



# COUNCIL MINUTES

CONFIRMED: 20 JULY 2022

## Ordinary Meeting of Council

7pm, Wednesday 15 June 2022

Council Chambers, 6177 Great Northern Highway, Bindoon

## PUBLIC QUESTION TIME

### 1. Time Permitted

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

### 2. Protocol

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

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

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

### 3. General Rules

The following general rules apply to Public Question Time:

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

## DEPUTATIONS

### 1. Time permitted

A minimum of 10 minutes is permitted for Deputations.

### 2. Protocol

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

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

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

### 3. General Rules

The following rules apply when making a Deputation:

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

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

## RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

### **Objective**

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

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

### **Recording of Proceedings**

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

### **Access to Recordings**

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

### **Retention of Recordings**

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

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

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

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

#### **PREFACE**

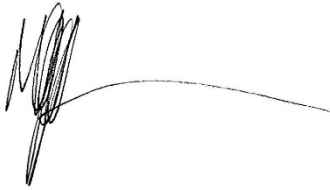
When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

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

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

#### **UNCONFIRMED MINUTES**

These minutes were approved for distribution on 22 June 2022.



**Matthew Giffellon**  
Chief Executive Officer

#### **CONFIRMED MINUTES**

These minutes were confirmed at a meeting held on 20 July 2022.



Signed \_\_\_\_\_

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

#### **Disclaimer**

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

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

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

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



## CONTENTS

|  |           |
|--|-----------|
| <b>ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS.....</b>  | <b>7</b>  |
| <b>ITEM 2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE / ANNOUNCEMENTS.....</b>                           | <b>7</b>  |
| Attendance .....   | 7         |
| Apologies .....  | 7         |
| Approved leave of absence .....  | 7         |
| Announcements .....  | 8         |
| <b>ITEM 3. DISCLOSURE OF INTEREST.....</b>   | <b>9</b>  |
| <b>ITEM 4. PUBLIC QUESTION TIME .....</b>  | <b>9</b>  |
| Response to previous public questions taken on notice.....   | 9         |
| Public question time.....  | 9         |
| PQT01 – 06/22 Marnie Giroud, Muchea .....  | 9         |
| <b>ITEM 5. PRESENTATIONS / PETITIONS / DEPUTATIONS .....</b>   | <b>10</b> |
| Petitions .....  | 10        |
| Presentations .....  | 10        |
| Deputations .....  | 11        |
| DEP01 – 06/22 Jenny Hall, South Midlands Polocrosse Club.....  | 11        |
| <b>ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE .....</b>   | <b>11</b> |
| <b>ITEM 7. CONFIRMATION OF MINUTES.....</b>  | <b>11</b> |
| Ordinary Meeting of Council: 18 May 2022 .....   | 11        |
| <b>ITEM 8. ANNOUNCEMENT FROM THE PRESIDING MEMBER .....</b>  | <b>12</b> |
| <b>ITEM 9. REPORTS.....</b>  | <b>12</b> |
| <b>DEVELOPMENT SERVICES .....</b>  | <b>13</b> |
| DS01 – 06/22 Update to the Shire of Chittering Local Biodiversity Strategy 2010 .....                                      | 13        |
| DS02 – 06/21 Statistical Analysis of Bushfire Compliance 2021-22 Season .....  | 18        |
| <b>TECHNICAL SERVICES .....</b>  | <b>23</b> |
| <b>CORPORATE SERVICES .....</b>  | <b>24</b> |
| CS01 – 06/22 List of Accounts Paid for the Period Ending 31 May 2022 .....   | 24        |
| CS02 – 06/22 Monthly Financial Report for the Period Ending 31 May 2022.....   | 26        |
| <b>CHIEF EXECUTIVE OFFICER.....</b>  | <b>28</b> |
| CEO01 – 06/22 Delegated Authority Register Review .....  | 28        |
| CEO02 – 06/22 2022-2032 Strategic Community Plan.....  | 31        |
| CEO03 – 06/22 Bindoon & Districts Agricultural Society Inc. Licence Agreement.....   | 34        |
| CEO04 – 06/22 South Midlands Polocrosse Club Licence .....   | 38        |
| CEO05 – 06/22 Asset Management Plan .....  | 43        |
| CEO06 – 06/22 Submission to Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades ..... | 46        |
| CEO07 – 06/22 Bindoon Mountain Bike Park – Stage 1 Trail Construction Tender.....  | 49        |
| <b>ITEM 10. REPORTS OF COMMITTEES .....</b>  | <b>53</b> |
| COM01 – 06/22 Ceasing of Chittering Health Advisory Group.....   | 53        |

|  |           |
|--|-----------|
| <b>ITEM 11. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>                       | <b>59</b> |
| <b>ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE.....</b>                                   | <b>59</b> |
| <b>ITEM 13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING .....</b> | <b>60</b> |
| <b>ITEM 14. MEETING CLOSED TO THE PUBLIC .....</b>   | <b>60</b> |
| Matters for which the meeting may be closed .....  | 60        |
| CON01-06/22     Approval for Award of Tender SC22-001 Fire Mitigation Treatments 2022 .....  | 61        |
| Public reading of resolution that may be made public .....                                   | 62        |
| <b>ITEM 15. CLOSURE.....</b>   | <b>62</b> |

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

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

The Presiding Member declared the meeting open at 7.00pm.

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

### **Attendance**

The following members will be in attendance:

|                  |                  |
|------------------|------------------|
| Cr Aaron King    | President        |
| Cr Mary Angus    | Deputy President |
| Cr Kylie Hughes  |                  |
| Cr Carmel Ross   |                  |
| Cr John Curtis   |                  |
| Cr David Dewar   |                  |
| Cr Mark Campbell |                  |

The following staff will be in attendance:

|                   |  |
|-------------------|--|
| Matthew Gilfellon | Chief Executive Officer                |
| Melinda Prinsloo  | Executive Manager Corporate Services   |
| Leo Pudhota       | Executive Manager Technical Services   |
| Peter Stuart      | Executive Manager Development Services |
| Denaye Kerr       | EA to the CEO                          |

Members of the General Public:

3

Media:

0

### **Apologies**

Nil

### **Approved leave of absence**

Nil

### **Announcements**

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

#### **Cr Aaron King**

|              |                              |
|--------------|------------------------------|
| 18 May 2022  | Budget Workshop 2            |
|              | Ordinary Council Meeting     |
| 31 May 2022  | President & CEO Meeting      |
|              | Meeting with Chalice Mining  |
| 1 June 2022  | Budget Workshop 3 & 4        |
| 7 June 2022  | President & CEO Meeting      |
| 8 June 2022  | Agenda Forum and Briefings   |
| 14 June 2022 | Meeting with Sandra Carr MLC |

#### **Cr Mary Angus**

|              |                                   |
|--------------|-----------------------------------|
| 18 May 2022  | Budget Workshop 2                 |
|              | Ordinary Council Meeting          |
| 31 May 2022  | President & CEO Meeting           |
| 1 June 2022  | Budget Workshop 3 & 4             |
| 7 June 2022  | President & CEO Meeting           |
|              | Meeting with Hon Steve Martin MLC |
| 8 June 2022  | Agenda Forum and Briefings        |
| 11 June 2022 | Youth Krew Meeting                |

#### **Cr Kylie Hughes**

|             |   |
|-------------|---|
| 18 May 2022 | Budget Workshop 2                             |
|             | Ordinary Council Meeting                      |
| 1 June 2022 | Budget Workshop 3 & 4                         |
| 8 June 2022 | Agenda Forum and Briefings                    |
| 9 June 2022 | Chittering Tourism Advisory Committee Meeting |

#### **Cr Carmel Ross**

|              |  |
|--------------|--|
| 18 May 2022  | Budget Workshop 2                          |
|              | Ordinary Council Meeting                   |
| 1 June 2022  | Bindoon Primary School Community Breakfast |
|              | Budget Workshop 3 & 4                      |
| 8 June 2022  | Agenda Forum and Briefings                 |
| 14 June 2022 | Bushfire Committee                         |

#### **Cr John Curtis**

|              |                                    |
|--------------|------------------------------------|
| 18 May 2022  | Budget Workshop 2                  |
|              | Ordinary Council Meeting           |
| 1 June 2022  | Budget Workshop 3 & 4              |
| 8 June 2022  | Agenda Forum and Briefings         |
| 14 June 2022 | Bindoon Historical Society Meeting |

#### **Cr Mark Campbell**

|             |                          |
|-------------|--------------------------|
| 18 May 2022 | Budget Workshop 2        |
|             | Ordinary Council Meeting |



1 June 2022                      Budget Workshop 3 & 4  
8 June 2022                      Agenda Forum and Briefings

Cr David Dewar

18 May 2022                      Budget Workshop 2  
   Ordinary Council Meeting  
1 June 2022                      Budget Workshop 3 & 4  
7 June 2022                      Meeting with Hon Steve Martin MLC  
8 June 2022                      Agenda Forum and Briefings  
11 June 2022                      Youth Krew Meeting  
13 June 2022                      Rural Water Council Meeting  
14 June 2022                      Chittering Bushfire Advisory Committee Meeting

### ITEM 3. DISCLOSURE OF INTEREST

Nil

### ITEM 4. PUBLIC QUESTION TIME

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

Nil

#### Public question time

**PQT01 – 06/22                      Marnie Giroud, Muchea**

Question 1:     In the Executive Summary of the Shire of Chittering's Local Biodiversity Strategy – adopted 21 April 2010 Goal 1 states: *'Retention of natural areas retain all existing natural areas, unless an existing approval for development has been granted. Where retention is not possible, seek opportunities for offsets. A specific target for Goal 1 is to retain at least 20,000 hectares of the Shire's remaining 22,421 hectares of local natural areas. The aim is to retain 30% of each representative vegetation complex where possible'*. Why has *'A specific target for Goal 1 is to retain at 20,000 hectares of the Shire's remaining 22,421 hectares of local natural areas'* been removed from Goal 1 of the updated strategy?

Response:       *This specific figure is difficult to assess as a measure, given a number of independent variables that affect the 'count' such as illegal clearing and bushfire. It is statutorily inconsistent and difficult to uphold if a development were to 'tip the scale' and it should not be a goal that promotes or allows for removal of vegetation until a finite figure. Rather that the overall retention as best possible should be the goal.*

*This latter point has already been incorporated in the Local Planning Strategy 2019, which promotes development in areas only where biodiversity values are unharmed, and/or where bushfire linkages are critical. Regardless, staff in conjunction with Chittering Landcare*

*Group will work towards developing a monitoring system to ensure knowledge of biodiversity quality is maintained consistently as best possible.*

Question 2: Please refer to the Executive Summary of the Shire of Chittering's Local Biodiversity Strategy – adopted 21 April 2010 Goal 3: Management of natural areas stated as one of its directives: 'Agreed Management Plans for all new natural areas protected as a condition of new subdivision and other development'. The updated plan does not include this previous requirement for agreed management plans as a condition of new developments. Why is this important requirement of a new development omitted in the new plan?

Response: *In short, the Western Australian Planning Commission already has a requirement for such relevant developments per their Model Subdivisions Conditions Schedule (June 2021) and as such is subject to the decision of a separate body (Department of Planning, Lands and Heritage). Thus it hasn't been removed from statutory obligations, rather enshrined in more obligatory means. Rather in this instance, its omission helps to clarify the goal as non-statutory guided, and more specifically about the on-ground management of all protected areas.*

**PQT02 – 06/22      Deonne Riddle, Chittering**

Question 1: In the Executive Summary of the Shire of Chittering's Local Biodiversity Strategy – adopted 21 April 2010, the vision states: 'In 2050 the Shire of Chittering will have retained at least 20,000 hectares of its remaining 22,421 of Local Natural Areas and formally protected at least 6,328 hectares within these areas.'

Were the conservation targets outlined in the original plan (now 12 years old) assessed by staff and Council?

Response: *As the Shire does not have the technical expertise in house, data presented to the Shire from the botanist engaged to do the survey work (the late Mr Stephen Connell) subsequent to the proposed updated Strategy suggests that a significant majority has been retained.*

Question 2: How much of the minimum 20,000 hectare conservation target has been retained in the 12 years since this plan was adopted?

Response: *We are unable to quantify the number due to a lack of precise data available.*

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

**Petitions**

Nil

**Presentations**

Nil

## **Deputations**

### **DEP01 – 06/22          Jenny Hall, South Midlands Polocrosse Club**

South Midlands Polocrosse Club would like to respond and comment to the officer recommendation on tonight's agenda item, South Midlands Polocrosse Club Licence.

We support the removal of item 7.1 and 7.2 (b) in the outgoings schedule. South Midlands Polocrosse Club is in agreeance of the Shire of Chittering receiving the hire income from Sandown Park if the Shire is going to pay the power costs and ATU servicing costs at the facility.

Further clarification is required on who is responsible to replace kitchen items if they are damaged or need replacement due to wear and tear. Currently the kitchen appliances and fixtures in place have been purchased by either the Polocrosse or Pony Club. Whilst we are willing to hire these items, assurance is needed for replacement if damaged.

We also support the addition to the outgoings schedule at point 7.8 that South Midlands Polocrosse can provide the Shire of Chittering with pre-approved casual or annual hire groups. Thus South Midlands Polocrosse Club will have the ability to approve or deny all proposed hirers dependent on identifying the potential damage to the grounds and recovery costs and timeframes.

As Polocrosse representatives discussed with Council at the meeting on 8 June 2022, any group wishing to hire Sandown Park require to be approved or denied by South Midlands Polocrosse Club depending on the costs and time involved with repairing any damage that could be caused, if South Midlands Polocrosse Club are expected to continue the level of maintenance and volunteer hours they currently put into Sandown Park. This will involve a Polocrosse representative communicating with the proposed hirer to determine the level of wear and tear on the fields. We would propose the Shire charge and hold a bond for certain hirers of the facility in case major repair or restoration work is required. We request this be incorporated into the approval process.

## **ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **ITEM 7. CONFIRMATION OF MINUTES**

### **Ordinary Meeting of Council: 18 May 2022**

#### **OFFICER RECOMMENDATION / COUNCIL RESOLUTION 010622**

**Moved Cr Campbell, seconded Cr Angus**

**That the minutes of the Ordinary Meeting of Council held on Wednesday 18 May 2022, as published on the Shire website, be confirmed.**

**CARRIED UNANIMOUSLY 7 / 0**

**TIME: 7.10PM**

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

**ITEM 9. REPORTS**

**DEVELOPMENT SERVICES****DS01 – 06/22     Update to the Shire of Chittering Local Biodiversity Strategy 2010**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | Shire of Chittering   |
| <b>File ref</b>               | 11/06/0003  |
| <b>Author</b>                 | Executive Manager Development Services  |
| <b>Authorising Officer</b>    | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. Local Biodiversity Strategy (as updated)   |

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

**Executive Summary**

Council is requested to adopt the updated local biodiversity strategy. The original strategy was drafted in 2009, and finally adopted in 2010. This updated version is a modernisation of that strategy. The strategy has been updated in conjunction with the Chittering Landcare Group, and is accordingly presented to Council as a completion of the Chief Executive Officer's Key Performance Indicator.

**Background**

In 2007, the Shire embarked on creating a Local biodiversity Strategy (LBS). The LBS was envisaged as a masterplan to protect the Shire's biodiversity values in the face of competing development. For its initiative, Council won more than \$30,000 in grant funding from WALGA to undertake the project.

The LBS was initially drafted and presented to Council in April 2009, where Council resolved to defer the item. It did so on the basis of clarification:

1. *"That the Shire of Chittering works in collaboration with Chittering Landcare in formulating a local biodiversity strategy including an action plan and additional detailed mapping subject to the following changes being made in light of the submissions received:*
  - a. *Format of the final Local Biodiversity Strategy to comprise a background report, a strategy and a spatial plan;*
  - b. *Include in the background report additional details on the regional context for biodiversity conservation, key threats, land use planning issues, and the conservation planning process*

*adopted by the Shire;*

- c. Explain how Goal 1 "retention of natural areas" is to be achieved;*
- d. Introduce SMART (Specific, Measurable, Achievable, Relevant and Time Bound) targets and should include adaptive management responses with assistance from the Perth Biodiversity Project;*
- e. Investigate the potential to review the proposed protection target of 10%, to enable a higher level of biodiversity protection in the Shire;*
- f. Review the achievability and appropriateness of conservation targets and strategies against the Shire's Town Planning Scheme, Local Planning Strategy and existing Development Plans;*
- g. Review of conservation priorities for vegetation complexes (Tables 3, 4 and 14) to allow for mapping error;*
- h. include in the ecological criteria (Table 6):*
  - i) "and significant flora and fauna species (at the limit of geographical range)"*
  - ii) "Potentially Threatened Ecological Communities' or 'Priority Ecological Communities" after (TECs).*
- i. Include additional actions to implement the Local Biodiversity Strategy (Table 9);*
  - 11. Development of a landscaping policy for the Shire to encourage use locally indigenous plants by residents, businesses, schools, Shire landscaping activity including revegetation of Regional and Local Ecological Linkages,*
  - 12. List the steps toward development of a Local Planning Policy, the resourcing required and staff training in the new LPP incorporated into the implementation strategy (List steps given in the preceding instruction)',*
  - 20. Natural Resource Inventory – maintain relevant datasets for monitoring effectiveness of recommended actions in implementing the Local Biodiversity Strategy,*
  - 21. Develop a Biodiversity Conservation Action Plan to link the proposed targets to recommended actions, timelines for implementation and identification of financial and human resources required.*
- j. Revise maps so that they are easier to interpret.*
- k. The Shire to obtain legal advice prior to the implementing any of the recommendations in the final report.*
- 2. Requests administration to forward a copy of ecological linkages dataset to the Environmental Protection Authority to add to the existing Perth Metropolitan Region's regional linkages dataset.*
- 3. Notes that the amended Local Biodiversity Strategy will be presented to Council for final adoption at a future meeting."*

The LBS was subsequently revised and returned to Council in April 2010. Council having regard to the amendments and clarifications requested, resolved to endorse the LBS as follows:

**OFFICER RECOMMENDATION / COUNCIL DECISION**

*Moved Cr Tomlinson / Seconded Cr Hawes*

*That Council:*

- 1. endorse the Shire of Chittering Local Biodiversity Strategy, its vision, goals and the action plan as recommended in the report.*
- 2. advise the Western Australian Planning Commission, Department of Planning, Department of Environment and Conservation, and Western Australian Local Government of condition 1 above.*
- 3. allocate the necessary resources in its annual budget to implement the action plan of the Shire of Chittering Local Biodiversity Strategy.*

**CARRIED 6 / 0**

The adopted LBS was comprehensive to say the least. It appears that the recommended actions however were not realised most likely due to the comprehensive nature of the document. Accordingly, the scope in reviewing the LBS has been to:

- Reduce the repetition and clarify the mapping to ensure its legibility.
- Update the references that provide the legislative and informative backing to the statistics where necessary.
- Improve upon the actions and recommendations that align with the Strategic Community Plan 2017-2017, the Local Planning Strategy 2019 and the Bushfire Risk Management System.

Overall, the strategy has been reduced from more than 200 pages, to less than 90. The resulting LBS maintains its original comprehensive approach to information, yet in a contemporary and refined approach.

### **Consultation Summary**

#### Local

No community consultation was undertaken in this review, as it does not represent any changes to any individual property from the original and existing LBS.

Chittering Landcare were consulted as part of the review.

#### State

Nil

### **Legislative Implications**

#### State

- Planning and Development Act 2005  
Schedule 7 of the Planning and Development Act 2005 titled "Matters which may be dealt with by a planning scheme" establishes Biodiversity retention as a valid planning consideration.
- The Environmental Protection (Clearing of Native Vegetation) Regulations 2004  
Established under the Environmental Protection Act 1986, the Regulations provides for the protection of all native vegetation in Western Australia where a valid exemption does not apply.
- Wildlife Conservation Act 1950  
This Act provides for the protection of significant species and ecological communities in Western Australia. Significant species and ecological communities identified in the Shire of Chittering are listed throughout the LBS.
- The Environment Protection and Biodiversity Conservation Act 1999  
This Act provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. Species and communities specifically protected by this Act that have been identified in the Shire of Chittering.
- The Conservation and Land Management Act 1984  
This Act applies to the public conservation reserve system and includes provisions for the establishment and management of national parks, nature reserves, conservation parks and marine parks in Western Australia. Land protected by this Act within the Shire of Chittering has been considered in the development of this strategy.

#### Local

Nil

### **Policy Implications**

#### State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**Local

- Strategic Community Plan 2017-2027  
Focus area: Our Natural Environment  
Objective: S2.1 Protective environment  
Strategy: S1.1.1 Ensure the protection of our local biodiversity

The updated local biodiversity strategy also includes actions and measure to protect biodiversity in bushfire risk management, a key aspect of objective 2.3.

State

- Shire of Chittering Local Planning Strategy 2019  
Section 3.3.1 objective 2) refers to the Local Biodiversity Strategy, and more specifically strategy a) which provides the instigation for this review and update.

**Site Inspection**

Site inspection undertaken: Not applicable

**Risk Assessment / Implications**

| Risk  | Likelihood | Consequence | Risk Analysis | Mitigation   |
|---|------------|-------------|---------------|--|
| <b>Reputational:</b><br>Biodiversity is value by the community                                      | Unlikely   | Moderate    | Moderate      | The Biodiversity Strategy seeks to retain biodiversity in the shire. |
| <b>Opportunity:</b> The adoption of the plan will bring in more specified targets for biodiversity. |            |             |               |  |

**Officer Comment/Details**

The review and subsequent updating of this strategy is considered a major improvement to the Shire's application towards retaining its biodiversity values. For example, where the 2010 version of the strategy incorporates three major goals, the updated version now contains four:

- Goal 1: Retention of natural areas
- Goal 2: Protection of natural areas
- Goal 3: Management of natural areas
- Goal 4: Bushfire fuel reduction measures

The addition of bushfire fuel reduction measures is a reflection of the improvements in risk reduction and knowledge of biodiversity values.

Overall the strategy seeks to improve ways of retaining biodiversity. This updated version improves upon those values by improved mapping, updated and refined actions, and better defined statistics. Overall it make the strategy easier to read and understand, while providing room for further improvements as part of any future review. Additionally the strategy provides a platform for incorporating GIS based systems that can be updated as development occurs.

Given the review and subsequent updates do not result in any implications on any landowners or state



agencies, the updated strategy has not been advertised. This is because it does not impact on the existing values and requirements of the existing strategy, rather as explained, sets out to improve and refine only. Opportunities to update specific areas will be available as development occurs.

Accordingly, Council is requested to adopt the updated Local Biodiversity Strategy.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 020622**

**Moved Cr Hughes, seconded Cr Ross**

**That Council adopts the updated Local Biodiversity Strategy as attached.**

**CARRIED UNANIMOUSLY 7 / 0**

**TIME: 7.14PM**

**DS02 – 06/22 Statistical Analysis of Bushfire Compliance 2021-22 Season**

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

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

**Executive Summary**

Council is requested to receive the statistics relating to bushfire control for the 2021-22 season. Shire administration has 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 help improve the Shire's 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 (the Notice) applicable to all lands within the Shire.

In the past two seasons, particular emphasis has been placed on Asset Protection Zones (APZ) along with firebreaks. Overall, the Notice 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 in the previous season, which has continued into the current season just passed. These tiers were as follows:

|  |  |
|--|--|
| <b>Tier 1 – Work Order only</b>                  | Very minor work to be conducted (i.e. has odd branch to be removed for height, small improvements to APZ)  |
| <b>Tier 2 – Work Order and Minor Work Letter</b> | 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) |
| <b>Tier 3 – Work Order and Warning Notice</b>    | Nothing undertaken however does not have a history of non-compliance or only the odd non-compliance issue  |
| <b>Tier 4 – Work Order and Infringement</b>      | Blatant ignorance of requirements, and has a history of non-compliance   |
| <b>Tier 5 – Work Order and Contractor works</b>  | 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, Council 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

**Risk Assessment / Implications**

| Risk                    | Likelihood | Consequence   | Risk Analysis | Mitigation                     |
|-------------------------|------------|---------------|---------------|--------------------------------|
| <b>Reputational:</b>    | Rare       | Insignificant | Low           | Report is for information only |
| <b>Opportunity:</b> Nil |            |               |               |                                |

**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 2021, until 31 May 2022. 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, 585 were achieved, which is 26 properties greater than the 559 properties inspected last season. In comparison with the previous season, of the 585 properties inspected, the following resulted:

|   | 2020/21 | 2021/22 |
|---|---------|---------|
| <b>Total Work orders issued:</b>          | 278     | 114     |
| <b>Tier1 Work Order Only:</b>             | 1       | 0       |
| <b>Tier2 Letter + Work Order:</b>         | 119     | 77      |
| <b>Tier3 Warning Notice + Work Order:</b> | 156     | 36      |
| <b>Tier4 Infringement + Work Order:</b>   | 2       | 1       |
|   |         |         |
| <b>Total Infringement issued:</b>         | 6       | 2       |

***What the statistics mean***

In similarity to last season, 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. Additionally, the Shire's FCOs were kept busy with advice of sales, having to ensure compliance with the Notice in order to maintain high standards for new

property owners within the Shire. In total, more than 270 properties changed hands within the fire season dates. This is a significant number and serves to prevent continuity of estate based inspections.

Improvements to the technology available to the FCOs played a significant role in improving the efficiency of completing an inspection and issuing of advice, and accordingly the total number of properties inspected. That the rangers in particular are completing this number of inspections in addition to their normal duties is testament to their professional ethic.

Hence the statistic that a lower number of non-compliance this season means that the vast majority of people in the Shire acknowledge and are willing to make the efforts to become fire safe, and that the initiatives to help ensure advice of sales are compliant year round are effective. This not only improves the safety of the property, but largely the estate 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 is in the midst of completing the \$500,000 in grant funding for risk mitigation.

With a number of new subdivisions and properties being built, the task of administering the Firebreak and Hazard Reduction Notice will continue to 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**

Moved Cr Ross, seconded Cr Campbell

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 2021-22 season.

**AMENDMENT**

Moved Cr King, seconded Cr Campbell

That the officer recommendation be amended to include:

4. Instruct the CEO to include in next year's statistics, the separation of asset protection zones from pre-sale inspections and fire break inspections.

CARRIED UNANIMOUSLY 7 / 0

TIME: 7.23PM

**SUBSTANTIVE MOTION / COUNCIL RESOLUTION 030622**

**Moved Cr Ross, seconded Cr Campbell**

**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 2021-22 season.**
- 4. Instruct the CEO to include in next year's statistics, the separation of asset protection zones from pre-sale inspections and fire break inspections.**

**CARRIED UNANIMOUSLY 7 / 0**

**TIME: 7.24PM**

**TECHNICAL SERVICES**

Nil

**CORPORATE SERVICES****CS01 – 06/22 List of Accounts Paid for the Period Ending 31 May 2022**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | Shire of Chittering   |
| <b>File ref</b>               | 12/03/4   |
| <b>Author</b>                 | Finance Officer - Accounts  |
| <b>Authorising Officer</b>    | Executive Manager Corporate Services  |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. List of Accounts Paid as at 31 May 2022  |

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

**Executive Summary**

Council is requested to endorse payments presented in the List of Accounts Paid for the period ending 31 May 2022.

**Background**

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

**Consultation/Communication Implications**Local

Executive Manager Corporate Services

State

Nil

**Legislative Implications**State

Local Government Act 1995

Local Government (Financial Management) Regulations



Local

Nil

**Policy Implications**

State

Nil

Local

Nil

**Financial Implications**

All expenditure has been approved via adoption of the 2021/22 Annual Budget, or resulting from a Council resolution for a budget amendment.

**Strategic Implications**

State

Nil

Local

Nil

**Site Inspection**

Not applicable

**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 2022" is presented to Council for endorsement.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 040622**

**Moved Cr Angus, seconded Cr Campbell**

**That Council endorses the following List of Accounts Paid as per Attachment 1 totalling \$1,378,247.35 for the period ending 31 May 2022:**

- 1. PR6046, PR6050;**
- 2. EFT23400 – EFT23536; and**
- 3. Direct Debits, Cheques as listed.**

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 7.25PM

**CS02 – 06/22      Monthly Financial Report for the Period Ending 31 May 2022**

|                               |   |
|-------------------------------|---|
| <b>File ref</b>               | 12/03/4   |
| <b>Author</b>                 | Senior Finance Coordinator  |
| <b>Authorised by</b>          | Executive Manager Corporate Services  |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. Monthly Financial Report for the Period Ending 31 May 2022   |

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

**Executive Summary**

Council is requested to consider the financial statement for the period ending 31 May 2022.

**Background**

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

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

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

**Consultation/Communication Implications**

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

**Legislative Implications****State**

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

Local

Nil

**Policy Implications**

Local

Finance Policy 2.1 Budget Preparation

Finance Policy 2.2 Investment of Funds

Finance Policy 2.7 Significant Accounting Policies

**Financial Implications**

Nil

**Strategic Implications**

- Strategic Community Plan 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

**Risk Assessment/Implications**

Low Risk – Rare chance of there being an insignificant impact.

**Officer Comment/Details**

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

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050622**

Moved Cr King, seconded Cr Angus

That Council receives the Monthly Financial Report for period ending 31 May 2022, as per Attachment 1.

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 7.26PM

**CHIEF EXECUTIVE OFFICER****CEO01 – 06/22 Delegated Authority Register Review**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | Shire of Chittering   |
| <b>File ref</b>               | 13/05/0001  |
| <b>Author</b>                 | Executive Management Assistant  |
| <b>Authorising Officer</b>    | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | <b>Absolute Majority</b>  |
| <b>Attachments</b>            | 1. Delegated Authority Register   |

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

**Executive Summary**

Council is requested to endorse the 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 16 June 2021.

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

**Consultation Summary**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

### Local

Nil

## Financial Implications

Nil

## Strategic Assessment / Implications

Nil

## Site Inspection

Not applicable

## Risk Assessment / Implications

Low Risk, there are no anticipated implications.

| Risk  | Likelihood | Consequences  | Risk Analysis | Mitigation   |
|---|------------|---------------|---------------|--|
| <b>Compliance:</b> The Delegation Register provides for the efficient and effective running of the shire while staying compliant with legislation and regulations | Rare       | Insignificant | Low           | The creation of and regular review of the Delegations Register reduces the risk of non-compliance. |
| <b>Opportunity:</b> Nil   |            |               |               |  |

**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 be reviewed by the delegator at least once during the financial year.

A comprehensive review and overhaul of the Delegations Register was conducted in 2020 and an extensive review was again carried out in 2021, in line with changes to legislation and reforms under the Local Government Amendment Act 2019 (Amendment Act).

In the past 12 months, there has been no changes to legislation that directly affect the Power to delegate.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060622**

**Moved Cr Ross, seconded Cr Hughes**

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

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 7 / 0**

TIME: 7.29PM

## CEO02 – 06/22 2022-2032 Strategic Community Plan

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | N/A   |
| <b>File ref</b>               |   |
| <b>Author</b>                 | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. 2022-2032 Strategic Community Plan   |

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

**Executive Summary**

Council is requested to adopt the 2022-2032 Strategic Community Plan.

**Background**

Under the Local Government Act and associated regulations, a local government is to adopt a Strategic Community Plan and review it at least every four years. The Strategic Community Plan was due for renewal in 2021. In line with Department of Local Government Guidelines, the review was timed to enable the newly elected Council to review and adopt the Strategic Community Plan.

Community Consultation was undertaken prior to October 2021. Following the Elections, two workshops have been undertaken with Council and the plan is now in a Draft Format.

**Consultation/Communication Implications**Local

The Community Engagement for the Strategic Community Plans was undertaken through In-Person Community Forums, Feedback Sessions and Physical and Online Surveys.

Community Forums were run using an Appreciative Enquiry type format. Numbers attending varied and those who attended participated well. The forums invited community members to suggest ideas and aspirations they had for their community and the Shire overall. As well, information was presented on the Shire at the moment and identification of changes likely to occur in the future. Ideas about the vision for the Shire were discussed as well as how to achieve the vision.

Three Focus Sessions were run with students at Bindoon Primary School and Immaculate Heart College as well as the Chittering Youth Krew. These sessions were run with these groups as they would otherwise be

underrepresented in the feedback from the community. Questions were asked to elicit feedback of a similar nature to the community forums, though the sessions were of a more age appropriate nature.

Two surveys were conducted with the surveys being available both online and in printed form. The first survey asked the same questions that were posed at the Community Forums. This was because the questions were framed to develop a community vision and because the survey was released to give a chance to participate to those who could not attend the forums. The second survey was in relation to the Shire services. It sought to attain feedback about satisfaction levels with current services and also levels of importance of the services. With limited resources, it is important that the shire can move resources into the areas that are both underperforming and are important to the community.

There was also a trial of a 'digital forum' using the Shire's 'Have Your Say' Facebook page. The trial was to find a way to allow people to engage with each other, as happens in a Community Forum, but in a way that allows them to do it on their schedule. There was positive feedback for the concept but there was no feedback received through this method.

State

Nil

**Legislative Implications**

State

Section 5.56 of the *Local Government Act 1995* requires local government to plan for the future.

Division 3 of the *Local Government (Administration) Regulations 1996*, outlines the form of the Plan for the Future. Under Section 19C, a Strategic Community Plan is required, which must be for ten years and reviewed every four years.

Local

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

If passed, the Strategic Community Plan will set the direction of Council for the coming ten years.

**Site Inspection**

Site inspection undertaken: Not applicable

**Risk Assessment/Implications**

| Risk  | Likelihood | Consequences | Risk Analysis | Mitigation  |
|---|------------|--------------|---------------|---|
| <b>Reputational:</b> Loss of reputation from not taking the draft SCP to the community before adoption.   | Unlikely   | Minor        | Low           | Community Engagement to be undertaken following the SCP adoption. |
| <b>Opportunity:</b> To undertake Community Engagement highlighting the link between the SCP and Budget, providing engagement on the SCP and education on the process. |            |              |               |   |



**Officer Comment/Details**

While there has been community engagement to develop the Strategic Community Plan, one step that has not been undertaken is to engage with the community on the draft plan before the adoption of the plan. It had been an intention to carry out this step in early 2022, however following the election, Council decided on different priorities and then the outbreak of COVID reduced the ability to engage with the community in-person.

This however presents an opportunity. The Strategic Community Plan is a high level vision and it is often difficult for people to draw the link between a high-level plan and what actually happens on a daily or even yearly basis. This potentially affects the amount of engagement we have when reviewing the plan. With the Annual Budget scheduled to be adopted in June which will also include a review of the Corporate Business Plan and Long Term Financial Plan, the engagement following the budget can then be used to educate the community on the strategic planning process by demonstrating the linkages between the community vision in the Strategic Community Plan and the strategies and projects in the Corporate Business Plan and Annual Budget.

**OFFICER RECOMMENDATION**

Moved Cr Curtis, seconded Cr Ross

That Council:

1. Adopt the Strategic Community Plan 2022-2032 as per Attachment 1; and
2. Engage with the community on the adoption of the Strategic Community Plan and the linkage between the Strategic Community Plan, Corporate Business Plan and Annual Budget.

**AMENDMENT**

Moved Cr Ross, seconded Cr Angus

That the officer recommendation be amended to include:

3. Authorise the CEO to update the population data on pg. 4-5 of the Strategic Community Plan to insert current data as soon as the 2021 ABS Census data is available, likely to be June/July 2022, without the plan of returning to Council for further endorsement.

CARRIED UNANIMOUSLY 7 / 0

TIME: 7.36PM

**SUBSTANTIVE MOTION / COUNCIL RESOLUTION 070622**

Moved Cr Curtis, seconded Cr Ross

That Council:

1. Adopt the Strategic Community Plan 2022-2032 as per Attachment 1; and
2. Engage with the community on the adoption of the Strategic Community Plan and the linkage between the Strategic Community Plan, Corporate Business Plan and Annual Budget.
3. Authorise the CEO to update the population data on pg. 4-5 of the Strategic Community Plan to insert current data as soon as the 2021 ABS Census data is available, likely to be June/July 2022, without the plan returning to Council for further endorsement.

CARRIED UNANIMOUSLY 7 / 0

TIME: 7.39PM

**CEO03 – 06/22 Bindoon & Districts Agricultural Society Inc. Licence Agreement**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | SOC   |
| <b>File ref</b>               | A9508, 04/18/126  |
| <b>Author</b>                 | Community Development Coordinator   |
| <b>Authorising Officer</b>    | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. Bindoon Agricultural Society Licence Agreement - Request for set licence fee   |

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

**Executive Summary**

Council are requested to set an annual licence fee for the Bindoon and District Agricultural Society Inc. for inclusion in a Licence agreement that is being prepared for a Portion of Lot 1 on Diagram 8327, 6180 Great Northern Highway, Bindoon WA 6502.

**Background**

On the 8th August 1953 the Chittering Road Board sanctioned the building of a shed structure on the northern end of the Bindoon Recreation Grounds by the Bindoon and Districts Agricultural Society (BADAS). The Bindoon Ag Shed has remained in this place since its original build with BADAS holding tenure of the shed for a period of 75yrs.

During the facility review undertaken by the Shire between 2017 – 2019 Shire officers determined that there was no formal agreement in place for this tenure, with the last known lease agreement negotiations appearing to have stalled in 2000.

Despite this, the Shire has undertaken much of the facility upgrades and maintenance during their tenure. This has included air conditioning servicing and repairs to the Shed, as well as plumbing.

The Shire Community Development Coordinator (CDC) commenced licensing discussions with the BADAS committee in June 2020 with a meeting schedule on the 1 July 2020. This was followed by the CDC attendance at a meeting with the committee on the 17 August 2020 and the September 2020 BDAS general meeting. During this time it was recommended that the Ag Society commence work on a forward planning

document that outlined their future plans and intentions, as well collating some of the historical sequence of events, including their involvement in the development of the Ag Shed and Office. This historical information was to form part of the preamble of their licence agreement in line with the outcomes of the facility management review undertaken by the Shire, acknowledging the Ag Societies tenure on a portion of the land at Lot 1, 6180 Great Northern Highway, and Bindoon.

Subsequent discussions were then put on hold pending the development of a template licence agreement by the Shire's appointed legal representative.

Due to availability of Shire staff and a changeover of BADAS committee members between November 2021 and February 2022 further interactions did not occur until 26 April 2022 at which point BADAS highlighted some areas of concern in the proposed draft licence agreement that had been provided to them for consideration.

The Shire CDC supplied a response to these queries and attended the 16 May 2022 Ordinary meeting for BADAS to provide further clarification on these matters.

As a result of these discussions a formal request of Council was submitted seeking the following:

- 1) As the lease agreement is a 5 year lease, BADAS would like to request set terms for the 5 year agreement or an annual lease where fees are agreed upon upfront. (As Shire reviews fees and charges annually, it is difficult for BADAS to future budget). (Attachment 1)
- 2) BADAS to request annual service agreement for oval to be included in licence agreement (access to oval one week prior to Bindoon Show).
- 3) BADAS request data sheet to be extended to six months or annually instead of quarterly.

Point 2 and 3 have been amended in the draft licence agreement to meet these requests.

### **Consultation Summary**

#### Local

As outlined above

#### State

Nil

### **Legislative Implications**

#### State

Nil

#### Local

Nil

### **Policy Implications**

#### State

Nil

#### Local

Nil

### **Financial Implications**

Nil

**Strategic Assessment / Implications**

- Strategic Community Plan 2017-2027

- Focus area: S1 Outcome: An active and supportive community
- Objective: S1.1 An active and supportive community
- Strategy: S1.1.2 Develop and enhance existing recreation and social facilities for local communities
- Objective: S1.2 Strong sense of community
- Strategy: S1.2.3 Activate our local centres and towns
- Focus area: S3 Outcome: Improved infrastructure and amenities
- Objective: S3.3 Improved infrastructure and amenities
- Strategy: S3.3.1 Improved asset management across all asset classes

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

Moderate Risk. This has a Minor Consequence, Reputation and Financial Impact, and a Likely Likelihood.

| Risk   | Likelihood | Consequences | Risk Analysis | Mitigation  |
|--|------------|--------------|---------------|---|
| <b>Reputational:</b> The setting of fees brings some potential reputation impact, both positive and negative, from community groups and the community. | Possible   | Minor        | Moderate      | The annual fee is at a peppercorn rate. It is lower than most rural shires and far lower than most metropolitan shires. |
| <b>Opportunity:</b>  |            |              |               |   |

| Risk  | Likelihood | Consequences  | Risk Analysis | Mitigation  |
|---|------------|---------------|---------------|---|
| <b>Financial:</b> The shire will take on some risk of utility usage and price increases for the coming five years.  | Unlikely   | Insignificant | Low           | The inclusion of current estimated utility costs reduces some potential risk. |
| <b>Opportunity:</b> The simplification of the annual fee by not having a separate utilities charge reduces staff time from having to determine and process utility charges. |            |               |               |   |

**Officer Comment/Details**

It would be an officer recommendation that Council align their decision of a licence fee for the Bindoon Agricultural Society with their recent Council Resolution 080422 with an annual licence fee set at \$372.50 +GST.

However, Council may also wish to consider that BADAS have singular tenure over the Ag Shed and Office and considerable utility costs attributed to the use of the Bindoon oval and public toilets as a result of the Bindoon Show.

Consultation with the Shire accounts officer and Building Coordinator suggest that utility fees as a result of this use and general use throughout the year account for approximately \$500 per annum.

For this reason the proposed annual licence fee for the Bindoon Agricultural Society for the term of their 5 year licence for a Portion of Lot 1 on Diagram 8327, 6180 Great Northern Highway, Bindoon WA 6502 is proposed to be \$872.50+ GST per annum with Council accepting responsibility for all utility costs as a result of the tenure.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 080622**

**Moved Cr King, seconded Cr Ross**

**That Council:**

- 1. Set a licence fee of \$872.50 +GST per annum, for the term of a five (5) year licence for the Bindoon Agricultural Society for a Portion of Lot 1 on Diagram 8327, 6180 Great Northern Highway, Bindoon WA 6502.**
- 2. Authorise the Shire President and Chief Executive Officer to sign and affix the common seal on the licence agreement for Portion of Lot 1 on Diagram 8327, 6180 Great Northern Highway, Bindoon WA 6502, between the Shire of Chittering and Bindoon Agricultural Society.**

**CARRIED UNANIMOUSLY 7 / 0**

**TIME: 7.42PM**

**CEO04 – 06/22 South Midlands Polocrosse Club Licence**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | N/A   |
| <b>File ref</b>               | A10059   COUNCPROP.HIRE.SANDOWN PARK   05/04/1  |
| <b>Author</b>                 | Community Development Officer   |
| <b>Authorising Officer</b>    | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. South Midlands Polocrosse Club Licence<br>2. Legal Advice – Clause 5 of Licence Agreement                                |

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

**Executive Summary**

Council are requested to authorise the Shire President and Chief Executive Officer to sign and affix the common seal on the licence agreement for portion of reserve 24724 (lot 149 on Deposited Plan 195016) between the Shire of Chittering and South Midlands Polocrosse Club Incorporated.

The SPMC and South Midlands Pony Club have both been offered the option of a 5 year licence for a portion of reserve 24724 (lot 149 on Deposited Plan 195016) as per Council Resolution 080422. However, as part of this resolution a determination was not made as to the governance model for this facility which would determine who has the responsibility for upkeep and maintenance of the facility and the scheduling and confirmation of any other hirer requests for the facility.

While considering this request, Council is also requested to determine the governance model for Lot 149 on Deposited Plan 195016 (Sandown Park) considering the following three options:

1. Management of the facility handed to South Midlands Polocrosse Club under the terms of the offered licence, as per Council Resolution 080422. Under the terms of this licence any sub lease arrangements to be approved by the Shire and Minister of Lands as a requirement of Section 41 of the Land Administration Act 1997. Under this management model SMPC will be responsible for all outgoings, maintenance and upkeep of the facility;
2. Management of the facility be undertaken by the Shire, including all scheduling and booking enquiries. Council would be responsible for the maintenance and upgrades of the facility as agreed within the terms of the licence agreement offered under Council Resolution 080422 with subsequent

budget allocations for maintenance and upgrades outlined within the annual Service Level Agreement (SLA).

### **Background**

Historically, South Midlands Polocrosse Club (SMPC) have held the lease for Lot 149 on Deposited Plan 195016 (Sandown Park), managing any regular and casual use of the facility.

During the term of this past lease agreement SMPC had offered regular use of the facility to the South Midlands Pony Club under a financial hire arrangement. This arrangement has been honoured through council offering the South Midlands Pony Club with the option to enter into a 5 year licence for a portion of reserve 24724 (lot 149 on Deposited Plan 195016). The South Midlands Pony Club is yet to indicate general acceptance of the terms outlined within the offered licence. They have until 30 June 2022 to sign this licence as outlined within Council Resolution 080422.

Also during this term, SMPC have undertaken the irrigation of the playing field with Shire parks and gardens staff undertaking mowing and general reserve upkeep and maintenance despite day to day maintenance being an obligation of the leasee.

Throughout the licence negotiations between Shire officers and SMPC and the South Midlands Pony Club, the roles and responsibilities for the day to day maintenance and upkeep of the facility have been an area of concern and contention. SMPC ascertain that they undertake considerable work irrigating the playing field at Sandown Park to ensure users have a good/safe surface & facility for use. This equates in their estimation to between \$50,000 - \$60,000 annually worth of equipment and volunteer hours.

Should the Shire resume management of the facility, current staffing capacity and schedule of works needs to be taken into consideration. At present the following parks and reserves are maintained by the parks and gardens crew with limited current capacity to undertake additional maintenance or irrigation of the Sandown Park playing field:

- 70.33 hectares of parks and reserve that the Shire Technical Service Department crew maintain.
- 31.30 hectares that get mowed
- 18.23 hectares of gardens to maintain
- 20.8 hectares natural bush
- 6.94 hectares that is reticulated with the water coming from 7 bores.

### **Consultation Summary**

#### Local

At a Council briefing held on 8 June the Shire Chief Executive Officer sought direction from Council with regard to their intentions for the governance model for Lot 149 on Deposited Plan 195016 (Sandown Park).

#### State

The Department of Lands have given approval of the Licence Document.

### **Legislative Implications**

#### State

- Section 41 of the Land Administration Act 1997
- Section 9.49A of the Local Government Act 1995 which sets out authorisation of documents.

#### Local

Nil

**Policy Implications**State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**• Strategic Community Plan 2017-2027

Focus area: S1 Outcome: An active and supportive community

Objective: S1.1 An active and supportive community

Strategy: S1.1.2 Develop and enhance existing recreation and social facilities for local communities

Objective: S1.2 Strong sense of community

Strategy: S1.2.3 Activate our local centres and towns

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

| Risk   | Likelihood | Consequences | Risk Analysis | Mitigation   |
|--|------------|--------------|---------------|--|
| <b>Compliance:</b>   | Likely     | Minor        | Moderate      | The licence is developed to try and reduce non-compliance. |
| <b>Opportunity:</b> The agreement can help to formalise some of the practices that have traditionally been undertaken by both parties at Sandown Park. |            |              |               |  |

**Officer Comment/Details**

Legal advice was sought in regards to the options that the shire has in terms of allowing management of the facility. Due to the site being owned by the State Government Land with the vesting order and power to lease given to the shire, it is a requirement that all licences be approved by the Department of Lands following a request from the shire, due to the legal relationship that the management order creates between the Department of Lands and the Shire of Chittering.

From a practical point, the shire is currently moving to Space-To-Co as a booking platform as a way to manage Council Facilities in order to create a more efficient system that moves away from the traditional labour intensive paper processes. Although the feature is under development, the system does not currently allow access to the back end of the booking system. This means that currently it would create compliance issues to grant access to the system to external groups. To allow SMPC to control bookings it would require a different process to be used which creates inefficiencies.

The shire does acknowledge the amount of work that SMPC does to maintain the grounds, and has consistently maintained throughout this process that it was not looking to change this relationship, but to ensure legal compliance. During the process, there have been further items of non-compliance discovered



that have likely been a result of the shire not remaining involved in the management of the facility. Some of these non-compliances increase the risk to the shire and have meant that some changes are required.

In order to best keep the relationship, the following changes to the licence are being proposed:

1. remove item 7.1 Outgoings of the schedule. This will shift the payment of outgoings to the shire which for SMPC will go towards offsetting the loss of their rental income;
2. remove item 7.2 (b) Maintenance and repair of the schedule. By the shire taking on more repair and maintenance, it will ensure that the facility remains up to standard and actions of others users do not disproportionately affect SMPC;
3. include at item 7.8 (a) (vii) – provide the licensor with pre-approved casual or annual hire groups. This will provide SMPC with control over which groups can automatically book Sandown Park through the shire's booking platform;
4. include 7.8 (a) (viii) Unapproved hirers will be considered on merit through consultation with the Licensee. This will ensure that SMPC approval will be sought for unknown-hirers that are not on the automatic booking list.

The Shire Building Coordinator has submitted additional budget items for consideration under 2022-2023 budget to address this, along with allocation of funds to address the compliance matters with a schedule of works being determined prior to the end of 2021-2022. This includes additional cleaning and maintenance regimes. Consideration will also need to be given to additional parks and gardens resources to maintain the reserve.

Through the service level agreement, there would still be an expectation that SMPC will provide a similar level of maintenance to the grounds should they want them maintained to the standard that they require.

Under this management process the Shire will be listing Sandown Park as a hireable facility under the SpacetoCo platform that is currently being rolled out for all other Shire managed community facilities, but the licence with SMPC will provide them with a level of control over who can book it.

As a regular user of the facility, South Midlands Polocrosse Club would be invited to register as a verified guest on the SpacetoCo system. Verified guests are those groups or individuals who are considered regular customers of the Shire.

If Council, determine to retain Shire management of Sandown Park, the licence agreement submitted as part of this agenda item will require amendment to the following sections and resubmission for ministerial approval.

**MOTION**

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

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 7.44PM

**MOTION**

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

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 7.49PM

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 090622**

**Moved Cr Hughes, seconded Cr Ross**

**That Council:**

- 1. Instruct the Chief Executive Officer to make necessary changes to sections 7.1, 7.2 and 7.8 of the licence to achieve the aims as stated in the agenda item;**
- 2. Seek ministerial approval for the amended licence; and**
- 3. Should ministerial approval be granted, sign and affix the common seal on the licence agreement for portion of Reserve 24724 (Lot 149 on Deposited Plan 195016) between the Shire of Chittering and South Midlands Polocrosse Club Incorporated.**

**CARRIED UNANIMOUSLY 7 / 0**

**TIME: 7.50PM**

**CEO05 – 06/22 Asset Management Plan**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | N/A   |
| <b>File ref</b>               |   |
| <b>Author</b>                 | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. Shire of Chittering Roads Asset Management Plan 2022   |

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

**Executive Summary**

Council is requested to approve the Roads Asset Management Plan.

**Background**

Under the Integrated Planning and Reporting Guidelines, a Local Government should undertake Asset Management Planning. An Asset Management Plan is one of the outputs of this process and is developed as one of the Informing Strategies.

A Roads Asset Management Plan was prepared in 2017, though it is not clear if was adopted by Council at the time.

**Consultation Summary**

Local

Nil

State

Nil

**Legislative Implications**

Nil

**Policy Implications**

State

Nil

Local

- Council Policy 1.11 Asset Management – Infrastructure Assets

**Financial Implications**

Nil

**Strategic Assessment / Implications**

Adoption of this plan will set the future direction of Roads Asset Management in the Shire.

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

| Risk   | Likelihood | Consequences  | Risk Analysis | Mitigation                                   |
|--|------------|---------------|---------------|--|
| <b>Compliance:</b> The Integrated Planning Guidelines require an Asset Management Plan                                     | Unlikely   | Insignificant | Low           | Adoption of the Roads Asset Management Plan. |
| <b>Opportunity:</b> The Roads Asset Management Plan provides a base plan to further develop our Asset Management Planning. |            |               |               |  |

**Officer Comment/Details**

Over the past year, it was attempted to develop and Asset Management Plan for the shire using internal resources. Unfortunately, the skills for the complete plan were not available, but training was undertaken to allow the update of the Roads Asset Management Plan.

During the year, it was considered to seek outside resources for completion of the plan, however it became apparent that without the necessary base information, the outcome of the Asset Management Plan would not be sufficient due to the outdated inputs. For this reason, the Roads Valuation and Condition Report was brought forward to the 2021/2022 Financial Year and is due for completion in June 2022. This updated Asset Management Plan will provide a base for a further update utilising the updated road condition information providing there is sufficient resources available.

**MOTION**

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

CARRIED UNANIMOUSLY 7 / 0

TIME: 7.51PM

**MOTION**

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

CARRIED UNANIMOUSLY 7 / 0

TIME: 7.53PM

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100622**

**Moved Cr King, seconded Cr Campbell**

**That Council adopt the Shire of Chittering Roads Asset Management Plan 2022.**

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 7.56PM

**CEO06 – 06/22 Submission to Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | N/A   |
| <b>File ref</b>               |   |
| <b>Author</b>                 | Chief Executive Officer   |
| <b>Disclosure of interest</b> | The officer has an impartiality interest as a member of the Bindoon Bushfire Brigade  |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | <ol style="list-style-type: none"> <li>1. Shire of Chittering Submission to Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades</li> <li>2. WALGA Infopage</li> <li>3. WALGA Proposed Advocacy Position</li> </ol> |

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

**Executive Summary**

Council is requested to decide upon a Submission to WALGA's Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades.

**Background**

WALGA is currently undertaking consultation with the Local Government sector on a proposed Advocacy Position on the arrangements for management of volunteer Bush Fire Brigades.

Responses to the proposed Advocacy Position Paper are requested by **8 July 2022**. Sector feedback will inform a final position to be considered by WALGA State Council in September 2022.

The proposed advocacy position is as follows:

**Management of Bush Fire Brigades**

1. The Association advocates that the State Government must provide for:
  - a. A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
  - b. The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;

- c. Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
  - d. The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
  3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

### **Consultation Summary**

#### Local

Shire of Chittering Bushfire Advisory Committee

#### State

Nil

### **Legislative Implications**

Nil

### **Policy Implications**

#### State

Nil

#### Local

- Council Policy 10.2 Bush Fire Control

The Policy states "The Council of the Shire of Chittering is to establish and maintain a Bush Fire Organisation in accordance with the Bush Fires Act 1954 to provide adequate fire protection to those areas of the local government within the bush fire district and to carry out an ongoing program of hazard reduction having due regard at all times for the preservation of the natural environment."

### **Financial Implications**

Nil

### **Strategic Assessment / Implications**

#### Local

- Strategic Community Plan 2017-2027

|             |  |
|-------------|--|
| Focus area: | Our Natural Environment                            |
| Objective:  | S2.3 Protection of life and property               |
| Strategy:   | S2.3.1 Improved bushfire preparedness and recovery |

#### State

Nil

### **Site Inspection**

Site inspection undertaken: Not applicable

**Risk Assessment / Implications**

| <b>Risk</b>   | <b>Likelihood</b> | <b>Consequences</b> | <b>Risk Analysis</b> | <b>Mitigation</b>   |
|---|-------------------|---------------------|----------------------|---|
| <b>Reputational:</b> The adoption of a submission entails taking a position that can be criticised. | Likely            | Minor               | Moderate             | Consultation with BFAC should lead to a position that is supported by BFAC and the community. |
| <b>Opportunity:</b> Nil   |                   |                     |                      |   |

**Officer Comment/Details**

There has been much discussion about local government's management of Volunteer Bush Fire Brigades following the recent introduction of Workplace Safety and Health Industrial Manslaughter Laws. While the responsibility has not changed, the potential outcomes have.

WALGA is undertaking engagement with Local Governments to determine an advocacy position in relation to Arrangements for the Management of Volunteer Bushfire Brigades.

A Bush Fire Advisory Committee Meeting is scheduled for 14 June 2022 where feedback will be sought on the submission.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110622**

Moved Cr Ross, seconded Cr Angus

That Council:

1. Approve the Shire of Chittering Submission to Proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades, as attached; and
2. Instruct the Chief Executive Officer to provide the submission to WALGA before 8 July 2022.

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 7.58PM



**CEO07 – 06/22 Bindoon Mountain Bike Park – Stage 1 Trail Construction Tender**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | Shire of Chittering   |
| <b>File ref</b>               | ECDEV-PROJECT-MOUNTAIN BIKE   |
| <b>Author</b>                 | Economic Development Coordinator  |
| <b>Authorising Officer</b>    | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | 1. Tender Document  |

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

**Executive Summary**

Council is requested to instruct the CEO to release a tender for construction of Stage 1 of the Bindoon Mountain Bike Trails Network.

**Background**

Shire Officers have prepared necessary documentation to ready Stage 1 of the trail network of the Bindoon Mountain Bike Park for construction to commence in September 2022.

To this date work has been undertaken to ensure adequate community engagement, with multiple surveys, workshops, community information sessions and steering group meetings. From this consultation a Concept Plan was developed, and subsequently Detailed Design drawings of the trail network for Stage 1 of the Bindoon Mountain Bike Park.

In addition to this there has been background work undertaken in a Feasibility Study, Business Case, Cost Benefit Analysis, Environmental Management Plan (Flora, Fauna and Dieback Study) to ensure due diligence has been undertaken before the commencement of this project.

A grant has been applied for in the Building Better Regions Fund (BBRF), requesting 40% of the funding necessary for the trail network to be constructed, with a decision anticipated for August.

There has also been work undertaken from members in the community and the Shire to secure funding from community groups and organisations as a fall-back should BBRF funding not be successful again in

2022. Some \$55,000 has been pledged to the Chittering Mountain Bike Club from Chalice Mining, Bendigo Bank and Caspin Resources, whilst another \$48,000 and \$2,000 has been pledged directly towards the project from the Chittering Tourist Association and Tronox respectively – totalling \$105,000 if the project is proceeded with.

### **Consultation/Communication Implications**

#### Local

Chittering Mountain Bike Club

Previous consultation with residents in regards to the project has been undertaken.

#### State

Department of Sport; Local Government; and Cultural Industries

Westcycle

### **Legislative Implications**

#### State

Nil

#### Local

Nil

### **Policy Implications**

#### State

Nil

#### Local

- Shire of Chittering 2.11 Purchasing Policy
- Shire of Chittering 2.13 Regional Price Preference Policy

### **Financial Implications**

The Annual Financial Budget for 2022-2023 has not been finalised, however there is sufficient funding within the 2021-2022 Annual Financial Budget. It would be expected that if this Tender is released, that necessary funding would be included within the 2022-2023 Annual Financial Budget.

### **Strategic Implications**

#### Local

- Strategic Community Plan 2017-2027

Focus area: Our community

Objectives: S1.2 A Strong Sense of Community  
S1.2.3 Activate our local centres and towns

Focus area: Our natural environment

Objectives: S2.1 Protective Environment  
S2.1.2 Develop an integrated network of walking and cycling trails

Focus area: Our built environment

Objectives: S3.1 Development of local hubs  
S3.1.1 Plan for new and enhanced community facilities  
S3.1.2 Activate town centres to include a good mix of residential, commercial and social infrastructure

S3.1.4 Balance urban development with a focus on natural environment protection and open spaces

Focus area: Economic Growth

Objectives: S4.2 Local business growth

S4.1.2 Encourage and support local businesses and new investments for the future

S4.3 Economic growth

S4.3.3 Facilitate, promote and support ecotourism

- Mountain Bike Trails Master Plan (2016)
- Chittering Economic Development Strategy (2021-2031)
- Chittering Trails Network Plan (2013 -2023)

#### State

- Northern Growth Alliance Tourism Strategy 2019

#### **Site Inspection**

Site inspection undertaken: Not applicable

#### **Risk Assessment / Implications**

| Risk   | Likelihood | Consequences  | Risk Analysis | Mitigation   |
|--|------------|---------------|---------------|--|
| <b>Compliance:</b> Tenders are a requirement under the Local Government Act for certain procurement.                                       | Rare       | Insignificant | Low           | By following the legislated process, the risk will remain low. |
| <b>Opportunity:</b> The release of the tender will also be seen as a 'good new item' for much of the community that supports this project. |            |               |               |  |

#### **Officer Comment/Details**

Following the high level of community support during the consultation on this project, the community has organised a Chittering Mountain Bike Club that now has over 200 members. The Club has also done significant work in raising funds to proceed with a scaled down version of the trails including the Green Loop trail that will also be suitable for hikers (bush-walkers and trail runners), recreational walkers and adaptive mountain bikers.

The 2021 Cost Benefit Analysis estimates that Stage 1 of the Bindoon Mountain Bike Park could bring around;

- An extra 50,000 visitors to the region annually; and
- \$50,200,000 in regional returns over a 20-year period; and
- The creation of 13.5 new full time jobs.

A total of \$11,730,000 in social value benefits is expected over 20 years from value of health, productivity, social cohesion and human capital benefits of participating in mountain bike riding (Cost Benefit Analysis, 2021).

Shire Officers recommend proceeding with the Stage 1 Trail Network whether BBRF funding is successful or not. The project has been included in the Long Term Financial Plan and 2021-2022 Annual Financial Budget. The trails only component would require an amount of municipal funds less than what is currently budgeted

for the project. Other parts of the project could then be developed by accessing different grants or through private sector investment. Interest has already been shown in the latter approach.

Successful BBRF funding would allow for the construction of Stage 1 trails PLUS ancillary visitor services, such as toilets and change rooms, a bike hire and refreshment kiosk, barbecues, shelters, landscaping civil works and more. Much of this infrastructure supplies visitors with a quality riding experience, creating a destination in itself, and supplying most of the amenities needed to begin a caravan park at the trail head, which would ultimately allow for maximum experience and visitor spend in the region.

However, even an unsuccessful BBRF application can be subsidised by the pledges made from community groups and organisations, as well as Local Roads and Community Infrastructure (LRCI Funding), if only simply the basic trail network, signage and basic access road are constructed. Whilst not having all the visitor services that have been planned for to maximise the visitor experience, it can be found that most riders would be satisfied with the trails alone as the majority of mountain bike trail networks in WA have minimal infrastructure. Both potential visitor riders and the local community have identified in surveys undertaken by the Shire that the trail network itself is the most important element of the park to commence.

The Shire has prepared necessary documentation to commence construction of the trail network in September, ready for a successful, or unsuccessful BBRF decision. With continually rising costs it has already been demonstrated to Council the importance of moving ahead with projects to being subject to large price increases while a project is deferred.

Council have already approved this project with its inclusion in the 2021-2022 Annual Financial Budget. This agenda item seeks to proceed with tendering of a portion of the project that is within the municipal funds allocated to the project. The specific amount budgeted for this portion of the project has not been included in this agenda item as it may pre-empt the tender offers received.

**MOTION**

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

CARRIED UNANIMOUSLY 7 / 0

TIME: 8.03PM

**MOTION**

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

CARRIED UNANIMOUSLY 7 / 0

TIME: 8.09PM

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 120622**

Moved Cr Curtis, seconded Cr Angus

That Council instruct the Chief Executive Officer to run a tender process for the construction of Stage 1 Trails for Bindoon Mountain Bike Park.

CARRIED 6 / 1

TIME: 8.10PM

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

*Against: Cr King*

## ITEM 10. REPORTS OF COMMITTEES

## COM01 – 06/22      Ceasing of Chittering Health Advisory Group

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | Shire of Chittering   |
| <b>File ref</b>               | 03/01/3   |
| <b>Author</b>                 | Community Development Coordinator   |
| <b>Authorising Officer</b>    | Chief Executive Officer   |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | Nil   |

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

**Executive Summary**

Council is requested to approve the officer recommendation to formally cease the Chittering Health Advisory Group (CHAG)

**Background**

In 2017 several concerned community members approached the now Shire of Chittering Community Development Coordinator (CDC) with concerns regarding the lack of information and the level of service delivery to residents within the Shire, seeking health service options.

Of particular concern had been:

- The impacts of the rollout of the NDIS trial site to the Shire of Chittering and the transition of support to those residents who are under 65 years of age and no longer eligible to access services such as Silver Chain.
- Post-operative nursing and support services and; palliative care support to residents who do not fall within the Metropolitan catchment zone that extends to Chittering residents in the 6084 postcode areas.
- Post-operative or post hospitalisation services seem to have a lack of awareness of service provision options available to residents of the Shire of Chittering. The Shire does not easily fall within the definition of rural or urban, leading to some ambiguity of service provision.

- Access to the Patient Assisted Travel Scheme (PATS). Unless a resident lives 10kms north of the Bindoon Town site, they are generally ineligible for PATS support. This is despite the fact that we have an ageing population and no public transport options to assist residents to access specialist services in our regional centres or the metropolitan area.
- There appeared to be confusion over the difference between personal care services (delivered by carers / home help) and nursing care provision and; the availability of these services to the residents within the Shire.
- Limited awareness from both service providers and community members of what services are available to residents of the Shire.

In an effort to address these concerns the CDC facilitated a Health Services Roundtable on 22 August 2017 with the following agenda discussed:

- What drivers of changes have occurred for their service that may be impacting on service provision to the Shire of Chittering? I.e. NDIS trial site roll out.
- What systems/networks/processes are in place to assist with the above changes? I.e. legislation, network meetings, interdepartmental MOU's.
- From the roundtable discussion, had they identified other opportunities that could be taken up by their organisation and/or the collective group to assist with these changes?
- What actions can we agree to as a group to increase these opportunities?

As a result of the Roundtable the following outcomes were agreed to:

- An undertaking by stakeholders to develop a Health Services directory for residents and rate payers within the Shire of Chittering.
- Hon Shane Love lodged a Grievance with parliament on 30 November 2017 with regard to the recent Government cuts to the Royalties for Regions program which resulted in the loss of funding for the Turquoise Coast Health Initiative. This initiative aimed to address inequities in health infrastructure experienced within the Shires of Gingin, Dandaragan and Chittering.
- The Chittering Health Advisory Group was to be reinstated as a community committee consisting of service providers who had attended the Roundtable and other identified Health Service providers, Community Groups and resident representation. Shire of Chittering CDC facilitated the first Health Advisory meeting with the view that WA Country Health Services (WACHS) take on the lead role for the advisory committee.

A Community Service network meeting facilitated by the Shire Community Development Coordinator, held on 24 October 2017 identified the following priority areas for the proposed Chittering Health Advisory Group:

- Future development of the Shire of Chittering Retirement development needs be based on an Ageing in Place philosophy that considers transition from independent living, in home respite care, through to nursing home / palliative care. Recognising individual needs and keeping people safe and at home for as long as possible. National Carer Respite Centre funding and other providers may be useful in this space. Jurien Bay has established a good model.
- Creating community awareness and communicating information on services available to the community.
- Needs analysis – to be able to articulate concerns for the community directly to the Minister for Health and relevant stakeholders. Potential for consultant to undertake this as a big body of work. Important to collate local case studies as part of this too. Access to statistical data from services may be

problematic due to confidentiality legislation; however we may be able to extract relevant data from the Productivity Commission reports.

- Identification of stakeholders and health service providers that represent other demographics as the group is heavily aged focus.
- Seek grants to support the work of the Advisory Group.
- Contact with GP's including those metro surgeries identified in the recent Health Survey to educate on issues for local residents with discharge from hospital.
- Inform community of the importance of going back to the GP to coordinate services post-acute care, discharge and palliative care.
- Communication between services and to the community including service updates.
- Health Survey – conducted 6 October – 17 November 2017. 76 responses to the survey with raw results sent to Councillors, Executive team, WACHS and Jupiter Health Services.

Chittering Health Advisory Group was formally established as a Community Advisory Group affiliated with WA Country Health Advisory Group on 29 June 2018 with the Shire Community Development Coordinator appointed in the secretariat role to the group.

Between 2017 to present, the CHAG has actively worked to address these priority areas with very limited outcomes.

The founding Chairperson Margaret Bradford Seely and independent community representative Alison Barnard brought immense experience and knowledge from their work history working within the health service system and actively sought to highlight local challenges to the Department of Health and Ministerial representatives but, despite their tireless efforts they effected limited change to the current experiences of local residents seeking to access palliative care and post-operative services from both the Perth metropolitan and Wheatbelt health services system.

At a Council Briefing held on Wednesday, 17 April 2019 the then CHAG Chairperson and Community representative presented the following overview of activities and outcomes of CHAG.

- Since inception CHAG have been working towards building an understanding of services for the Community. This has included the Shire Health Survey conducted in October 2017 and the recent PHAIWA Community Needs Analysis completed in January 2019.
- Met with Federal Rural Health Minister Hon Bridget McKenzie in April 2018.
- Formally added to District Health Advisory Group in July 2018
- Met with Chittering Resident & Rate Payers group regarding Community Aged Care Facilities and have briefed Council on two occasions re same issue.
- Collating local stories to support anecdotal evidence. Margaret & Alison in particularly expending huge amounts of personal time, resources and emotional energy in supporting many people through difficulties and barriers accessing the service system.
- Meg and Josie have volunteered their time once a month for drop in space at Martin Aldridge's Office
- Organising a Community Expo in conjunction with the Shire for November 2019.
- Members have participated on the following forums / workshops
  - End of life Choices – Palliative Care WA
  - WACHS Strategic Planning Stakeholder Forums
  - WALGA Regional Health Services Forum
  - Age Friendly Forums

- Members have met with the following services to establish an understanding of service provision and advocate changes to the service systems to address issues for our community:
  - Silver Chain
  - Regional Assessment Team
  - St John of God Hospital Midland
  - WALGA
  - WACHS Regional Manager and Board
  - Chittering Cancer Support Group
  - Wheatbelt Palliative Care Services
  - Jupiter Health Services – Dr Nagib
  - Gingin Doctors Surgery
  - Chittering Bindoon CWA
  - Chittering Retirees
  - APM Australia.
- As well as liaised with the Hon Martin Aldridge MLC and Hon Darren West MLC and the Office of Hon Roger Cook MLA Deputy Premier, Minister for Health on an ongoing basis.
- Developed connections with Rural Health West and WA Primary Health Alliance.

Priority issues identified by CHAG at this briefing were as below:

- Postcode lottery – Southern areas in 6084 postcode area are covered under the Metro Services. Northern areas and Muchea 6501, 6502 are covered under Wheatbelt Services. We are just becoming aware of gaps with regard to Wannamal Community (particularly with regards to Silverchain)
- Post-acute funding not available in Chittering for community nursing. 14 days funding is provided to the treating hospital only.
- PATS scheme only available to those living 90kms away from tertiary hospitals, despite there not being any public transport options available to residents.
- General practitioners need to be strongly encouraged to utilise Tele-health Services.
- Palliative Care patients under 65yrs cannot access support services as the NDIS do not fund this.

At this briefing CHAG sought the following support from Council:

- Regular representation at CHAG meetings and a report from the Council on what Council are doing in the space of Health and Wellbeing for our community.
- Budget support for CHAG to facilitate attendance at relevant workshops, forums and training events.
- CHAG also publically thanked and acknowledge the support from Hon Martin Aldridge and Hon Darren West for their ongoing commitment to our community concerns and their ongoing interactions with CHAG to help facilitate change.

At the 20 May 2020 Ordinary Council Meeting CHAG was formally appointed as a working group of Council with Council delegation to the group. Since this time Councillor representation at CHAG has been inconsistent and as requested above, reports from Council have not been received.

### **Consultation Summary**

Local

Nil



State

Nil

**Legislative Implications**State

Nil

Local

Nil

**Policy Implications**State

Nil

Local

Nil

**Financial Implications**

Nil

**Strategic Assessment / Implications**Local• Strategic Community Plan 2017-2027

Focus Area: Our Community  
Objective: Safe and Health Community  
Strategy: S1.3.2 Advocate for improved education and health services.

Focus area: Strong Leadership  
Objective: S5 Outcome: An engaged community  
Strategy: S5.1.1 Encouraged and promote community engagement  
Objective: S5 Outcome: Strong partnerships and relationships  
Strategy: S5.2.1 Build effective partnerships with stakeholders

State

Nil

**Site Inspection**

Not applicable

**Risk Assessment / Implications**

| Risk   | Likelihood | Consequences  | Risk Analysis | Mitigation  |
|--|------------|---------------|---------------|---|
| <b>Reputational:</b> Loss of reputation by removing an avenue for community engagement | Unlikely   | Insignificant | Moderate      | Council are focusing on aged and disability care and are considering greater advocacy in the aged care & disability area, which could provide greater reasoning for the decision. |
| <b>Opportunity:</b> Greater outcomes from a more focused advocacy strategy.            |            |               |               |   |

**Officer Comment/Details**

Recent history has demonstrated that CHAG has struggled to find direction or purpose for the most part of the previous two years, other than to improve local knowledge of available services where the Seniors Expo's and network meetings hosted by CHAG have in part met this purpose.

As has been highlighted through CHAG minutes submitted to Council, much of what is discussed is an update on what is happening for those individuals and services on the committee and special invitation to other service providers to provide an outline of the services that they offer to our community. This information sharing could be achieved through regular network meetings, similar to what we have facilitated in the past or by engaging with existing networks across the Wheatbelt so that we are not reinventing the wheel.

History of the group highlights that we have really struggled with attracting any interested parties to join CHAG and with recent resignations of the Avivo representative and Cancer Support Group, as well as the impending resignation of our current Chairperson, CHAG memberships are dwindling, with little direction.

The Community forum that had been scheduled by CHAG in October 2021 for March 2022 was postponed at last minute due to unavailability of CHAG members to attend or facilitate the session, despite this being in CHAG members calendars for five months. Subsequent meetings since then have been cancelled at late notice due to a lack of quorum to proceed.

The administrative burden on the Shire officer appointed to CHAG is significant and far outweighs the benefits that have been achieved over the past two years in an environment where Shire staffing resources are already stretched across competing priority projects.

For these reasons, it is an officer recommendation that this group formally cease.

While there is no statutory requirements for Council Advisory Groups to report to Council, the group was formally appointed by Council. Shire Officers therefore require a resolution of Council to formally cease the group.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 130622**

**Moved Cr Ross, seconded Cr Angus**

**That Council:**

- 1. Approve the officer recommendation to formally cease the Chittering Health Advisory Group (CHAG)**
- 2. Formally acknowledge the input of the following members:**
  - a. Current independent Chairperson Clare Mouat, independent community representative Joanna Kavanagh and service representatives Janet Petersen of Chittering Cancer Support Group, Oddette Stothers of Avivo, Erik Ander of WA Country Health Service and Mary Angus of Chittering Health Service;**
  - b. Acknowledge and thank past founding Chairperson Margaret Bradford – Seely and Alison Barnard for their individual contributions; and**
  - c. All previous independent and community representatives.**

**CARRIED UNANIMOUSLY 7 / 0**

**TIME: 8.14PM**

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

Nil

## ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

**Cr Aaron King**

*The Chief Executive Officer advised the following questions would be taken on notice.*

1. Can the Chief Executive Officer direct Council to the decision of Council namely the Resolution authorising the taking out of a loan in the amount of \$1,878,251 (Loan 89) from WA Treasury Corporation (WATC) for the Muchea Recreation Centre Redevelopment?
2. Can the Chief Executive Officer provide the project scope and project capital costs that was the basis for the authorising Resolution (question 1 above) and explain how Loan 89 in the amount of \$1,878,251 was determined?
3. Can the CEO advise the bank account where the proceeds from Loan 89 received from WATC \$1,878,251 is deposited?
  - a. What is the current bank account balance of Loan 89?
  - b. What are the amounts of principal and interest (separately) repayments to the period ending 30 June 22?
  - c. What if any interest was earned on Loan 89 and what is the interest rate?
  - d. How have the interest repayments been funded?
  - e. How have the principal repayments been funded?
4. What is the value of the Shire's current borrowings as of 30 June 22 including Loan 89?
5. What is the Shire's current borrowing capacity (\$) for new loans (additional to existing loans) based on WATC interest rates of 3.0%, 3.5%, 4.0% and 4.5%; 40 Semi Annual compounding repayment (20 year loan)?
  - a. What is the increase in rate revenue (% and \$) required for 22/23 to the annual borrowing costs given the 2022/2023 rate revenue increase of \$240,942, CPI of 5.1% and additional costs for the Workforce recommendations not covered in CPI?
6. What are the costs (individual and total) of Chief Executive Officers eight (8) Workforce recommendations listed in the report titled "Shire of Chittering Workforce Plan Report" and presented to Council at the 8 June 22 Councillor Information Session?
7. What is the increase (compared to 21/22) in rate revenue (% and \$) required for 22/23 to repay the annual borrowing costs for the below Muchea staging given the 2022/2023 rate revenue increase of \$240,942, CPI of 5.1% and additional costs for the Workforce recommendations not covered in CPI?
  - a. Muchea Stage 1: Project Cost of \$2,276,414
  - b. Muchea Stages 1-2: Project Cost of \$5,079,726
  - c. Muchea Stages 1-3: Project Cost of \$5,521,645
  - d. Muchea Stages 1-4: Project Cost of \$5,678,608
8. Can the CEO please confirm the date of closing tenders for the Construction of Muchea Recreation Centre?

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

Nil

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

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

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 140622**

Moved Cr Campbell, seconded Cr Ross

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

- CON01 – 06/22 Approval for Award of Tender SC22-001 Fire Mitigation Treatments 2022

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

*(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following –*

*(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*

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

*(iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 8.21PM

**CON01-06/22 Approval for Award of Tender SC22-001 Fire Mitigation Treatments 2022**

|                               |   |
|-------------------------------|---|
| <b>Applicant</b>              | Shire of Chittering   |
| <b>File ref</b>               | FIN.TEN.SC22/001  |
| <b>Author</b>                 | Bushfire Risk Officer   |
| <b>Authorising Officer</b>    | Executive Manager Development Services  |
| <b>Disclosure of interest</b> | Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure   |
| <b>Voting requirements</b>    | Simple Majority   |
| <b>Attachments</b>            | <ol style="list-style-type: none"> <li>1. Tender document</li> <li>2. Scoring chart</li> <li>3. 2021 Mitigation fact sheet</li> <li>4. Tender submission – Applicant 1</li> <li>5. Tender submission – Applicant 2</li> <li>6. Tender submission – Applicant 3</li> </ol> |

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

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

*(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*

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

*(iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*

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

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION 150622**

**Moved Cr Campbell, seconded Cr Ross**

**Tender SC22-001 be awarded to Fire Mitigation Services (Applicant #2) for the agreed price of \$215,466.00**

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 8.27PM

**PROCEDURAL MOTION / COUNCIL RESOLUTION 160622**

Moved Cr Angus, seconded Cr Campbell

That Council come out from behind closed doors.

**CARRIED UNANIMOUSLY 7 / 0**

TIME: 8.27PM

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

The meeting was reopened and no public were present so the resolution was not read aloud.

**ITEM 15. CLOSURE**

The Presiding Member declared the meeting closed at 8.28pm.