implications

Local

Budget Forums (Workshops) with Councillors and the Executive Management Team were held. During

these sessions Council workshopped the budgets relating to statutory service, non-statutory services, governance & compliance and business services. The Rates setting statement, Loans Schedule and Reserve Funds Schedule has been discussed and circulated to Council in the interest of full transparency.

State

Nil

Legislative Implications

State

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996 (as amended)*

Local

Nil

Policy Implications

Nil

Financial Implications

This agenda item guides Council in the longer term financial wellbeing of the Shire, but has no direct financial implications, as each year would be set as part of the Annual Budget Process.

Strategic Implications

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

The draft 2021-2031 budget has been developed based on sound financial management and accountability principles and is considered to deliver a sustainable economic outcome for the Council and the community.

Social implications

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

Environmental implications

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

Officer Comment/Details

The best use of a Long Term Financial Plan (LTFP) is to show the future direction of the Shire, should it keep heading along the same path. It takes a snapshot of a position in time and tries to predict what the next ten years will be, based on the snapshot.

This version of the LTFP goes a little bit further in helping to chart a course from where the Shire currently is, through to a stronger position in ten years' time when major infrastructure will have been replaced, reserves are just starting to replenish, plant and equipment maintained and services are a little better.

The aim was to break away from short-term focus of not investing in plant and infrastructure, which would lead to an inevitable major rate increase or dilapidated infrastructure over time.

It is however a conservative LTFP. Rates have been kept low, rising three percent per year. This increase would include any natural increase of rates so for the individual ratepayer the increases may be lower. Services have not changed a lot and while we are replacing the ageing infrastructure and providing some more localised recreation, there is still a lot of infrastructure not covered.

The plan does take advantage of current low interest rates, which, when applied to the interest rate when the medical centre was built, affords the Shire 30% more principal for the same repayments. That is effectively a 30% discount on building at the current low interest rates.

One of the weaknesses of the plan is that at the end of the ten years there is debt, however for a growing shire this is not unusual, especially considering the poor base from where it starts. This plan is a baseline. There will be many changes over the next ten years in the makeup of the Shire, its ability to afford goods and services and in the infrastructure and service demands of our population. By setting a baseline the basic infrastructure can be provided, but at the same time as changes come in, flexibility can be accommodated.

If the demand for a service, for example environmental sustainability, continues to increase, a conversation with the community about whether they are willing to pay for this could be incorporated in the appropriate year in this plan. If the proceeds from the industrial park are greater than expected then infrastructure renewal could be moved forward or new infrastructure could be added.

Included in the Long Term Financial Plan

Sport and Recreation Plan:

This plan is based on assumptions about what should be in the LTFP from the Sport and Recreation Plan. This is still not final and Council can still have their input, which would be incorporated in the LTFP when needed.

Of the big projects:

- Muchea and the Mountain Bike Park are included in the current budget, though the MB Park does rely on grant funding.
- The replacement of the Lower Chittering Hall with a Multi-Purpose Centre. The design is to start the 2021/22 Financial Year and replacement the following year.
- A new oval in the Shire to take the overflow of the Muchea Oval.
- Towards the end of the plan an investigation into Chinkabee and the Brockman Centre with funds to carry out the proposed plan.
- End of life replacement for all the playgrounds and new Public Open Space in the estates around the Shire.

Economic Development Plan:

The major projects in the Economic Development Plan aim to take advantage of our proximity to Perth and natural assets.

Major projects included:

- The first major project is the Bindoon Mountain Bike Park which is due to commence 2021/2022. This is to be followed with the development of a caravan park at the same site which will cater for visitors, encourage more expenditure in the local economy and also provide commercial income for the Shire.
- Through the course of the 10-year Plan, and based on the success of the Mountain Bike Park, there will be a focus on continuing to increase the amount of trails across the Shire, both for Mountain Bikes and for walking. This includes Djdid-Djidi Ridge, more Mountain Bike trails in Mt Byromanning, Kyotmunga Walk Trail in Lower Chittering and a Long Distance regional trail through the shire. All of

these are dependent on feasibility studies and land access.

- Funding has also been included for the construction of a Caravan Park in Lower Chittering that would help to take advantage of the trails in the Shire and provide some focus on the tourism area that has been recognised in the Planning Strategy.

Other than these projects, there is funding for business development and marketing of the region.

Shire Operations:

Throughout the plan there have been small increases in services via additional staff members. This is in line with the workforce plan and would be expected that with a growing population, additional staff are required to meet the increase in needs.

There is also a new service 'Public Health' that is required under State legislation which requires shires to develop a Public Health Plan. Public Health is very different to the Environmental Health Service that the Shire is currently required to provide.

Plant and equipment in the plan is also being renewed in accordance with a ten year plant replacement program, ensuring that plant stays in good condition.

Roads is an area where Shire funding is being kept constant, so increases in roads will require increases in grant funding.

Position at the End of 10 Years:

It is important to think not just what will happen in the next ten years but also what position this leaves the Shire in. With the changes that may happen over the next ten years, this is not currently clear and based on scenarios.

- **Infrastructure** - most of the large community infrastructure will have been replaced with the exception of Wannamal Hall and Bindoon Hall, which will form part of the planning in the future.
- **Parks and Playgrounds** - There will also be a lot of pressure around the size of parks and playgrounds such as Clune Park and potentially John Glenn and Sussex Bend as well. The cost of playgrounds become increasingly expensive and some major capital investments might be needed in the years following this plan.
- **Provision for new services** - There will also be some services that the Shire should be providing that isn't catered for in the plan. Environmental sustainability is one that might become a priority, but there may be others which can't be predicted yet. Potential changes like the WA Wellness Index, which would take the focus away from just dollars to a more holistic community wellbeing, could have a large impact on Local Government. The role of technology has also not been accounted for.
- **Debt** - Though debt has been used to fund the new infrastructure, the Shire would be in a position to start paying down on the debt while replacing smaller infrastructure at the end of this LTFP.

OFFICER RECOMMENDATION

That Council adopts the Long Term Financial Plan and Corporate Business Plan for the Shire of Chittering as per Attachment.

CHIEF EXECUTIVE OFFICER

CEO01 – 06/21 Purchasing Policy

Applicant	Shire of Chittering
File ref	04/03/1
Prepared by	Support Officer Governance
Supervised by	Chief Executive Office
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	1. Finance Policy 2.11 – Purchasing

Executive Summary

Council is requested to endorse the amendments to the Purchasing Policy to reflect everyday operational use as per **Attachment 1**.

Background

A review of the Purchasing Policy has resulted in the inclusion of the Executive Support Officer as an officer, who is authorised to sign orders on behalf of Council within the limits stated provided such proposed purchases are contained within the Budget and are within the officer's area of activity.

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

- *Local Government Act 1995*
- *Local Government (Functions and General) Regulations 1996*

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

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

Environmental implications

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

Officer Comment/Details

The request is to add purchase order authority to the Executive Assistant for up to \$2,500, which will allow a more efficient use of staff time. The additional authority would still be required to be exercised in accordance with the purchasing policy. (**Attachment 1**).

OFFICER RECOMMENDATION

That Council endorse amended Council Policy "Purchasing", as per Attachment 1.

CEO02 – 06/21 Amendment Act Reform – Code of Conduct Behaviour Complaints Management Policy

Applicant	Shire of Chittering
File ref	04/03/1
Prepared by	Support Officer Governance
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	<ol style="list-style-type: none">1. Code of Conduct Behaviour Complaints Management Policy2. Amended Behaviour Complaints Form3. Delegation 1.1.1 – Behaviour Complaints Committee4. Behaviour Complaints Committee Terms of Reference

Executive Summary

Following changes to legislation, Council is requested to adopt:-

- the “Code of Conduct Behaviour Complaints Management Policy” (**Attachment 1**)
- amended “Behaviour Complaints Form”; (**Attachment 2**)
- Delegation 1.1.1 – Behaviour Complaints Committee; (**Attachment 3**)
- Behaviour Complaints Committee Terms of Reference (**Attachment 4**)

Background

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

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms.

The Local Government (Model Code of Conduct) Regulations 2021 (MCCR) repeals and replaces the Local Government (Rules of Conduct) Regulations 2007, and there are associated amendments to s.5.103 of the Local Government Act 1995. The effect is that the Model Code of Conduct for Council Members, Committee Members and Candidates is contained in Schedule 1 of the MCCR. In addition to redrafted versions of the previous Rules of Conduct (Schedule 1, Division 4), the Model Code includes general principles (Schedule 1, Division 2) and behaviours (Schedule 1, Division 3).

The Model Code requires that complaints about alleged breaches of behavioural requirements under Division 3 must be dealt with at a local level by the Local Government. Local Governments have been required to adopt a Code of Conduct that incorporates the Model Code within three months of 3 February 2021, in accordance with the s.5.104 of the Local Government Act 1995 (the Act) – which the Shire of Chittering did accomplish on 21 April 21.

The Framework was drafted with the intent of developing a policy that will minimise both actual and perceived bias due to conflicts of interest when local level behaviour complaints are managed by Local Governments.

Section 2.7(2)(b) of the Local Government Act sets the policy-making role of a Council, therefore it is strongly recommended that opportunities are provided for Council to contribute to the development of a Complaints policy.

Consultation/Communication Implications

Local

Nil

State

Nil

Legislative Implications

State

Local Government Act 1995 (Act)

Local Government Amendment Act 2019 (Amendment Act).

Model Code of Conduct Regulations 2021

Local

Nil

Policy Implications

State

Nil

Local

4.1 – Code of Conduct – Elected Members

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

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

Environmental implications

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

Officer Comment/Details

The Model Code requires that complaints about alleged breaches of behavioural requirements under Division 3 must be dealt with at a local level by the Local Government. Part 5, Division 9 of the Act outlines breaches and complaints, pertaining to breaches of the Code of Conduct.

It should be noted that policy implementation is given effect through induction, ongoing training and operational procedures which evidence that Council Members, Committee Members and Candidates have been made aware of and are accountable for their obligations under the Local Government's adopted Code of Conduct and Complaints Policy.

OFFICER RECOMMENDATION

That Council adopt:

- 1. the "Code of Conduct Behaviour Complaints Management Policy" as per Attachment 1;**
- 2. the amended "Behaviour Complaints Form" as per Attachment 2;**
- 3. Delegation 1.1.1 – Behaviour Complaints Committee as per Attachment 3; and**
- 4. Behaviour Complaints Committee Terms of Reference as per Attachment 4.**

CEO03 – 06/21 Delegated Authority Register Review

Applicant	Shire of Chittering
File ref	13/05/0001
Prepared by	Support Officer Governance
Supervised by	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Delegated Authority Register

Executive Summary

Council's is requested to endorse the Delegated Authority Register as per **Attachment 1**.

Background

In accordance with Section 5.46 of the *Local Government Act 1995*, delegations are to be reviewed at least once every financial year. The last review was presented to Council on 17 June 2020.

The Chief Executive Officer and the Executive Management Team have undertaken a review of the Delegated Authority Register.

Consultation/Communication Implications

Local

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

State

WALGA

Legislative Implications

State

- *Local Government Act 1995*
 - 5.46. Register of, and records relevant to, delegations to CEO and employees
 - (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
 - (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
 - (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.
- *Building Act 2011*
- *Bush Fires Act 1954 and regulations and local laws created under that Act*
- *Cat Act 2011 and regulations*
- *Dog Act 1974 and regulations*
- *Food Act 2008*
- *Graffiti Vandalism Act 2016*
- *Public Health Act 2016*
- *Planning and Development Act 2005 including regulations and adopted policies*
- *Environmental Protection Act 1986*

- *Main Roads Act 1930*
- *Road Traffic (Vehicles) Act 2012*
- *Strata Titles Act 1985*

Local

Nil

Policy Implications

State

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

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

Environmental implications

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

Officer Comment/Details

Council, as Delegator, is required to review their Delegations annually. In accordance with the Local Government Act 1995, s5.46(2) delegations made under Division 4 of Part 5 of the Act are to reviewed by the delegator at least once during the financial year.

Delegation 1.1.1 - Appointed Authorised Persons – Deletion Delegation 1.3.7 - Appointed Authorised Persons

Proclamation of some of the few remaining Local Government Act amendments contained in the *Local Government Legislation Amendment Act 2019* and Gazettal of supporting Administration Regulation amendments occurred on 6 November 2020 (and became effective on 7 November 2020). This created new requirements for providing public access to information and for appointing authorised persons.

The process for Appointing Authorised Persons under a range of legislation has been harmonised through an amendment to section 9.10 of the Local Government Act 1995, which now means the CEO is the prescribed decision maker to make the appointments.

This Act amendment means that delegated authority from Council to the CEO to appoint authorised persons under the Local Government Act, Cat Act and Dog Act are inoperative and must be removed from Delegation Registers without the need for a Council resolution to delete / revoke the delegation (as in effect the Act amendment means Council no longer has the authority).

Delegation 10.2.2 - WA Planning Commission – Section 25 of the Strata Titles Act 1985 **Error! Bookmark not defined.**

In February 2021 the Western Planning Commission advised that the Instrument of Delegation (10.2.2) had been updated and that the changes were appropriate following the May 2020 Amendments to the *Strata Titles Act 1985* (STA); where two amendments were made. The first was to grant power to the local governments to determine applications relating to restrictive use conditions or by-laws. The second is to restrict the power of local governments to determine type 1A and type 2 Subdivisions applications.

Delegation 1.1.1 – Behaviours Complaint Committee

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

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms.

The Local Government (Model Code of Conduct) Regulations 2021 (MCCR) repeals and replaces the Local Government (Rules of Conduct) Regulations 2007, and there are associated amendments to s.5.103 of the Local Government Act 1995.

The Model Code requires that complaints about alleged breaches of behavioural requirements under Division 3 must be dealt with at a local level by the Local Government. Delegation 1.1.1 - Behaviours Complaint Committee - facilitates unbiased decision-making by a Behaviour Complaints Committee. Council is therefore requested to endorse the amended Delegated Authority Register.

OFFICER RECOMMENDATION

That Council BY AN ABSOLUTE MAJORITY endorses the Delegated Authority Register, as per Attachment 1.

CEO04 – 06/21 Lower Chittering Masterplanning – Aspirational Plans

Applicant	Alison Reliti
File ref	A11764, A10106, A8013
Author	Alison Reliti, Community Development Officer
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Aspirational Plans - Lower Chittering Community Space, Sussex Bend Redevelopment, Patens Reserve.

Executive Summary

Council is requested to endorse the Aspirational Plans for the Lower Chittering area, including the Lower Chittering Community Space adjacent to the Lower Chittering VBFB, the Sussex Bend Park Redevelopment and the Patens Reserve Recreation Space.

The endorsed aspirational plans are to be released for public review and comment, and then utilised as part of Project Development for each of the locations in Lower Chittering. They are aspirational plans only and by endorsing the plans, Council is not committing to any of the projects contained in the plans.

Background

Lower Chittering Master Plan development is contained in the Chief Executive Officer KPI's. In addition, facility development and planning is a focus for the Shire's Sport and Recreation Plan 2012-2022, as well as the development of plans for a recreational space in Maryville Downs.

The following consultations were undertaken and plans based on the results were presented to the community at the March 2021 Lower Chittering Community Forum. The final plan has been developed from the feedback and is now presented to Council for endorsement.

1. Sport and Recreation Survey – 2020
2. Community Development Review – 2020
3. Lower Chittering Community Forum – October 2020
4. Lower Chittering Master Plan Community Feedback – March 2021

Consultation/Communication Implications

Local

Advertising locally through Facebook, CHATTER and Shire of Chittering website.

State

NA

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Community Consultation on the plans should not incur any financial cost, other than staff time. However, project development for any or all of the plans will incur costs, and these have been submitted to council for consideration in the 2021/2022 budget.

Strategic Implications

Local

- Strategic Community Plan 2017-2027

Focus area: Our community
Objective: S1.1 An active and supportive community
Strategy: S1.1.2 Develop and enhance existing recreation and social facilities for local communities

Focus area: Our community
Objective: S1.2 Strong sense of community
Strategy: S1.2.3 Activate our local centres and towns

- Strategic Community Plan 2012-2022

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

Nil

Social implications

Nil

Environmental implications

Nil

Officer Comment/Details

Lower Chittering has a growing population, with a long history, and a changing demographic. As it is located close to the metropolitan area, many of the residents currently socialise/recreate in the surrounding metro areas, leading to disconnection from the rest of the Lower Chittering community.

There is a common desire amongst residents to have a more centrally located space for the community to come together, socialise and be active. The recreation space behind the Lower Chittering Fire Station has long been identified as the ideal location for a connection space.

The results of consultations showed that the most important focus areas to the community were Community Connection and Community Events. In particular, the Sport and Recreation Survey results from Lower Chittering reflected the need for a community recreation space.

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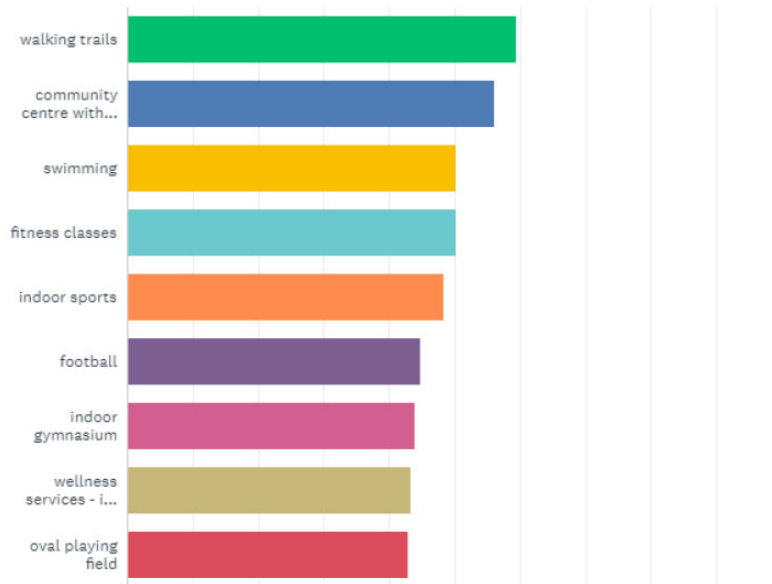
2020 Community Development Survey outcomes

back via email as above. (0)

Community Development Review results

What sort of activities would you like to have available in Lower Chittering?

Answered: 219 Skipped: 3



Sport and Recreation Survey – Lower Chittering results.

The results of the Feedback from the March Lower Chittering Community Advisory Forum reiterated the desire for a Community Centre and Green space / Oval. A Water Park also rated highly as it provides an additional opportunity for connection in summer outside of the usual sporting pursuits.

1. Lower Chittering Community Space	
What is most important to you?	Ranking
Comm Centre, Green Space and Sports Field	1
Green Space	2
Water park with Green Space	3
Comm Centre & Green Space	4
Green Space with Shire building	5

Green Space	Ranking
Ablutions	1
Picnic Tables	2
Water Fountain	3
Playground	4
Parkland	5
Sports Field	Ranking
AFL	1
Rectangle	2

In addition to the Lower Chittering Community Space, residents also indicated that an Emergency Services Hub, redevelopment of the Sussex Bend Park, and the development of recreation facilities at the Patens Road Reserve in Wandena Estate were desired.

Which project is most important to you?	Ranking
Community Space	1
Emergency Services Hub	2
Sussex Bend	3
Patens	4

Emergency Services Hub

There is currently a community push for the provision of an ambulance service based at the Lower Chittering Fire Station, essentially creating an Emergency Services Hub. Further consultation is currently being undertaken with strong support from Lower Chittering Residents.

Shire staff, and St Johns Ambulance have been invited to the consultations, and will be involved in the needs/feasibility process with the addition of consultation with WAPOL and the SES for co-use of the space. The communities desired outcomes, and possible infrastructure and support needs will be provided to Council for approval as they are identified, and before the project is developed further.

Sussex Bend Redevelopment

At the forum, aspirational plans for the redevelopment of the Sussex Bend Park were shown to residents. The results below from the survey provided further refinement and were used to create a final aspirational plan.

3. Sussex Bend Redevelopment	
What is most important to you?	Ranking
Boardwalk	1
Hard Cover for Playground	2
Road Safety Track	3
Additional seating in bike track	4
Hard surface of pump track	5
Mini Pump Track	6
All Weather structure	7

Chittering Landcare have already received funding, and created a directed water flow leading to a reservoir on the Sussex Bend Park space. Discussions between Chittering Landcare and Shire staff in regard to a boardwalk through the wetlands on the site, were initiated around 10 years ago, and were recommenced in early 2021. The boardwalk and redevelopment of this site would create a recreational, social, and educational space for the Lower Chittering community. Further site plans, environmental impact assessments, and engineering requirements will need to be conducted to facilitate the construction of the boardwalk.

A hardcover for the playground, and hard surfacing of the existing pump track have previously been identified in the Sport and Recreation Plan (i.e. park upgrades). The addition of a toddler pump track, road safety track and additional seating would also create a “bmx hub” at the park.

An additional all weather structure over the BBQ seating area would also facilitate year round use of the park.

The aspirational plan for this area will be released to the public, with consultations to include the BMX workshop school holiday activity in July 2021. These consultations will be used to create a project plan for the redevelopment of the bike-park, play space and boardwalk.

Patens Road Reserve Recreation Space

At the forum, aspirational plans for the development of the Patens Road Reserve recreational space were shown to residents. The results below from the survey provided further refinement and were used to create a final aspirational plan.

4. Patens Reserve	
What is most important to you at Patens Reserv	Ranking
Ablutions	1
Nature Playground	2
Walk Trail	3
Picnic Tables/Seating	3
Water Fountain	4
Green Space	5

This reserve is currently a sandy, sparsely grassed area with no recreational or social facilities. There is great scope for a nature playground, however further consultation with the residents of the estate will be required to create a project plan which best suits their needs and wants.

Summary

The Lower Chittering plans are considered long-term aspirational plans and by endorsing the plan, Council is not committing to the projects listed within the plan.

The release of the aspirational plans will facilitate further discussion on the community's recreational and social needs at these sites in Lower Chittering.

OFFICER RECOMMENDATION

Council is requested to endorse the following Lower Chittering Aspirational Plans:

- **Lower Chittering Community Space**
- **Sussex Bend Redevelopment**
- **Patens Road Recreational Space.**

ITEM 10. REPORTS OF COMMITTEES

COM01 – 06/21 Audit and Risk Committee Minutes

Applicant	Shire of Chittering
File ref	12/01/1
Prepared by	Executive Assistant to Chief Executive Officer
Supervised by	Chief Executive Office
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	1. Audit and Risk Committee Minutes (confirmed) – 17 March 2021 2. Audit and Risk Committee Minutes (unconfirmed) – 14 April 2021

Executive Summary

Council is requested to receive the Audit and Risk Committee confirmed minutes of 17 March 2021 and unconfirmed minutes of 14 April 2021.

Background

Following the Audit and Risk Committee meeting held on 17 March 2021 there was one formal recommendation resolved:

COMMITTEE RESOLUTION

Moved Cr Ross / Seconded Cr Angus

That the Audit Committee reviews the Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 and presents to Council for adoption at the Ordinary Meeting of Council on 17 March 2021.

*CARRIED 5/0
16:38PM*

An officer report was subsequently tabled at the Ordinary Meeting of Council on 17 March 2021 and Council resolved the following:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 120321

Moved Cr Ross/ Seconded Cr Hughes

That Council adopts the Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020.

*CARRIED 6 / 0
TIME 20.13pm*

The completed Compliance Audit Report was lodged through the Department's "Smarthub" on 24 March 2021.

Following the Audit and Risk Committee meeting held on 14 April 2021 there were two formal recommendation resolved:

OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Moved Cr Osborn / Seconded Cr Angus

That the Audit and Risk Committee recommends to Council that it:

- 1. Receives the Audit Report of 23 March 2021 (as incorporated within the Annual Report);*
- 2. Pursuant to Sections 5.54 and 5.55 of the Local Government Act 1995, accepts the 2019-2020*

- Annual Report; and*
3. *Convenes the Annual Electors Meeting prior to 16 June 2021 at the Bindoon Hall, 6108 Great Northern Highway, Bindoon.*

*CARRIED 5/0
BY AN ABSOLUTE MAJORITY*

OFFICER RECOMMENDATION / COMMITTEE RESOLUTION

Moved Cr Angus / Seconded Cr Ross

That the Audit Committee note the Risk Management Report 2020.

CARRIED 5/0

An officer report was subsequently tabled at the Ordinary Meeting of Council on 21 April 2021 and Council resolved the following:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110421

Moved Cr Hughes/ Seconded Cr Angus

That Council BY ABSOLUTE MAJORITY:

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

CARRIED BY ABSOLUTE MAJORITY 6 / 0

TIME 7.57pm

The Annual Electors Meeting was set and held Thursday 6 May 2021 at the Chinkabee Complex, 6166 Great Northern Highway, Bindoon.

The minutes from the Audit and Risk Committee Meeting held 17 March 2021 were confirmed at the Audit and Risk Committee Meeting held 14 April 2021.

Consultation/Communication Implications

Local

Audit and Risk Committee

State

Nil

Legislative Implications

State

- Local Government Act 1995

5.22. Minutes of council and committee meetings

- (1) *The person presiding at a meeting of a council or a committee is to cause minutes to be kept of the meeting's proceedings.*
- (2) *The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.*
- (3) *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

- *Local Government (Functions and General) Regulations*
- *Local Government (Administration) Regulations*
- *Local Government (Rules of Conduct) Regulations*
- *Local Government (Elections) Regulations*
- *Local Government (Audit) Regulations*

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Implications

Local

Nil

State

Nil

Site Inspection

Not applicable

Triple Bottom Line Assessment

Economic implications

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

Social implications

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

Environmental implications

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

Officer Comment/Details

Council is requested to receive the Audit and Risk Committee confirmed minutes of 17 March 2021 and unconfirmed minutes of 14 April 2021.

OFFICER RECOMMENDATION

That Council receive the Audit and Risk Committee confirmed minutes of 17 March 2021 and unconfirmed minutes of 14 April 2021.

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

ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

ITEM 14. MEETING CLOSED TO THE PUBLIC

Matters for which the meeting may be closed

Nil

Public reading of resolution that may be made public

ITEM 15. CLOSURE