



ORDINARY COUNCIL MEETING MINUTES

**7:00pm, Wednesday, 18 March 2026
Council Chambers
6177 Great Northern Highway, Bindoon**

PUBLIC QUESTION TIME

Time Permitted

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

Protocol

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

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

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

General Rules

The following general rules apply to Public Question Time:

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

DEPUTATIONS

Time Permitted

A minimum of 10 minutes is permitted for Deputations.

Protocol

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

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

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

General Rules

The following rules apply when making a Deputation:

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

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

Additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

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

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

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

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

Recording of Proceedings

Proceedings for meetings of the Council, Electors, and Public Question Time during Council meetings shall be recorded by the Shire on sound recording equipment, except in the case of meetings of the Council where the Council closes the meeting to the public.

Notwithstanding clause 1, proceedings of a meeting of the Council which is closed to the public shall be recorded where the Council resolves to do so.

No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without approval as per **Local Government (Council Meetings) Local Law 2014**, c6.15.

Access to Recordings

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

Retention of Recordings

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

DURING THE MEETING, NO MEMBER OF THE PUBLIC MAY INTERRUPT THE MEETINGS PROCEEDINGS OR ENTER INTO CONVERSATION.

MEMBERS OF THE PUBLIC SHALL ENSURE THAT THEIR MOBILE TELEPHONE, AND/OR AUDIBLE PAGER IS NOT SWITCHED ON OR USED DURING ANY MEETING OF THE COUNCIL.

MEMBERS OF THE PUBLIC ARE HEREBY ADVISED THAT USE OF ANY ELECTRONIC, VISUAL OR AUDIO RECORDING DEVICE, OR INSTRUMENT TO RECORD PROCEEDINGS OF THE COUNCIL IS NOT PERMITTED WITHOUT PERMISSION OF THE PRESIDING MEMBER.

PREFACE

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

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

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

UNCONFIRMED MINUTES

These minutes were approved for distribution on 24 March 2026.



Melinda Prinsloo
Chief Executive Officer

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on

Signed: _____

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

DISCLAIMER

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

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

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

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

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Good evening, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land within the Shire of Chittering, the Yued and Whadjuk peoples. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.

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

The Presiding Member declared the meeting open at 7.00pm.

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

Attendance

The following members were in attendance:

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

The following staff were in attendance:

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

Member: Mr Shane Love MLA

Members of the General Public: 0

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 David Dewar			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	18 February 2026	In attendance	
President & CEO Meeting	6 March 2026	In attendance	
Councillor Information Session Agenda Forum	11 March 2026	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Rural Water Council of WA	13 March 2026	Apology	
AMP-UP	9 March 2026	In attendance	
Chittering Bushfire Advisory Committee	10 March 2026	In attendance	
Other Attendances	Date	Written Feedback/Report	
Chittering Residents and Ratepayers	25 February 2026	In attendance	

Cr Mary Angus			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	18 February 2026	In attendance	
Councillor Information Session Agenda Forum	11 March 2026	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Other Attendances	Date	Written Feedback/Report	
Chittering Residents and Ratepayers	25 February 2026	In attendance	

Cr John Curtis			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	18 February 2026	In attendance	
Councillor Information Session Agenda Forum	11 March 2026	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Other Attendances	Date	Written Feedback/Report	
Chittering Residents and Ratepayers	25 February 2026	In attendance	
Disability Access and Inclusion Morning Tea	10 March 2026	In attendance	
Bindoon and Districts Historical Society	11 March 2026	In attendance	

Cr Beck Foulkes-Taylor			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	18 February 2026	In attendance	
Councillor Information Session Agenda Forum	11 March 2026	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Rural Water Council of WA	13 March 2026	Apology	
Other Attendances	Date	Written Feedback/Report	

Cr Nicholas Grayer			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	18 February 2026	In attendance	
Councillor Information Session Agenda Forum	11 March 2026	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Other Attendances	Date	Written Feedback/Report	

Cr Kylie Hughes			
Meeting / Event	Date	Attendance	
Councillor Information Session Ordinary Meeting of Council	18 February 2026	In attendance	
Councillor Information Session Agenda Forum	11 March 2026	In attendance	
Delegated Meeting Attendance	Date	Attendance	Written Feedback/Report
Ellen Brockman Integrated Catchment Group Committee Meeting	23 February 2026	In attendance	
Chittering Landcare Committee Meeting	23 February 2026	In attendance	
Local Emergency Management Committee Meeting	4 March 2026	In attendance	
Other Attendances	Date	Written Feedback/Report	

PROCEDURAL MOTION / COUNCIL RESOLUTION 010326

Moved Cr Dewar, seconded Cr Angus
That the Council suspend all standing orders.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.01PM

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

AGAINST: Nil

ITEM 3. ELECTION OF PRESIDENT**ELEC01 – 03/26****Election of the Shire President**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-55726
Author	Governance Officer
Authorising Officer	Chief Executive Officer
Disclosure of Interest	Neither the Author nor Authorising Officer have any impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council is requested to elect the Shire President in accordance with the provisions of the *Local Government Act 1995* and *Local Government (Constitution) Regulations 1998*, following the resignation of the Shire President.

Background

Under s2.11 of the *Local Government Act 1995*, each local government is to have a mayor or president who is elected in accordance with Schedule 2.3 of the *Act*.

The Chief Executive Officer (CEO) will conduct the election of the Shire President in accordance with:

- *Local Government Act 1995* — Schedule 2.3, Division 2; and
- *Local Government (Constitution) Regulations 1998* — regulations 11A–11G.

Nominations are to be made in writing on the prescribed form and may be submitted to the Chief Executive Officer prior to or during the meeting. If a Councillor is nominated by another Councillor, the CEO must not accept the nomination unless the nominee has verbally or in writing indicated their willingness to be nominated.

Voting is conducted by secret ballot. The Chief Executive Officer will declare the successful candidate elected, and the newly elected Shire President will then make the required declaration before acting in the office pursuant to regulation 13(5) of the *Local Government (Constitution) Regulations 1998*.

Following the declaration, the newly elected Shire President will assume the chair and preside over the remainder of the meeting.

Consultation SummaryLocal

Nil

State

Nil

Legislative Implications

Local

Nil

State

- Local Government Act 1995 (WA)
 - s2.11 – Method of filling office of mayor or president
 - s2.29 – Declaration
 - Schedule 2.3 – When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council (Division 2)
 - Schedule 4.1 – How to count votes and ascertain the results of an election (Division 1 and 2)
- Local Government (Elections) Regulations 1998 – Schedule 1 Form 10, regs 75E, 75M, 75N and 75O)
- Local Government (Constitution) Regulations 1998
 - reg 11A-11G – Ballot procedures for election of mayor, president, deputy mayor or deputy president
 - reg 13 – Declaration to be made before acting in the office

Policy Implications

Local

Nil

State

Nil

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024 - 2034

Strategy:	5.4 – Building Trust and Transparency
Strategic Objective:	Strengthen the Council’s commitment to accountability, transparency, and responsible financial management while empowering residents and stakeholders

State

Nil

Site Inspection

Site Inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment/Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Non-compliance with legislative election procedure	Unlikely	Moderate	Moderate	Conduct election strictly in accordance with <i>Local Government Act 1995</i> and Regulations
Reputational risk from perceived bias in election process	Unlikely	Moderate	Moderate	Process administered impartially by CEO with secret ballot and formal declaration
Opportunity: To demonstrate transparency, good governance, and compliance in the election of the Shire President.				

Cr David Dewar submitted his nomination for the position of Shire President. As no other nominations were received, Cr Dewar was elected to the position unanimously.

The following item will be included if the election of President results in the office of Deputy President to become vacant.

ELEC02 – 03/26	Election of the Deputy Shire President
Applicant	Shire of Chittering
File ref	SOCR-1845402348-55726
Author	Governance Officer
Authorising Officer	Chief Executive Officer
Disclosure of Interest	Neither the Author nor Authorising Officer have any impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	Nil

Executive Summary

Council is requested to elect a Deputy Shire President in accordance with the provisions of the *Local Government Act 1995* and *Local Government (Constitution) Regulations 1998*, following the election of Shire President.

Background

The role of the Deputy Shire President is prescribed under s2.15 of the *Local Government Act 1995*, which provides that the Deputy President is to perform the functions of the President when the President is unavailable, and may exercise any power or discharge any duty of the President in that capacity.

Under *Schedule 2.3* of the *Local Government Act 1995*, once the Shire President has been elected, Council must elect a Deputy Shire President from among the remaining Councillors should the position become vacant following the election and swearing-in of President.

The newly elected Shire President will preside over the election of the Deputy Shire President. The process for nomination, acceptance, voting, and declaration follows the same procedure as for the election of the Shire President:

- Nominations must be made in writing and may be submitted to the person conducting the election prior to or during the meeting.
- Where a Councillor is nominated by another Councillor, consent must be confirmed either verbally or in writing before the close of nominations.
- Voting is conducted by secret ballot in accordance with the *Local Government (Constitution) Regulations 1998* (reg 11A – 11G).
- The Shire President will declare the result, and the successful Councillor will make the formal Declaration of Office before acting in the role.

The Deputy Shire President holds office until the next ordinary local government election, unless they resign, are disqualified, or are removed by Council by an absolute majority resolution.

Consultation Summary

Local

Nil

State

Nil

Legislative ImplicationsLocal

Nil

State

- Local Government Act 1995 (WA)
 - s2.15 – Filing the office of the deputy mayor or deputy president
 - s2.29 – Declaration
 - Schedule 2.3 – When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council (Division 2)
 - Schedule 4.1 – How to count votes and ascertain the results of an election (Division 1 and 2)
- Local Government (Elections) Regulations 1998 – Schedule 1 Form 10, regs 75E, 75M, 75N and 75O)
- Local Government (Constitution) Regulations 1998
 - reg 11A-11G – Ballot procedures for election of mayor, president, deputy mayor or deputy president
 - reg 13 – Declaration to be made before acting in the office

Policy ImplicationsLocal

Nil

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Strategy:	5.4 – Building Trust and Transparency
Strategic Objective:	Strengthen the Council’s commitment to accountability, transparency, and responsible financial management while empowering residents and stakeholders

State

Nil

Site Inspection

Site Inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment/Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Non-compliance with legislative election procedure	Unlikely	Moderate	Moderate	Conduct election strictly in accordance with <i>Local Government Act 1995</i> and Regulations
Reputational risk from perceived bias in election process	Unlikely	Moderate	Moderate	Transparent nomination and secret ballot procedure overseen by the Presiding Member
Opportunity: To confirm Council's leadership structure and demonstrate compliance with governance standards immediately election of President.				

Cr Beck Foulkes-Taylor and Cr Mary Angus both submitted nominations for the position of Deputy Shire President.

A ballot was conducted, resulting in a 4–2 vote in favour of Cr Mary Angus.

Cr Mary Angus was therefore elected as Deputy Shire President.

PROCEDURAL MOTION / COUNCIL RESOLUTION 020326

Moved Cr Dewar, seconded Cr Foulkes-Taylor

That the Council resume all standing orders.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.20PM

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

AGAINST: Nil

ITEM 4. DISCLOSURE OF INTEREST

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

CEO04 – 03/26 Annual Meeting of Electors – Blue Plains Road Speed Limit		
Individual	Type of Interest	Nature / Extent of Interest
Councillor Nicholas Grayer	Proximity	Nature: Cr Grayer's personal property's northern boundary is Blue Plains Road. Extent: Cr Grayer's personal property is in proximity to this item.
Declaration pursuant to section 5.60B of the <i>Local Government Act 1995</i>		

CON02 – 03/26 Chief Executive Officer Performance Review		
Individual	Type of Interest	Nature / Extent of Interest
Melinda Prinsloo – Chief Executive Officer	Financial	Nature: Relates to employment. Extent: Could affect employment.
Declaration pursuant to section 5.60A of the <i>Local Government Act 1995</i>		

ITEM 5. PUBLIC QUESTION TIMEPublic question time

Nil

ITEM 6. PETITIONS / DEPUTATIONS / PRESENTATIONSPetitions

Nil

Deputations

Nil

Presentations

Nil

ITEM 7. APPLICATIONS FOR LEAVE OF ABSENCE**MOTION / COUNCIL RESOLUTION 030326**

Moved Cr Foulkes-Taylor, seconded Cr Angus

That the leave of absence be approved as follows:

- Cr Beck Foulkes-Taylor – Thursday 2 April 2026 through to Thursday 9 April 2026 (inclusive).

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.23PM

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

AGAINST: Nil

MOTION / COUNCIL RESOLUTION 040326

Moved Cr Grayer, seconded Cr Foulkes-Taylor

That the leave of absence be approved as follows:

- Cr Nicholas Grayer – Sunday 5 April 2026 through to Saturday 18 April 2026 (inclusive).

CARRIED: 6 / 0

TIME: 7.24PM

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

AGAINST: Nil

ITEM 8. CONFIRMATION OF MINUTES

Ordinary Meeting of Council: 18 February 2026

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 050326

Moved Cr Angus, seconded Cr Foulkes-Taylor

That the minutes of the Ordinary Meeting of Council held on Wednesday, 18 February 2026, as published on the Shire website, be confirmed.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.25PM

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

AGAINST: Nil

ITEM 9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

1. The Shire is closely monitoring fuel supply conditions and reassures the community that plans are in place, aligned with State advice, to maintain essential services and support community safety.
2. As Easter approaches in the coming weeks, we would like to take this opportunity to wish our staff, Council, and the entire community a safe, relaxing, and enjoyable break. This time of year offers a chance to pause, recharge, and spend quality time with family and friends. We thank everyone for their ongoing contributions and commitment, and we hope the holiday period brings rest, happiness, and a renewed sense of connection. Please take care and stay safe over the Easter break.

ITEM 10. REPORTS

DEVELOPMENT SERVICES

DS01 – 03/26 **Remediation and Development Potential of Lot 7 (131) Muchea East Road, Muchea**

Applicant Shire of Chittering
File ref A10136
Author Executive Manager Development Services
Authorising Officer Chief Executive Officer
Disclosure of interest Nil
Voting requirements Simple Majority
Attachments 1. Remediation Action Plan
 2. Valuation Reports – **(Confidential)**

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

Executive Summary

Council is requested to consider the development and sale potential of Lot 7 (131) Muchea East Road, Muchea.

Location Plan

Site Plan



June 1985 - Landgate aerial imagery



September 2025 – Landgate aerial imagery

Background

131 Muchea East Road is a 3.7ha parcel of land in the freehold ownership of the Shire of Chittering. It is a historical gravel quarry and is understood to have also previously been used for the disposal of green waste. While previously subjected to clearing, it currently contains native vegetation of a reasonable quality over an undulating landform. It is zoned as a Local Reserve for 'Parks and Recreation' under the Shire's Local Planning Scheme No. 6 (LPS6), but is placed in the central portion of the broader Muchea Industrial Park.

There is history attached to this site with respect to Council resolutions, which dates back to 2009, relevant to its potential rezoning and sale to private entities, all of which did not eventuate. In more recent times, the disposal of this property has been investigated by Council, which is summarised by the following table:

Date	Council Resolution Intent
November 2019	Dispose of the property through public auction.
January 2020	Sell the property to private buyer who made an offer to purchase, following the mandatory public advertising.
March 2020	Proceed with sale of the land to a private buyer.
May 2020	Prospective purchaser highlights contamination of the site and as a result, the Shire enters into a deed of indemnification with the purchaser relating to further contamination to be found in the future. Council resolves to continue with the sale of the property.
June 2020	<p>Council affirms its position to continue with the sale of the property despite the prospective purchaser refusing to sign the deed of indemnification.</p> <p><i>N.B At this time the Department of Water and Environmental Regulation also classified the site as 'Possibly Contaminated – Investigation Required' under the Contaminated Sites Act 2003.</i></p> <p><i>Subsequently, the prospective purchaser did not proceed with the sale of the land.</i></p>

As a result of the sites listing as 'Possibly Contaminated – Investigation Required' under the *Contaminated Sites Act 2003* (Act), the Shire commenced the required investigative reporting in the form of a Detailed Site Investigation (DSI).

Environmental Site Services was engaged by the Shire to undertake the DSI, which ultimately recommended the preparation of a Remediation Action Plan (RAP). The DSI was also presented to the Department of Water and Environmental Regulation, who subsequently changed the site's classification under the Act to 'Contaminated – Remediation Required'.

The Shire engaged the services of Talis Consultants to prepare the required RAP, which resulted in short-term recommendations of securing the site from public access, and longer-term actions to enable the site to be used for a higher purpose. A copy of the RAP is provided in Attachment 1 to this report. These longer-term actions to fully remediate the site include complete excavation, mechanical screening and removal of contaminants. The contaminants that have been found at the site include asbestos containing materials (ACM) along with building and construction, and household waste. The below extract from the RAP illustrates the location of the various contaminants on the site. For reference, this diagram illustrates:

- Imported material footprint with asbestos – Green dashed polygon
- Former quarry pit footprint– Purple dashed polygon
- Steep embankment with asbestos found – Purple shaded area
- Stockpiles of construction and demolition waste – Dark yellow polygons



Extract from RAP – Contamination areas

Since receiving the finalised RAP in August 2023, the Shire has secured the site with a locked gate and appropriate signage to deter unauthorised public access, as recommended by the RAP. Shire officers have clarified with DWER that there is no further legislative obligation to undertake remediation of the site, now that it has been 'secured'. However, if the Shire (or future owners) wish to use the site for any purpose, it will need to be remediated in accordance with the RAP.

To explore the site's potential, Council considered the constraints, development potential and broad costs associated with remediation at its meeting held 21 May 2025 and resolved the following:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 030525

Moved Cr Ross, seconded Cr Campbell

That Council:

1. *Receives the information contained within the officer's report relating to 131 (Lot 7) Muechea East Road, Muechea.*
2. *Instructs the Chief Executive Officer to conduct further investigation on future development and sale options for 131 (Lot 7) Muechea East Road, Muechea, with refined associated costs, and present these investigations and costs back to Council for a decision.*

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.13pm

As required by the above resolution, further investigations were commenced particularly in regard to trying to refine the estimated costs for the remediation of the site. At the time of presenting the report to Council in May 2025, two quotes had been received from two separate consulting companies to undertake the remediation which were \$980,760 and \$71,800. The disparity between the two quotes was the trigger for Council to request more refined costings be received, so accurate budget estimations could be made should remediation be considered.

Shire staff sought further quotes from an additional five companies that could undertake the remediation works, however no further quotes were provided. The requested companies either did not respond to the Shire after multiple prompts from officers, or the companies did not have the capacity to take on the additional work and therefore were not willing to provide a quote.

In light of the lack of quotes received, the Shire's Principal Environmental Health Officer has reviewed the information and original quotes received and believes that the estimated cost of remediation will be closer to \$71,800 than the higher \$980,760. As such, the Shire will need to consider the future of the site with the information at hand.

Consultation Summary

Local

Nil

State

DWER has been consulted during and following the preparation of the RAP to ensure the Shire is remaining compliant with the Act. DWER have indicated that remediation of the site will need to be undertaken if the landowner wishes to develop the land, or use it for an alternate or higher purpose.

Legislative Implications

State

- Contaminated Sites Act 2003

The *Contaminated Sites Act 2003* provides the necessary controls for contaminated sites across Western Australia, and is administered by DWER.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Should Council resolve to pursue remediation of the site to allow for it be developed or used for a higher purpose, it is considered that \$100,000 will need to be set aside in the 2026/27 annual budget to cover the costs. This considers the lower quote received, but includes a contingency should the remediation works uncover a greater amount of contamination than what has been reported.

Strategic Assessment / Implications

- Strategic Community Plan 2024-2034

Community Aspiration: Community Aspiration 2

Strategy: Strategy 3.5 Resource Management and Planning

Adopting integrated resource management approaches and land-use planning strategies that prioritise conservation, resilience, and sustainable development. This involves conducting environmental impact assessments, incorporating climate change considerations into planning processes, and promoting smart growth and compact development to minimise urban sprawl and habitat fragmentation.

State

Nil

Site Inspection

Site inspection undertaken: Yes



Photo 1: May 2025 (EMDS)



Photo 2: May 2025 (EMDS)



Photo 3: May 2025 (EMDS)



Photo 4: May 2025 (EMDS)

Environmental Consideration

Environment consideration given: Yes – The site does have environmental value given the native vegetation present on the lot. It is understood that the contamination of the site currently has limited risk to the environment given the site has been secured and the nature of the contaminants found during the DSI.

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
To develop or use the site without appropriate remediation occurring	Unlikely	Minor	Low	Undertake remediation before any development is to occur on the site, or resolve to not use the site for any unauthorised purpose prior to any remediation taking place
Opportunity: To ensure compliance with the <i>Contaminate Sites Act 2003</i> and to realise the potential of this Shire asset.				

Officer Comment/Details

Within the May 2025 Council report, options were explored for the site's future which included rezoning the land, sale of the land, use as an environmental offset and development into a public open space (natural green space). These options are listed again below.

Local Planning Scheme Rezoning Potential – 'Parks and Recreation' Local Scheme Reserve

131 Muchea East Road is identified as a Local Reserve for 'Parks and Recreation' under the LPS6. This is a reservation that limits any future development to be consistent with the 'Parks and Recreation' purpose. It is also included in the Muchea Industrial Park (MIP) Structure Plan (adopted 2022), which identifies this lot as maintaining its 'Parks and Recreation' reservation, and it effectively being a 'greenspace' in the center of the MIP.

Shire officers have investigated the potential of a rezoning to an 'industrial' zone with the Department of Planning, Lands and Heritage (DPLH), contrary to its identified use in the MIP Structure Plan. DPLH have indicated that there would be 'challenges' to any proposed rezoning of the lot given it is identified as a 'green space' in the MIP Structure Plan and the amount of other landholdings in the Structure Plan area that have capability of being zoned to 'Industrial'.

From this advice, 131 Muchea East Road should be viewed as a 'green space' with a 'Parks and Recreation' reservation that will be maintained for the foreseeable future. As such, any future uses or potential uses of the site will need to conform to this reservation.

The Local Scheme Reserve of 'Parks and Recreation' requires development approval to be granted prior to any development occurring. While this reservation does not specifically prescribe what activities can be permitted on the land, it may include things such as a public park or recreational activities (possible commercial). It may also include a small civic development which operates in conjunction with the natural values of the site. It would be a decision of Council to determine whether any proposed use of the land conforms to the purpose of the 'Parks and Recreation' reservation.

Land Sale

The sale of 131 Muchea East Road has been entertained previously, and has been explored again under different remediation scenarios through a valuation of the property by an independent valuer, Fields Advisory. A copy of the valuation reports prepared have been included as Attachment 2 to this report. This attachment has been made confidential as it contains estimated market value of the land, which if released publicly, could compromise the Shire's ability to sell the land at its highest value. This valuation report was prepared in September 2024 however, is still considered to be relevant for the purpose of this investigation.

The valuations provided in Attachment 2 were for scenarios where the land was, and was not remediated under its current reservation of 'Parks and Recreation'.

The valuation report notes that there were no examples of similar (contaminated 'Parks and Recreation') sites to provide a basis of valuation, and therefore the historical sale of rural residential properties were used in the valuation report prepared, to guide the recommendation. As such, the veracity of the valuation provided under this scenario needs to be viewed with measured consideration.

The option to the sell the land following remediation and following a successful rezoning to an 'Industrial' zone was also considered by Fields Advisory. However, given the advice received from DPLH regarding the unlikelihood of rezoning the land, this option is not explored further or provided with this report.

Environmental Offset

An environmental offset compensates for unavoidable impacts on significant environmental matters, (e.g. valuable species and ecosystems) on one site, by securing land at another site, and managing that land over a period of time, to replace those significant environmental matters which are lost. The Shire has been approached in recent times by companies wishing to find suitable land for environmental offsets. This can sometimes include land that requires further revegetation, as well as land already containing the necessary vegetation values, and simply preserving those values in perpetuity.

It is considered unlikely that 131 Muchea East Road could be used as an environmental offset in its current contaminated state. It is suggested however, that once remediated from its contaminants, it could have value as land to be revegetated (which would be consistent with its reservation) and preserved in perpetuity as an environmental offset to a private entity. The size of the land parcel being 3.7ha may be its biggest constraint for this use, particularly given the Shire's recent interactions with companies searching for land to be used for offsets, are searching for parcels considerably larger. Nonetheless, this option can remain a possibility should a suitable suitor present itself in the future.

Shire Managed Public Open Space

A further option available to Council is to make the land accessible to the public for passive or active recreation. Once remediated, the land can be made publicly accessible by the Shire for any purpose it sees fit and aligning with its strategic commitments to the community. This may also include some minor, civic based developments (i.e. government buildings or infrastructure) that could operate in conjunction with the environmental values of the site and the 'Parks and Recreation' local reservation. The location of the site and the current landform and vegetation is not considered to be a conducive site that would attract passive use by members of the community, and as such this option is not encouraged to be further explored at this stage.

Recommendation

The unlikelihood of a rezoning of Lot 7 being supported by the Minister for Planning is a key consideration in how the Shire manages the future of this site. Its current local scheme reservation as 'Parks and Recreation' coupled with its identification in the MIP Structure Plan as a 'Greenspace', stifles the development potential and salability of the site. While some development and sale options do exist, it would only be considered prudent to undertake the exercise of remediation once an opportunity has presented itself to the Shire, and is guaranteed to be financially beneficial. Or, should a need present itself for a community greenspace or other recreation facility, then remediation of the site can be further explored at this time.

The Shire of Chittering has no statutory obligations to undertake remediation of the site, if it remains inaccessible to the public through its current fencing and signage. The site will remain classified as 'Contaminated – Remediation Required' under the *Contaminated Sites Act 2003*.

As such, it recommended that Council do not allocate funds for the remediation of Lot 7 at this stage, as there is no security that this financial investment will be recouped through a potential sale, or have tangible benefits for the community. It is suggested however, that Council reserves the right to explore the remediation options at a future date, should an opportunity presents itself, that has either a commercial or community benefit.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 060326

Moved Cr Angus, seconded Cr Hughes

That Council:

1. Does not proceed with any remediation works on Lot 7 (131) Muchea East Road, Muchea for the following reasons:
 - a. The estimated cost of the remediation does not provide a guaranteed increase in the commercial value of the land due to its 'Parks and Recreation' local scheme reservation under the Shire's Local Planning Scheme No. 6;
 - b. The site is not considered to pose safety risks as it is currently inaccessible to members of the public;
 - c. The Department of Water and Environmental Regulation have advised that the Shire is not obliged to undertake remediation of the land until such time that some form of development or use is proposed whereby the current 'Contamination – Remediation Required' classification under the *Contaminated Sites Act 2003*, can be sought to be removed through remediation.
2. Note that the remediation of Lot 7 (131) Muchea East Road, Muchea can be revisited in the future should a commercial proposal be presented to the Shire or should the site be needed for any other purpose.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.30PM

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

AGAINST: Nil

DS02 – 03/26 Amendment and Advertising of Local Planning Policy No. 1 - Sea Containers

Applicant	Shire of Chittering
File ref	SOCR-1845402348-104933
Author	Principal Planning Officer
Authorising Officer	Executive Manager Development Services
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	<ol style="list-style-type: none"> 1. Current Local Planning Policy No. 1 – Sea Containers 2. Draft Amended Local Planning Policy No. 1 – Sea Containers 3. Summary Of Amendments to Local Planning Policy No. 1 – Sea Containers

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input checked="" 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 draft amended Local Planning Policy No. 1 – Sea Containers for the purpose of public advertising. The amendments to the Policy capture sea container-based structures (container-based dome structures) and small improvements to clarify the intent of the Policy.

Background

On 4th June 2025, a workshop was held with Council to discuss amendments to the Shire's Local Planning Policy No. 1 – Sea (LPP1) Containers. This workshop discussed the emerging issue of container-based dome structures, and how the Policy should be treating these structures. The discussion at the workshop centred around the industrial aesthetics of these structures but are a practical and affordable building that are appropriate in some instances. The guidance received from Council was for the Policy to entertain these structures for Chittering landowners, but in a manner that mitigates their visual impact on the surrounds.

Local Planning Policy No. 1 – Sea Containers was originally adopted in 2005 and last amended in April 2025 (Attachment 1).

Since that time, new forms of development have emerged within the Shire incorporating sea containers as structural elements of larger composite installations, including container-based domes, arched shelters and covered storage structures.

While such development utilises sea containers, it does not neatly fall within the policy's existing focus on standalone shipping containers. This has created ambiguity in policy application and increased the risk of inconsistent assessment outcomes.

The draft amendment (Attachment 2) has been prepared to:

- Clarify the scope of the policy;
- Ensure container-based composite structures are appropriately captured;
- Improve regulatory clarity and assessment consistency; and
- Maintain alignment with the policy's original objectives relating to amenity and character.

The draft amendment clarifies the application of the policy to container-based and composite structures, including dome and arched shelter installations incorporating sea containers. These development forms are not expressly addressed in the current policy and have given rise to interpretive ambiguity in assessment and compliance matters. This draft version (Attachment 2) contains the changes made in 'red' to easily identify the modifications being made.

The proposed amendment does not alter the underlying policy intent relating to amenity, visual impact and character. Rather, it refines the scope and terminology of the policy to ensure contemporary container-based development is assessed consistently and transparently.

For a summary of the changes proposed please refer to Attachment 3.

Consultation Summary

Local

Advertising of the amendment to LPP1 will be required in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. This will provide an opportunity for the community to provide feedback on the proposed changes.

State

Nil

Legislative Implications

Local

Nil

State

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

Local planning policies are prepared and amended under Part 2, Division 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations).

In amending a local planning policy, the local government is to follow the same procedure as for the preparation of a new policy. This includes the following steps:

1. If the local government resolves to amend a local planning policy; publishing the proposed policy and inviting comments and feedback for a period of at least 21 days;
2. Review the policy in light of any submissions made, and resolve to proceed with the policy with or without modification, or not to proceed with the policy;
3. Publish the policy.

Policy Implications

State

Nil

Local

- *Local Planning Policy No. 1 – Sea Containers*

The draft amendment refines and clarifies the policy's application to contemporary development forms. No change to underlying strategic intent is proposed.

Financial Implications

Advertising costs will be met within existing operational budgets.

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Aspiration: Balance Between Development and Conservation

Strategy: 3.4 – County Charm and Rural Design

Strategic Objective: Elevating the visual appeal and character of our rural communities through detailed design, streetscape enhancements, and place-making endeavours. This encompasses the preservation of historic landmarks, the celebration of architectural diversity, and the integration of landscaping, public art, and streetscape amenities to craft charming and welcoming public spaces that embody the essence of our country lifestyle.

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

The amendment does not introduce new development impacts or alter existing environmental protections. It refines policy wording only.

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Governance – Policy ambiguity leading to inconsistent decisions or appeals	Possible	Moderate	Medium	Adoption of clear, contemporary policy following public consultation
Opportunity: Improved transparency, consistency in assessment, and strengthened defensibility in compliance and appeal proceedings.				

Officer Comment/Details

The draft amendment responds to practical assessment issues encountered by officers when considering composite container-based structures that are not expressly addressed by the current policy wording. Proceeding with advertising ensures:

- Procedural compliance with the Regulations;
- Transparency in policy development;
- Opportunity for stakeholder input; and
- Increased weight and defensibility of the policy once adopted.

Following the advertising period, a further report will be presented to Council summarising submissions and recommending final determination.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 070326

Moved Cr Foulkes-Taylor, seconded Cr Hughes

That Council:

1. Approve the draft amended Local Planning Policy No. 1 – Sea Containers, as contained in Attachment 2, for the purpose of public advertising pursuant to Schedule 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Request the Chief Executive Officer to advertise the draft amended Local Planning Policy No. 1 for a period of not less than 21 days in accordance with Schedule 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Note that a further report will be presented to Council following the close of the advertising period to consider submissions received and determine whether to adopt the amended policy (with or without modification).

CARRIED: 6 / 0

TIME: 7.33PM

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

AGAINST: Nil

DS03 – 03/26 Public Notice of Dog Exercise Area – Wildflower Ridge Public Open Space

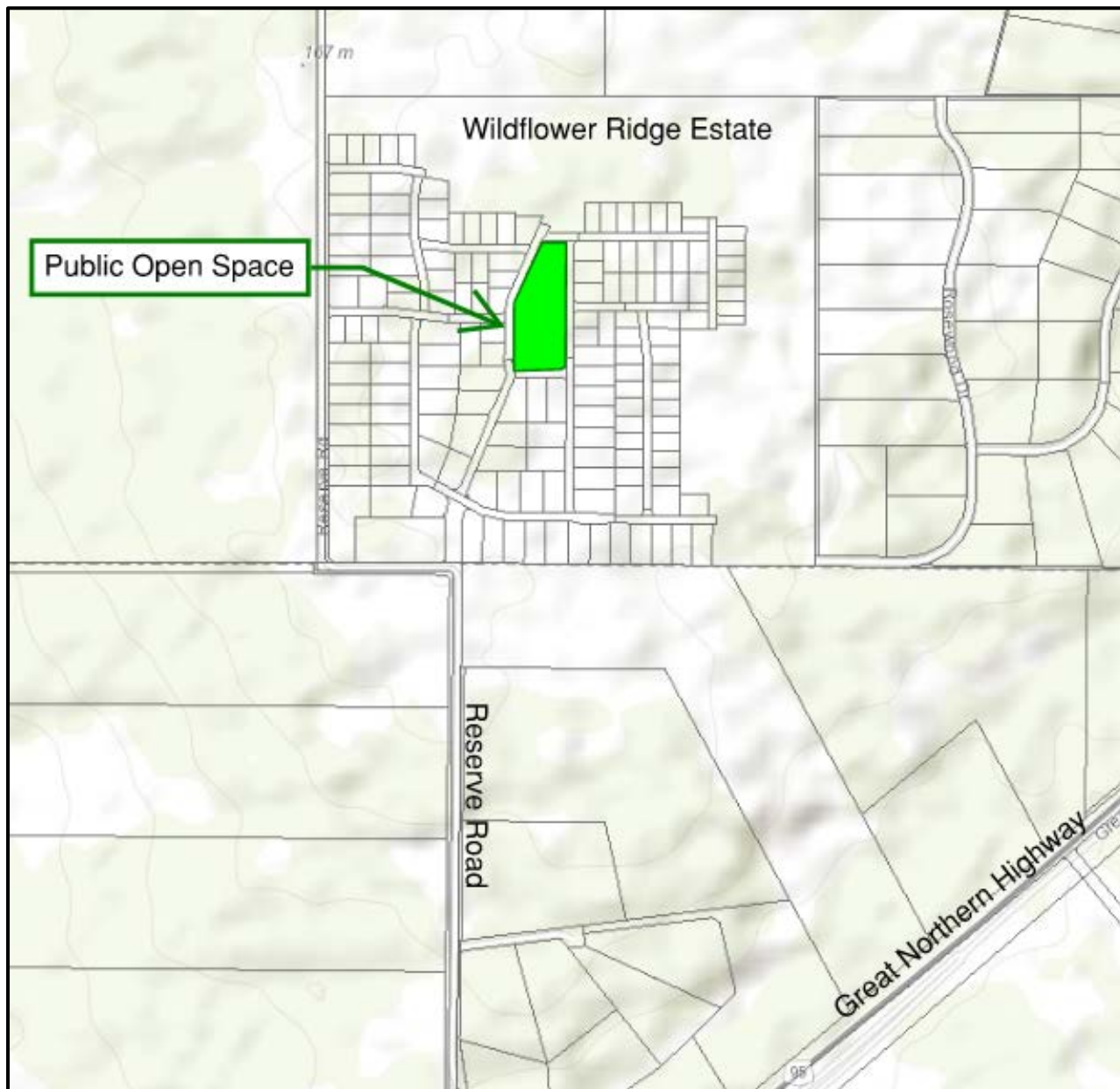
Applicant	Shire of Chittering
File ref	A12142
Author	Executive Manager Development Services
Authorising Officer	Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	1. Specified Dog Exercise Area Plan

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

Executive Summary

Council is requested to consider giving Public Notice for designating a specifically designed and constructed portion of the Wildflower Ridge Public Open Space as a 'Dog Exercise Area' to allow for dogs to be off-lead in a public place.

Location Plan



Site Plan

**Background**

The construction of the Public Open Space (POS) within the Wildflower Ridge Estate was a requirement placed upon the landowner (Riverside Investments) as a condition of the subdivision of the land. The design of the POS was informed by community consultation and engagement with Shire officers and Council prior to the final designs being endorsed.

As part of the POS development, an off-lead 'dog exercise area' has been incorporated into the northern portion of the POS. This was largely informed by the Shire's 2024 investigation and community engagement into the need for dog exercise areas within the Shire, but has not been realised due to previous year's budget constraints.

The subject exercise area will be 1,000m² and bordered with black chain link fencing, contain a drink fountain, bench seating and rubbish bin. It will be secured with double-gates to assist in preventing dogs from freely escaping the area.

Pursuant to the requirements of the *Dog Act 1976* (Act), dogs in a public place are typically restricted to being on a lead. As this area is intended to cater for dogs off a lead, and it is regarded as a 'public place' under the Act, it needs to be designated as a 'dog exercise area' by the local government to ensure that dogs can legally be released off a lead.

While this 'dog exercise area' is to allow dogs off a lead in a contained environment, there are provisions in the Act that place responsibility on the dog owner to control the dog while in the exercise area, and are responsible for the dog's actions, like they would be in any other public place in the Shire.

Consultation Summary

Local

A Public Notice is required to be given of Council's intentions to specify an area as a 'dog exercise area'. Pursuant to Section 1.7 of the *Local Government Act 1995*, and Regulation 3A, Part 1A of the *Local Government (Administration) Regulations 1996*, a Public Notice is to be in the form of:

- Published on the Shire's website;
- Exhibition on a notice board at the Shire office;
- Circulation in a newsletter; and
- Posting on the Shire's social media.

State

Nil

Legislative Implications

State

- *Dog Act 1976*

Section 31(3A), Part 6, Division 1 of the Act provides the mechanism for a local government to designate an area as a 'dog exercise area' by an absolute majority decision of Council. Section 31(3A) states:

'A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.'

Prior to the above occurring, Section 31(3C), Part 6, Division 1 of the Act requires the local government to give public notice of its intention to specify a dog exercise area 28 days prior to specifying an area. This report to Council is to give that public notice. A further report to Council will be prepared following the 28 day public notice period to formally specify the dog exercise area.

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

- *Strategic Community Plan 2024-2034*
Community Aspiration: Community Aspiration 3
Strategy: Strategy 3.3

Investing in infrastructure upgrades and enhancements that improve connectivity, accessibility, and quality of life for residents while minimising environmental impact. This includes upgrading roads, bridges, and transportation networks, expanding public transit options, and investing in green infrastructure such as parks and trails.

State

Nil

Site Inspection

Site inspection undertaken: Yes



Photo 1: Wildflower Ridge dog exercise area under construction - March 2026 (EMDS)

Environmental Consideration

Environment consideration given: Yes.

The impact on the natural environment is expected to be negligible as the location of the dog exercise area is within the designated public open space.

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk: Compliance The dog exercise area needs to be designated to allow dogs off a lead, otherwise dogs will be in contravention of the <i>Dog Act 1976</i> .	Unlikely	Minor	Low	Designating the dog exercise area as such allows for dog to be legally allowed off a lead.
Opportunity: To provide a safe and secure space for dogs to interact off a lead.				

Officer Comment/Details

A dog exercise area provides the community with an opportunity to socialise their dog with other dogs, and also creates a meeting space for community members themselves. The strong appetite for a dog exercise area in the Shire was realised following community consultation in 2024, however has not yet progressed due to budget constraints.

The development of the Wildflower Ridge POS with a dog exercise area was a result of community consultation and the negotiations between the Shire and the developer. The finalisation of the public open space is agreed to occur prior to the 31 May 2026 in accordance with a signed Community Infrastructure Agreement between the developer and the Shire. It is expected however, that the POS, including the dog exercise area will be open to the public earlier than 31 May 2026.

It is recommended that Council give public notice of its intentions to specify the Wildflower Ridge dog exercise area as such pursuant to Section 31(3C) of the Act, and in accordance with the dog exercise area plan provided in Attachment 1.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 080326

Moved Cr Angus, seconded Cr Curtis

That Council by an **ABSOLUTE MAJORITY**:

1. Give Public Notice, in accordance with Section 1.7 of the *Local Government Act 1995*, of its intention to specify the area identified in Attachment 1, located within the public open space of the Wildflower Ridge Estate, to be a 'Dog Exercise Area', pursuant to Section 31(3C), Part 6, Division 1 of the *Dog Act 1976*.
2. Instruct the Chief Executive Officer to provide a report back to Council following the conclusion of the 28 day Public Notice period to resolve on the matter of specifying the area identified in Attachment 1 as a dog exercise area.

CARRIED BY AN ABSOLUTE MAJORITY: 6 / 0

TIME: 7.35PM

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

AGAINST: Nil

TECHNICAL SERVICES

Nil

CORPORATE SERVICES

CS01 – 03/26

List of Accounts Paid for the Period Ending 28 February 2026

Applicant	Shire of Chittering
File ref	SOCR-1845402348-122828
Author	Finance Officer - Accounts
Authorising Officer	Deputy Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. List of Accounts Paid as at 28 February 2026 or other purchasing cards

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

Executive Summary

To present the list of accounts paid by the Chief Executive Officer under delegated authority for the period ending 28 February 2026.

To present the List of Payments made by authorised employees using credit, debit and other purchasing cards for the period ending 28 February 2026.

Background

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

Consultation/Communication ImplicationsLocal

Nil

State

Nil

Legislative ImplicationsState

Local Government Act 1995

Local Government (Financial Management) Regulations

Local

Nil

Policy ImplicationsState

Nil

Local

Nil

Financial Implications

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

Strategic ImplicationsState

Nil

Local

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment/Implications

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

Officer Comment/Details

The attached "List of Accounts Paid as at 28 February 2026" is presented to Council, inclusive of payments made using credit, debit or other purchasing cards.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 090326

Moved Cr Foulkes-Taylor, seconded Cr Grayer

That Council receive the List of Accounts Paid as per Attachment 1 totalling \$966,870.64, inclusive of payments made using credit, debit or other purchasing cards for the period ending 28 February 2026:

1. PR7047, PR7052;
2. EFT29822 – EFT29928;
3. Direct Debits, Cheques as listed; and
4. Purchasing Card as listed.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.37PM

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

AGAINST: Nil

CS02 – 03/26	Monthly Financial Report for the Period Ending 28 February 2026
File ref	SOCR-1845402348-122827
Author	Finance Manager
Authorised by	Deputy Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Monthly Financial Report for the Period Ending 28 February 2026

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

Executive Summary

Council is requested to consider the financial statement for the period ending 28 February 2026.

Background

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

“Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, which requires a local government to prepare a statement of financial activity each month, presented according to nature and type, by program, or by business unit. From the 2021/22 financial year the statement of financial activity will be presented by nature and type.

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, which requires a local government to adopt a percentage or value, calculated in accordance with Australian Accounting Standards, to be used in statements of financial activity for reporting material variances. For the 2025/26 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 ImplicationsLocal

Finance Policy 2.1 Investment of Funds

Financial Implications

Nil

Strategic Implications

- Strategic Community Plan 2022-2032

Focus area: Strong leadership

Objective: S5.2 Strong partnerships and relationships

Strategy: S5.2.1 Built effective partnerships with stakeholders

Objective: S5.3 Accountable governance

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

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment/Implications

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

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

Officer Comment/Details

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

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100326**Moved Cr Angus, seconded Cr Hughes****That Council receives the Monthly Financial Report for period ending 28 February 2026, as per Attachment 1.****CARRIED UNANIMOUSLY: 6 / 0**

TIME: 7.39PM

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

AGAINST: Nil

CHIEF EXECUTIVE OFFICER

CEO01 – 03/26

Work Health and Safety Statistics Report – February 2026**Applicant**

N/A

File ref

SOCR-1845402348-258

Author

Chief Executive Officer

Disclosure of interest

Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure

Voting requirements

Simple Majority

Attachments

1. WHS Statistics Report – February 2026

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

Executive Summary

Council is requested to receive the Shire of Chittering's Work Health and Safety Statistics Report for the month ending 28 February 2026.

Background

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

MOTION / COUNCIL RESOLUTION 231121

Moved Cr King, seconded Cr Angus

That:

1. *"The Shire of Chittering" adopts the following position statement: "Council cares about the employees of the shire and want to ensure that all employees arrive safely home each day. This requires that everyone commits to their role in ensuring a safe workplace, starting with Council".*
2. *Council requires the Chief Executive Officer to provide a quarterly report (February (previous quarter), April, July and October of each calendar year) of the following key safety performance indicators (KPI's) for the Shire workforce and contractors; including but not limited to:*
 - a. *Number of safety observations;*
 - b. *Number of safety audits and inspections;*
 - c. *Number of working hours (total, workforce and contractors)*
 - d. *Number of training hours;*
 - e. *Number of toolbox talks;*
 - f. *Number of equipment breakdowns;*
 - g. *Average overtime per person by department.*
3. *Council requires the Chief Executive Officer to provide a monthly report to be tabled at each Ordinary Council Meeting, the following key safety performance indicators (KPI's) for the Shire workforce and contractors ; including but not limited to:*

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

CARRIED UNANIMOUSLY 7 / 0

TIME: 9.53pm

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

- Work Health and Safety Act 2020

Local

Nil

Policy Implications

State

Nil

Local

- Shire of Chittering Policy 3.3 Work Health and Safety (WHS)

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024-2034
 - Focus area: Accountable governance
 - Objective: S5.3 Accountable Governance
 - Strategy: S5.3.1 Good governance which supports efficient and effective service delivery

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Nil

Officer Comment/Details

Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110326

Moved Cr Foulkes-Taylor, seconded Cr Angus

That Council receive the Shire of Chittering Work Health and Safety Statistics Report for the month ending 28 February 2026 which includes:

- 1. Monthly Report for February 2026**
 - a) Statistics
 - b) Near Miss, Incident and Damage Report
 - c) WHS Training
 - d) Site Inspections
 - e) Safety Observations

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.43PM

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

AGAINST: Nil

CEO02 – 03/26**Annual General Meeting of Electors Minutes 2026**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-110047
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of Interest	Neither the Author nor Authorising Officer have any impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Annual General Meeting of Electors Minutes – 4 February 2026

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

Executive Summary

The Annual General Meeting of Electors of the Shire of Chittering was held on Wednesday 4 February 2026, in accordance with section 5.27 of the Local Government Act 1995.

In accordance with section 5.33 of the Act, Council is required to consider decisions made at an electors' meeting. The minutes of the meeting have been prepared and are presented for Council to receive and note as the official record of proceedings.

Background

The Annual General Meeting of Electors was convened following adoption of the Shire's Annual Report for the 2024/2025 financial year.

The meeting provided electors with the opportunity to:

- Receive the Annual Report;
- Ask questions of Council; and
- Move motions for Council's consideration.

Minutes of the meeting were recorded in accordance with legislative requirements and are attached for Council's receipt.

Consultation SummaryLocal

- Electors in attendance at the Annual General Meeting.

State

Not applicable

Legislative ImplicationsLocal

- Local Government Act 1995
 - Section 5.27 – Annual General Meeting of Electors
 - Section 5.33 – Decisions made at electors’ meetings

Section 5.33 requires that all decisions from an electors’ meeting be considered by Council.

State

Nil

Policy ImplicationsLocal

Nil

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034
 Community Aspiration: Inclusive, Active, and Resilient Community
 Strategy: Strategy 1.3 – Social and Support Systems

The Annual General Meeting of Electors supports transparency, accountability and community participation in local governance.

State

Nil

Site Inspection

Site Inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Governance & Reptation: Failure to properly record and receive the minutes may impact transparency and community confidence.	Likely	Moderate	High	Ensure accurate minute taking and formal receipt by Council.
Opportunity: Reinforces transparency, accountability and public trust in Council processes.				

Officer Comment / Details

The minutes of the Annual General Meeting of Electors held on 4 February 2026 have been prepared in accordance with statutory requirements.

While the Local Government Act 1995 requires that minutes be kept and decisions considered, it does not require formal confirmation by Council. Presenting the minutes for Council to receive ensures transparency and provides a complete public record of proceedings.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 120326

Moved Cr Angus, seconded Cr Foulkes-Taylor

That Council receive the minutes of the Annual General Meeting of Electors of the Shire of Chittering held on Wednesday 4 February 2026.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.45PM

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

AGAINST: Nil

CEO03 – 03/26 Annual Meeting of Electors – Back Up Power to Phone Towers

Applicant	Shire of Chittering
File ref	SOCR-1845402348-110047
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of Interest	Neither the Author nor Authorising Officer have any impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	Nil

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

Executive Summary

Council is required under section 5.33 of the *Local Government Act 1995 (WA)* to consider decisions made at the Annual General Meeting of Electors.

Council is requested to consider a motion passed at the Annual General Meeting of Electors held 4 February 2026 regarding back up power to phone towers within the Shire of Chittering.

Background

At the Annual General Meeting of Electors held on Wednesday 4 February 2026, the following motion was carried:

<p><i>MOTION / ELECTORS DECISION</i> <i>Moved Tuarn Brown, seconded Bailey Hall</i> <i>Request that the Shire as a matter of policy requires security of back up power for phone towers for its community.</i></p> <p style="text-align: right;"><i>CARRIED: 7 / 0</i></p>
--

Electors expressed concern that mobile phone towers within the Shire of Chittering do not consistently maintain service during power outages due to reliance on mains electricity. Recent outages have highlighted the community's dependence on reliable telecommunications, particularly during emergencies.

Electors were of the view that, while the Shire may not directly control telecommunications infrastructure standards, it has a responsibility to represent community expectations to service providers and advocate for improved resilience measures.

Pursuant to section 5.33 of the Local Government Act 1995, Council is required to consider decisions made at an Electors' meeting.

Consultation Summary

Local

- Concerns raised by electors at the Annual General Meeting.

State

Nil

Federal

Telecommunications infrastructure is regulated under the Telecommunications Act 1997. Technical and operational standards, including back-up power requirements, fall within Commonwealth jurisdiction and telecommunications carrier responsibility.

Local governments do not have authority to mandate operational telecommunications standards beyond the scope of planning legislation.

Legislative Implications

Local

- Local Government Act 1995 (WA)
Section 5.33 requires that all decisions from an electors' meeting be considered by Council.

State

Nil

Policy Implications

Local

Nil

State

- Under the Local Government Act 1995 Council has:
 - An advocacy role
 - A community representation role
 - Strategic planning responsibilities

Financial Implications

There are no direct financial implications associated with noting the Electors' motion or undertaking advocacy to telecommunications providers and relevant State and Federal representatives.

Any costs incurred would be limited to minor administrative expenses associated with officer time in preparing correspondence and engaging with stakeholders. These costs can be accommodated within the Shire's existing operational budget.

Should Council resolve in the future to pursue additional measures — such as commissioning technical assessments, engaging consultants, or contributing financially toward infrastructure upgrades — this would require separate consideration and budget allocation.

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024 - 2034
Community Aspiration: Inclusive, Active, and Resilient Community
Strategy: Strategy 1.3 – Social and Support Systems

Reliable telecommunications infrastructure is a critical component of community resilience, particularly during emergency events, natural disasters and extended power outages. While the Shire does not have direct authority over telecommunications infrastructure standards, advocating for improved back-up power capacity supports broader emergency preparedness objectives and community safety outcomes.

The Electors' motion reflects increasing community expectations regarding infrastructure reliability and disaster resilience. Council's consideration of this matter demonstrates responsiveness to community concerns and supports its leadership role in advocating for services that enhance public safety and connectivity.

State

Nil

Site Inspection

Site Inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Governance & Reputation: Community expectation that Council can mandate back-up power for telecommunications infrastructure when this is outside its legislative authority under Commonwealth law	Likely	Moderate	High	Clearly communicate the limits of Council's authority under the <i>Telecommunications Act 1997</i> and planning legislation. Emphasise Council's advocacy role rather than regulatory control.
Opportunity: Improve community understanding of the different roles of Local, State and Federal government, strengthening transparency and trust.				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Strategic Risk: Failure to advocate may be perceived as not prioritising community safety and resilience	Likely	Moderate	High	Formally advocate to telecommunications providers and relevant State and Federal representatives outlining Council's expectations.
Opportunity: Demonstrate visible leadership and commitment to community resilience, reinforcing Council's Strategic Community Plan objectives.				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Operational Risk: Telecommunications outages during power failures impacting emergency communication and community safety	Likely	Moderate	High	Advocate for improved infrastructure resilience and incorporate telecommunications reliability into emergency management planning discussions.

Opportunity: Strengthen partnerships with emergency services, telecommunications providers and other agencies to improve coordinated disaster preparedness.

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Legal Risk: Attempting to impose conditions beyond planning powers could result in invalid conditions or challenge	Likely	Moderate	High	Ensure Council resolutions reflect advocacy only and do not purport to impose technical or operational requirements outside statutory authority.
Opportunity: Establish clear governance processes that protect the Shire from legal challenge while still pursuing strong advocacy outcomes.				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Community Risk: Raising expectations that immediate infrastructure changes will occur	Likely	Moderate	High	Clearly communicate that outcomes depend on telecommunications providers and Federal regulation. Provide updates on advocacy efforts.
Opportunity: Build constructive community engagement by involving electors in advocacy updates and resilience planning initiatives.				

Officer Comment / Details

The Shire acknowledges the electors concerns regarding the lack of back up power to mobile phone towers within the Shire of Chittering during power outages. Recent outages have highlighted the community's reliance on telecommunications infrastructure, particularly during emergencies and natural disasters.

Telecommunications infrastructure, including the provision of back up power to mobile phone towers, is regulated at a Federal level and managed by telecommunications providers under Commonwealth legislation. The Shire does not have legislative authority to mandate technical requirements such as back up power systems (e.g. solar or battery storage) as part of development approvals, unless specifically supported under planning legislation.

However, Council does have an advocacy role on behalf of its community. While it may not be within the Shire's jurisdiction to impose mandatory conditions requiring back up power, Council may formally communicate community expectations to telecommunications providers and relevant State and Federal representatives. The Chief Executive Officer has consistently prioritised community safety and resilience and will continue to advocate, where appropriate, to service providers and government agencies to improve telecommunications reliability within the Shire.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 130326

Moved Cr Curtis, seconded Cr Grayer

That Council:

1. Note the Electors decision at the Annual General Meeting held on 4 February 2026 as follows:
*“Moved Tuarn Brown, seconded Bailey Hall
Request that the Shire as a matter of policy requires security of back up power for phone towers for its community.*

CARRIED: 7 / 0”;
2. Acknowledge that the regulation and technical requirements of telecommunications infrastructure, including back up power systems, fall under Commonwealth legislation and telecommunications providers;
3. Recognise the importance of reliable telecommunications infrastructure to community safety, particularly during emergency events and power outages;
4. Confirm that while the Shire cannot mandate back up power provisions through policy where it falls outside its legislative authority, it can undertake an advocacy role on behalf of the community; and
5. Instruct the Chief Executive Officer write to relevant telecommunications providers and appropriate State and Federal representatives outlining Council’s expectation that mobile phone towers servicing the Shire of Chittering incorporate adequate back up power systems to ensure continuity of service during power outages.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.51PM

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

AGAINST: Nil

CEO04 – 03/26 Annual Meeting of Electors – Blue Plains Road Speed Limit

Applicant	Shire of Chittering
File ref	SOCR-1845402348-110047
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of Interest	Neither the Author nor Authorising Officer have any impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	Nil

Councillor Grayer declared a proximity interest in this item and left the Council Chambers at 7.51pm.

Nature of Interest: Cr Grayer's personal property's northern boundary is Blue Plains Road.

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

Executive Summary

Council is required under section 5.33 of the *Local Government Act 1995* to consider decisions made at the Annual General Meeting of Electors.

At the Annual General Meeting of Electors held on 4 February 2026, electors carried a motion requesting that the speed limit on Blue Plains Road be set at 80km/h.

The authority to determine speed limits rests exclusively with Main Roads Western Australia under the *Road Traffic Code 2000*.

This matter has previously been considered by Council in October 2022 and March 2023, including formal engagement with Main Roads WA and an independent Road Safety Inspection. This report presents the matter for Council to note.

Background

At the Annual General Meeting of Electors held on Wednesday 4 February 2026, the following motion was carried:

MOTION / ELECTORS DECISION

Moved Tuarn Brown, seconded Ian Hall

That a speed limit be set on Blue Plains Road of 80km/hr.

CARRIED: 7 / 0

Electors raised concerns regarding vehicle speeds along Blue Plains Road. The road functions as an access route from Toodyay to the northern section of the freeway network. In the absence of speed signage, motorists may interpret the road as being subject to the default 110km/h rural speed limit.

Previous Council Consideration

October 2022 – Petition and Initial Resolution

In September 2022, the Chittering Residents and Ratepayers Association submitted a petition containing 58 signatures requesting immediate and long-term safety measures, including a speed limit reduction to no more than 70km/h on sections of Blue Plains Road.

At the October 2022 Ordinary Council Meeting, Council resolved to:

1. Acknowledge receipt of the petition;
2. Instruct the Chief Executive Officer to request Main Roads Western Australia to undertake further review and consideration of a speed limit reduction; and
3. Commission a Road Safety Audit.

Main Roads WA advised that the road was “derestricted”, meaning that while the State rural speed limit of 110km/h applies, motorists are legally required to drive to prevailing road conditions.

Traffic classifier data collected between 24 August, and 7 September 2022 recorded 3,722 vehicle movements. The majority of vehicles travelled between 60km/h and 90km/h. No unlawful heavy vehicle combinations were identified during monitoring.

In response, the Shire implemented safety improvements within its authority, including:

- Installation of 80km/h advisory signage;
- Turning arrow signage at bends; and
- Additional guideposts to improve delineation.

March 2023 – Road Safety Inspection

Following Council’s October 2022 resolution, an independent Road Safety Inspection was undertaken by i3 Consultants WA.

The inspection reviewed crash history, traffic volumes, road geometry and signage. The report identified that over a period exceeding five years there had been one fatality and concluded that the road did not meet criteria for classification as a high-accident location or eligibility for Black Spot funding.

Additional signage and minor safety treatments were recommended and subsequently implemented by the Shire.

In March 2023, Council resolved to:

- Receive the Road Safety Inspection Report;
- Confirm that recommendations had been considered and actions assigned; and
- Close the matter, with the exception of any outstanding accepted actions.

Current Context (2026)

The electors’ motion carried in February 2026 revisits a matter that has previously been:

- Formally considered by Council;
- Referred to Main Roads Western Australia for review;

- Subject to independent technical assessment; and
- Addressed through safety improvements within the Shire's jurisdiction.

Main Roads WA has maintained that the existing speed zoning remains appropriate and has not indicated an intention to amend the speed limit.

Consultation Summary

Local

- Concerns raised by Electors at the Annual General Meeting.

State

- Main Roads WA
Main Roads WA retains statutory responsibility for speed zoning and traffic control.

Legislative Implications

Local

- Local Government Act 1995
Section 5.33 requires that all decisions from an electors' meeting be considered by Council.

State

- Road Traffic Code 2000
The authority to determine speed limits rests exclusively with the Commissioner of Main Roads.

Policy Implications

Local

Nil

State

- Main Roads WA Speed Zoning Guidelines
These guidelines dictate speed limit determinations based on factors such as road environment, crash history, and traffic composition.
- Road Traffic Code 2000
Advocates for safe speed management as part of a broader road safety framework.

Financial Implications

Further advocacy would require additional officer time and administrative resources with minimal likelihood of achieving a different outcome.

The Shire does not possess legislative authority to impose or alter speed limits on Blue Plains Road.

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024 - 2034
Community Aspiration: Inclusive, Active, and Resilient Community
Strategy: Strategy 1.3 – Social and Support Systems

While road safety aligns with community wellbeing objectives, implementation authority lies outside the Shire's jurisdiction.

State

Nil

Site Inspection

Site Inspection undertaken: Yes

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Governance & Reptation: Continued pursuit despite jurisdictional limitations may create unrealistic community expectations and inefficient resource allocation.	Likely	Moderate	High	Clear communication to electors that this is beyond the Shire's control
Opportunity: To educate the community on the roles and responsibilities of different government agencies, ensuring greater understanding of road management processes				
Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Financial & Operational: Further engagement in this matter would consume officer time and administrative resources without a realistic outcome.	Likely	Minor	Moderate	No further action recommended beyond acknowledgement.
Opportunity: To direct resources to matters where the Shire can make a direct impact, improving efficiency				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Public Safety: Main Roads WA remains responsible for determining safe speed limits and traffic control measures	Unlikely	Major	Moderate	Continue to encourage community members to report concerns directly to Main Roads WA and WA Police
Opportunity: To strengthen relationships with Main Roads WA and WA Police for future road safety concerns where the Shire has a greater role				

Officer Comment / Details

The Shire acknowledges and respects the concerns raised by electors regarding traffic safety on Blue Plains Road.

Council has previously:

- Requested formal review by Main Roads Western Australia;
- Commissioned an independent Road Safety Inspection; and
- Implemented recommended safety improvements within its jurisdiction.

Speed zoning authority remains exclusively vested in Main Roads WA. The Shire has exhausted reasonable advocacy avenues, and no indication has been provided that a change to the current speed limit will occur.

The Chief Executive Officer remains committed to advocating for road safety improvements within the Shire's jurisdiction and capacity and will continue to engage with relevant authorities where viable enhancements can be pursued.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 140326**Moved Cr Foulkes-Taylor, seconded Cr Angus****That Council:**

1. Note the Electors decision at the Annual General Meeting held on 4 February 2026 as follows:
*“Moved Tuarn Brown, seconded Ian Hall
That a speed limit be set on Blue Plains Road of 80km/hr*

CARRIED: 7 / 0”;
2. Acknowledge that the setting of speed limits on Blue Plains Road is the exclusive jurisdiction of Main Roads Western Australia;
3. Note that the Shire has previously requested a review of the speed limit, commissioned an independent Road Safety Inspection, and implemented recommended safety improvements;
4. Confirm that the Shire has fulfilled its governance and advocacy responsibilities in relation to this matter; and
5. Resolve that no further action be taken unless new evidence or material changes arise.

CARRIED UNANIMOUSLY: 5 / 0

TIME: 7.54PM

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

AGAINST: Nil

Councillor Grayer re-entered the Council Chambers at 7.54pm.

CEO05 – 03/26 Adoption of Strategic Direction – Council Plan 2026–2036 (Part A)

Applicant	Shire of Chittering
File ref	SOCR-1845402348-121889
Author	Manager Governance and Corporate Performance
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Strategic Direction – Council Plan 2026–2036 (Part A).

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

Executive Summary

For Council to formally adopt the Vision, Mission, three Outcomes and 13 Strategic Objectives that will form the strategic framework of the Shire's long-term Council Plan 2026–2036.

Under the current Integrated Planning and Reporting Framework (IPRF), this document is formally known as the *Strategic Community Plan (SCP)*. However, draft IPR reforms propose renaming the Strategic Community Plan to the Council Plan. For clarity and consistency with the draft legislation, this report refers to the document as the Council Plan 2026 – 2036.

It is proposed that the Council Plan be publicly branded as:

Chittering 2036 – Our Place, Our Future

Adoption of these elements (Part A – Strategic Direction) will enable alignment with the forthcoming Corporate Business Plan and Annual Budget processes (Part B – Implementation). The final designed Council Plan 2026 – 2036 will be presented to Council for formal adoption in **June 2026**, alongside the next Corporate Business Plan and Annual Budget cycle.

Background

The Shire is currently undertaking the four-yearly review of its long-term planning framework, currently known as the Strategic Community Plan and proposed under draft IPR reforms to be titled the Council Plan. This document sets the 10-year strategic direction for the district.

As part of this review, extensive community engagement has been undertaken, including workshops, events, surveys and targeted engagement with residents, community groups and local businesses. Staff also facilitated internal sense-making sessions to translate community feedback into clear and meaningful strategic direction.

At the Council workshop held on 11 February 2026, Councillors considered the proposed Vision, Mission, three key Outcomes and 13 Strategic Objectives developed from this engagement. Council provided informal support for the overall direction and wording, with minor refinements discussed.

This agenda item seeks formal adoption of the community-informed strategic direction (Part A – Vision, Mission, Outcomes and Strategic Objectives) so it can:

- Guide development of the Corporate Business Plan
- Inform the Long Term Financial Plan
- Shape the 2026/27 Annual Budget

Proposed Branding of the Council Plan

While the document is formally the Shire’s Council Plan 2026–2036 (currently referred to in legislation as the Strategic Community Plan), it is proposed that it be publicly branded as:

Chittering 2036 – Our Place, Our Future

This branding is intended to:

- Emphasise the community-led nature of the plan
- Improve accessibility and readability
- Reflect shared long-term aspirations rather than an internal corporate document

Council’s endorsement is sought for the use of this branding for the final published document.

Consultation Summary

Local

The Vision, Mission and Outcomes were developed through extensive community engagement, including workshops, events and surveys involving residents, community groups and local businesses. Staff-led sense-making sessions were also undertaken to interpret and refine community feedback.

Council considered the proposed Vision, Mission and Outcomes at a workshop on **11 February 2026** and provided informal endorsement, subject to minor wording refinements.

State

Nil

Legislative Implications

State

- Local Government Act 1995
5.56. Planning for the future
 - (1) *A local government is to plan for the future of the district.*
 - (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

The adoption of the Vision, Mission and Outcomes forms part of Council’s obligations under the Act to plan for the future of the district in a structured and community-informed way.

Local

Nil

Policy Implications

There is no direct policy implication associated with the adoption of the Vision, Mission and Outcomes. These elements provide strategic direction and will inform future planning documents.

Financial Implications

There are no direct financial implications associated with adopting the Vision, Mission, Outcomes and Strategic Objectives.

These elements establish long-term strategic direction (Part A). Financial commitments, service delivery priorities and capital allocations will be determined through the Corporate Business Plan and Annual Budget processes (Part B – Implementation).

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024-2034

Focus area: Administration and Governance

Objective: Strengthen the Council’s commitment to accountability, transparency, and responsible financial management while empowering residents and stakeholders.

State

Nil

Site Inspection

Site inspection undertaken: No

Environmental Consideration

Environment consideration given: No

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Governance / Compliance	Possible	Moderate	Moderate	The risk is mitigated by formally adopting the Vision, Mission, Outcomes and Strategic Objectives through Council, ensuring clarity, transparency and compliance with planning requirements.
Opportunity: Nil				

Officer Comment/Details

The adoption of the Vision, Mission, Outcomes and Strategic Objectives provides clarity and certainty for the development of the Council Plan 2026–2036 and ensures alignment across planning, budgeting and reporting processes.

This adoption confirms long-term strategic direction only. It does not commit Council to specific projects, delivery timeframes or financial allocations. Detailed implementation will occur through the Corporate Business Plan and Annual Budget, which form Part B of the Shire’s integrated planning framework.

Endorsement of the proposed branding “Chittering 2036 – Our Place, Our Future” supports community ownership and accessibility of the document while maintaining compliance with statutory planning requirements.

Presenting the final designed document in June 2026 ensures alignment with the adoption of the Corporate Business Plan and Annual Budget, reinforcing the integrated planning hierarchy.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 150326

Moved Cr Foulkes-Taylor, seconded Cr Curtis

That Council, by an **ABSOLUTE MAJORITY**:

1. **Adopt the Vision for the Council Plan 2026–2036 as:**
“A community that values its people, supports local growth, and protects our rural character.”
2. **Adopt the Mission for the Council Plan 2026–2036 as:**
“To plan, lead and deliver services and infrastructure that support liveability, resilience and opportunity for the Chittering community.”
3. **Adopt the three Outcomes and 13 Strategic Objectives as the strategic framework for the draft Council Plan 2026–2036.**
4. **Endorse the public branding of the Council Plan 2026–2036 as:**
“Chittering 2036 – Our Place, Our Future.”
5. **Note that the final designed Council Plan 2026–2036 will be presented to Council for adoption in June 2026 in alignment with the Corporate Business Plan and Annual Budget.**

CARRIED BY AN ABSOLUTE MAJORITY: 6 / 0

TIME: 7.57PM

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

AGAINST: Nil

CEO06 – 03/26	Public Interest Disclosure (PID)
File ref	SOCR – 1845402348-122484
Author	Manager Governance and Corporate Performance
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Public Interest Disclosure Policy

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input checked="" 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

The *Public Interest Disclosure Act 2003* (WA) (the *Act*) that enables the reporting of serious wrongdoing within public authorities, including local governments.

To ensure compliance with the *Act*, the Shire has reviewed its governance arrangements and developed a Public Interest Disclosure (PID) Policy that establishes a clear framework for receiving and managing disclosures.

This report seeks Council's adoption of the Public Interest Disclosure (PID) Policy and the formal appointment of Authorised PID Officers. These measures ensure the Shire has appropriate governance arrangements in place to manage disclosures in accordance with legislative requirements.

Operational procedures and investigation processes will be managed administratively under the authority of the Chief Executive Officer.

Background

The *Act* provides a mechanism for reporting serious wrongdoing within public authorities.

A public interest disclosure may relate to:

- Corrupt conduct
- Misconduct
- Maladministration
- Improper use of public resources
- Substantial and specific risks to public health, safety or the environment

Under the *Act*, local governments must:

- Appoint Authorised Officers to receive disclosures;

- Maintain internal procedures for handling disclosures;
- Protect disclosers from victimisation;
- Ensure confidentiality is maintained;
- Report annually in accordance with statutory requirements.

Council's role is governance and oversight, not operational investigation.

Current Position

To strengthen compliance with the PID legislative framework, the Shire has:

- Developed a Public Interest Disclosure Policy to articulate governance expectations and compliance obligations;
- Reviewed internal reporting pathways to ensure confidentiality and protection mechanisms are in place;
- Prepared internal PID procedures to be implemented administratively; and
- Identified proposed Authorised PID Officers for formal appointment.

The PID Policy establishes high-level governance principles, while operational processes will be managed under the authority of the Chief Executive Officer.

Consultation Summary

Local

Internal consultation has been undertaken with Governance, Executive Management and relevant service areas.

State

Nil

Legislative Implications

State

- *Public Interest Disclosure Act 2003 (WA)*
- *Corruption, Crime and Misconduct Act 2003 (WA)*
- *Local Government Act 1995 (WA)*

Local

Nil

Policy Implications

State

Nil

Local

This report proposes the adoption of the:

- Public Interest Disclosure (PID) Policy.

Internal procedures supporting the PID Policy will be implemented administratively and do not require Council adoption.

Financial Implications

There are no direct financial implications arising from adoption of the PID Policy.

Implementation and compliance monitoring will be managed within existing resources.

Strategic Assessment / Implications

- Strategic Community Plan 2024–2034
Theme: Administration and Governance
Aspiration: Council accountability and transparency

State

Nil

Site Inspection

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Failure to properly manage a public interest disclosure may result in non-compliance with the Public Interest Disclosure Act 2003 (WA).	Unlikely	Major	Medium	Adoption of the PID Policy, appointment of authorised officers and implementation of internal procedures.
Breach of confidentiality relating to a disclosure may expose the Shire to legal and reputational consequences.	Unlikely	Major	Medium	Restricted access to disclosures, confidential recordkeeping and authorised officer oversight.
Inadequate governance arrangements for handling disclosures may undermine community confidence in the Shire's integrity framework.	Possible	Moderate	Medium	Adoption of a clear policy framework and transparent governance arrangements.
Opportunity: Strengthens integrity, transparency and public confidence in the Shire's governance framework.				

Officer Comment/Details

Council's role under the *Act* is governance and oversight.

This report supports Council's understanding of:

- The Shire's statutory obligations under the *Act*;
- The requirement to appoint Authorised PID Officers;
- The importance of adopting a clear governance policy to support whistleblower protections;
- The separation between Council oversight and administrative investigation processes.

Post-adoption actions:

- Formal appointment of Authorised PID Officers;
- Publication of Authorised Officer contact details;
- Staff awareness and training;
- Establishment of secure registers;
- Annual reporting in accordance with legislative requirements.

No further Council action will be required unless legislative amendments occur.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 160326

Moved Cr Angus, seconded Cr Hughes

That Council

1. Note the requirements of the *Public Interest Disclosure Act 2003 (WA)*;
2. Adopt the Public Interest Disclosure (PID) Policy; and
3. Appoints the following officers as Authorised PID Officers under the *Public Interest Disclosure Act 2003*:
 - a. Chief Executive Officer; and
 - b. Deputy Chief Executive Officer.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 7.58PM

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

AGAINST: Nil

CEO07 – 03/26 Code of Conduct – Council Members, Committee Members and Candidates

File ref	SOCR-1845402348-122904
Author	Manager Governance and Corporate Performance
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Proposed Code of Conduct – Council Members, Committee Members and Candidates (2026) 2. Previous Code of Conduct – Council Members, Committee Members and Candidates (2021)

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

Executive Summary

Council is requested to adopt the updated Code of Conduct for Council Members, Committee Members and Candidates.

Amendments to the Model Code of Conduct prescribed under the *Local Government (Model Code of Conduct) Regulations 2021* came into effect on 1 January 2026. Local governments are required to update their Codes of Conduct within three months of these amendments taking effect.

The proposed Code has therefore been reviewed to ensure it remains consistent with the Model Code and current legislative requirements.

The review has also repositioned the Code as a stand-alone governance document rather than a policy, recognising its statutory importance within the Shire's governance framework.

Background

The *Local Government Act 1995 (WA)* requires all local governments to adopt a Code of Conduct for Council Members, Committee Members and Candidates.

The Code must incorporate the Model Code of Conduct prescribed under the *Local Government (Model Code of Conduct) Regulations 2021*.

The Shire's Code of Conduct was originally adopted in December 2009 and subsequently updated in September 2020 and April 2021 following the introduction of the Model Code.

Further amendments to the Model Code came into effect on 1 January 2026. Under the Regulations, local governments must review and adopt an updated Code within three months of these amendments commencing.

To ensure compliance with this requirement, the Shire's Code has been reviewed and updated.

Consultation Summary

Local

Internal consultation has been undertaken with Governance, Executive Management and relevant service areas.

State

Advice was sought from the Western Australian Local Government Association to confirm legislative requirements and governance expectations relating to the review of the Code of Conduct for Council Members, Committee Members and Candidates under the Local Government (Model Code of Conduct) Regulations 2021.

Legislative Implications

State

- *Local Government Act 1995 (WA)*
Section 5.104 – Code of conduct for council members, committee members and candidates
- *Local Government (Model Code of Conduct) Regulations 2021 (WA)*
Schedule 1 – Model Code of Conduct
Division 3 – Behaviour requirements and complaints

Local

Nil

Policy Implications

State

Nil

Local

The updated Code supports and aligns with the following governance documents:

- Code of Conduct – Behaviour Complaints Management Policy
- Behaviour Complaint Form
- Behaviour Complaints Committee Terms of Reference

The Code has also been repositioned within the Shire's governance framework as a stand-alone governance document rather than a policy due to its statutory nature.

Financial Implications

Nil

Strategic Assessment / Implications

- *Strategic Community Plan 2024–2034*
Theme: Administration and Governance
Aspiration: Council accountability and transparency

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Failure to adopt an updated Code of Conduct within the required timeframe may result in legislative non-compliance	Possible	Moderate	Medium	Adoption of updated Code of Conduct
Opportunity: Maintains a clear governance framework and promotes high standards of conduct for elected representatives.				

Officer Comment/Details

The review of the Code of Conduct confirmed that the Shire's existing Code already substantially aligns with the Model Code prescribed in the Regulations.

The updated Code therefore does not introduce significant changes to behavioural expectations for Council Members, Committee Members or Candidates. The review primarily ensures legislative alignment and improves clarity.

The review also determined that the Code should be maintained as a stand-alone governance document rather than a policy, reflecting its statutory importance and role within the Shire's governance framework.

Adoption of the updated Code will ensure the Shire remains compliant with the legislative requirement to update the Code within three months of amendments to the Model Code commencing on 1 January 2026.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 170326

Moved Cr Foulkes-Taylor, seconded Cr Angus

That Council, by **ABSOLUTE MAJORITY**, resolves to:

1. **Adopt the Code of Conduct – Council Members, Committee Members and Candidates in accordance with section 5.104 of the Local Government Act 1995 and the Local Government (Model Code of Conduct) Regulations 2021.**
2. **Repeal the previous Code of Conduct – Council Members, Committee Members and Candidates adopted by Council on 21 April 2021.**

CARRIED BY AN ABSOLUTE MAJORITY: 6 / 0

TIME: 8.00PM

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

AGAINST: Nil

CEO08 – 03/26	Behaviour Complaints Committee – Appointments and Authorisations
File ref	SOCR-1845402348-122966
Author	Manager Governance and Corporate Performance
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Behaviour Complaints Management Policy (Revised) 2. Behaviour Complaint Form (Revised) 3. Behaviour Complaints Management Policy (Previous Version)

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

Executive Summary

Following adoption of the updated Code of Conduct – Council Members, Committee Members and Candidates at the previous agenda item, Council is requested to adopt the supporting Behaviour Complaints Management Policy and Behaviour Complaint Form.

These documents support the operation of the Code of Conduct and ensure the Shire has a clear and compliant process for managing behaviour complaints relating to Council Members, Committee Members and Candidates.

The policy and complaint form have been reviewed to:

- align with the *Local Government (Model Code of Conduct) Regulations 2021 (WA)*;
- clarify the difference between behaviour complaints and rules of conduct complaints; and
- simplify the complaint process for members of the public.

The revised documents replace the existing Code of Conduct – Behaviour Complaints Management Policy adopted by Council on 16 June 2021.

Background

Under the *Local Government Act 1995 (WA)* and the *Local Government (Model Code of Conduct) Regulations 2021 (WA)*, local governments must adopt a Code of Conduct for Council Members, Committee Members and Candidates.

Division 3 of the Model Code establishes behaviour requirements and allows behaviour complaints to be managed by the local government.

To support this process, the Shire previously adopted:

- the Code of Conduct – Behaviour Complaints Management Policy, and
- a Behaviour Complaint Form.

These documents provide the framework for receiving, assessing and resolving behaviour complaints.

Council also established a Behaviour Complaints Committee when the framework was originally adopted in 2021. However, presiding roles and authorised complaints officers were not formally appointed at that time.

This report formalises those appointments to ensure the complaints framework operates fully in accordance with the legislation and the Code of Conduct.

Following the review of the Code of Conduct, the supporting complaint framework has also been reviewed to ensure it remains consistent with legislative requirements and current governance practice.

Summary of Changes

The review confirmed that the overall complaints framework remains appropriate; however several improvements have been made.

Legislative Alignment

The policy and complaint form have been reviewed to ensure alignment with the Local Government (Model Code of Conduct) Regulations 2021 (WA) and the behavioural provisions in Division 3 of the Code of Conduct.

Separation of Complaint Types

The updated documents clearly distinguish between:

- Behaviour Complaints – managed by the local government under Division 3 of the Code of Conduct
- Rules of Conduct Complaints – which must be lodged with the Inspector of Local Government through the Department of Local Government, Sport and Cultural Industries.

This clarification was not clearly reflected in the previous policy.

Simplified Governance Framework

The revised policy focuses on high-level governance principles, with operational processes managed administratively rather than embedded in the policy itself.

This aligns with the Shire's policy template and contemporary governance practice.

Updated Complaint Management Responsibility

Responsibility for receiving and managing behaviour complaints has been clarified as the Complaints Officer (Chief Executive Officer) or authorised delegate.

This replaces references in the previous policy to specific complaint committees and procedural structures.

Updated Behaviour Complaint Form

The complaint form has been simplified to make it easier for members of the public to use.

Key improvements include:

- clearer explanation of behaviour complaints;
- guidance on when complaints must be directed to the Inspector of Local Government;
- removal of references to individual councillors receiving complaints;
- improved structure for describing the alleged breach and supporting information; and
- inclusion of a declaration confirming the accuracy of the complaint.

The changes to the complaint form are primarily administrative and designed to improve clarity for members of the public. The form has been updated to align with the revised Code of Conduct and current legislative requirements, clearly distinguish behaviour complaints from Rules of Conduct complaints, and simplify the

information required to lodge a complaint. The amendments do not change the legislative requirements for lodging or determining behaviour complaints.

Consultation Summary

Local

Internal consultation has been undertaken with Governance, Executive Management and relevant service areas.

State

Advice was sought from the Western Australian Local Government Association to confirm legislative requirements and governance expectations relating to behaviour complaints under the *Local Government (Model Code of Conduct) Regulations 2021*.

Legislative Implications

State

- *Local Government Act 1995 (WA)*
Section 5.8 – establishment of Council committees
Section 5.16 – delegation of powers and duties to committees
Section 5.23(2)(b) – confidential meetings
- *Local Government (Model Code of Conduct) Regulations 2021*
Division 3 – behaviour requirements and complaints
Clause 11(3) – appointment of authorised Behaviour Complaints Officers
Clauses 12–15 – assessment, dismissal and determination of complaints

Local

Nil

Policy Implications

State

The revised policy replaces the **Code of Conduct – Behaviour Complaints Management Policy adopted by Council on 16 June 2021**.

The updated framework supports the implementation of the newly adopted **Code of Conduct – Council Members, Committee Members and Candidates**.

Local

Nil

Financial Implications

Nil

Strategic Assessment / Implications

- *Strategic Community Plan 2024–2034*
Theme: Administration and Governance
Aspiration: Council accountability and transparency

State

Nil

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Unclear or outdated complaint processes may result in behaviour complaints being incorrectly managed or determined.	Possible	Moderate	Medium	Adoption of updated policy and complaint form.
Failure to align the complaints framework with the Model Code of Conduct Regulations may result in legislative non-compliance.	Unlikely	Moderate	Low	Review and adoption of updated policy aligned with legislative requirements.
Poorly managed behaviour complaints may result in reputational damage or loss of community confidence in Council governance.	Possible	Moderate	Medium	Clear complaint procedures, documented assessment process and appropriate governance oversight.
Opportunity: Strengthens governance and provides a clearer complaint process for the community.				

Officer Comment/Details

The revised Behaviour Complaints Management Policy and Complaint Form modernise the Shire's complaints framework while maintaining consistency with the legislative requirements governing councillor behaviour.

The review focused on improving clarity, simplifying the complaint process and ensuring the documents align with the updated Code of Conduct.

These updates do not introduce significant procedural changes but provide clearer guidance for both the community and the administration when managing behaviour complaints.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 180326

Moved Cr Angus, seconded Cr Grayer

That Council:

- 1. Adopts the attached Behaviour Complaint Form for the purpose of lodging behaviour complaints under Division 3 of the Code of Conduct.**
- 2. Appoints the Shire President as Presiding Member of the Behaviour Complaints Committee and the Deputy Shire President as Deputy Presiding Member.**
- 3. Authorises the following officers, by position title, as Behaviour Complaints Officers for the purpose of clause 11(3) of the *Local Government (Model Code of Conduct) Regulations 2021*:**
 - a. Chief Executive Officer**
 - b. Deputy Chief Executive Officer**
 - c. Executive Manager Development Services**

CARRIED UNANIMOUSLY: 6 / 0

TIME: 8.02PM

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

AGAINST: Nil

CEO09 – 03/26

Customer Service Charter

Applicant	Shire of Chittering
File ref	SOCR-1845402348-122697
Author	Governance Officer
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Shire of Chittering Customer Service Charter

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

Executive Summary

Council is requested to adopt the Shire of Chittering Customer Service Charter (per Attachment 1).

Background

Providing consistent, respectful and responsive customer service is a key responsibility of local government and supports positive engagement between the Shire and the community.

Officers identified the need to develop a Customer Service Charter to clearly outline the standard of service the community can expect when interacting with the Shire. While customer enquiries and complaints are currently managed through existing operational processes and the Service Level Complaints Handling Policy, the Shire does not currently have a single public-facing document outlining its customer service commitments.

The Customer Service Charter has been developed to provide a clear and accessible statement of the Shire's service standards, aligned with the Shire's vision and organisational values. The Charter is intended to be published on the Shire website and made available to the community as a concise reference document.

Development of the Charter supports ongoing organisational improvement and aligns with local government best practice in customer service delivery and community engagement.

Consultation SummaryLocal

- Chief Executive Officer
- Executive Management Team
- Governance Team

State

- Western Australian Local Government Association (WALGA) guidance.

- Local Government Operational Guidelines relating to complaints management

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

- Service Level Complaints Handling Policy

Financial Implications

Nil

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024-2034
Community Aspiration: Community Aspiration 5
Strategy: Strategy 5.1 Enhancing Accountability and Transparency

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

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation: Community expectations not clearly defined, resulting in inconsistent service experience	Possible	Minor	Moderate	Adoption of clear Customer Service Charter
Compliance: Lack of documented customer service commitments	Possible	Minor	Moderate	Alignment with complaints handling processes
Operational: Inconsistent service delivery across business units	Possible	Minor	Moderate	Staff awareness of expected customer service standards

Opportunity: Implementation of the Charter provides an opportunity to strengthen community trust, improve consistency of customer interactions, support organisational culture aligned with Shire values, and enhance transparency regarding service expectations.

Officer Comment/Details

Officers have prepared a Customer Service Charter to clearly communicate the Shires commitment to delivery consistent, respectful and responsive customer service.

The Charter outlines the standard of service the community can expect when interacting with the Shire, including clear communication, professionalism, accountability and accessible service delivery It also provides guidance on how customers can provide feedback, compliments or complaints.

The document has been intentionally developed as a short, plain-language charter rather than a detailed policy, ensuring it is easy for the community to understand and practical for everyday use.

Adoption of the Charter formalises the Shire's customer service commitment and supports a consistent approach to customer interactions across all service areas. The Charter will be published on the Shire website and made available through Administration following Council adoption.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 190326

Moved Cr Foulkes-Taylor, seconded Cr Hughes

That Council adopts the Shire of Chittering Customer Service Charter (per Attachment 1).

CARRIED UNANIMOUSLY: 6 / 0

TIME: 8.04PM

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

AGAINST: Nil

CEO10 – 03/26 Consideration of Reconciliation Action Plan (RAP) Roadmap Resolution - Fulfilment**File ref****Author**

Manager Governance and Corporate Performance

Authorising Officer

Chief Executive Officer

Disclosure of interest

Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure

Voting requirements

Simple Majority

Attachments

Nil

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

Executive Summary

At its Ordinary Meeting held on 10 August 2024, Council resolved to endorse the Shire of Chittering Roadmap to a Reflect Reconciliation Action Plan (RAP) 2024–2026 and to establish a Reconciliation Working Group to support governance and development of a Reflect RAP.

Since that time, the Shire has entered into a Standard Agreement with the Yued Aboriginal Corporation (executed 10 December 2025). This agreement provides a formal, place-based framework for recognition, engagement and ongoing collaboration with the Traditional Owners across the majority of the Shire.

The Shire also spans Whadjuk Country. The Shire remains committed to entering into a Standard Agreement with the Whadjuk people as soon as it is advised that the agreement is ready for signing.

This report seeks Council's determination that the intent of Resolution 100824 – Reconciliation Action Plan Roadmap 2024–2026 has been fulfilled through execution of the Yued Standard Agreement, noting Council's ongoing commitment to reconciliation across all Traditional Owner groups within the Shire.

Background

At the Ordinary Meeting of Council held on 10 August 2024, Council adopted Resolution 100824 – Reconciliation Action Plan Roadmap 2024–2026, which resolved as follows:

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100824*Moved Cr Ross, seconded Cr Curtis**That Council:*

1. *Endorses the Shire of Chittering Roadmap to a Reflect Reconciliation Action Plan 2024-2026; and*
2. *Instructs the Chief Executive Officer to establish a Reconciliation Working Group to assist with the governance of the roadmap and development of a Reflect Reconciliation Action Plan.*

*CARRIED 6 / 1**TIME: 8.37PM**For: Cr King, Cr Angus, Cr Hughes, Cr Ross, Cr Campbell, Cr Curtis**Against: Cr Dewar*

The intent of the resolution was to advance reconciliation outcomes through formal recognition of Traditional Owners, improved engagement and structured governance arrangements across the Shire of Chittering.

In March 2025, the Shire undertook an expression of interest (EOI) process to establish the Reconciliation Working Group. The EOI was advertised through the Shire's email newsletter, the Northern Valleys News (NVN) Chatter publication, and directly emailed to known contacts for both the Yued and Whadjuk peoples.

Two expressions of interest were received (neither in the targeted group):

- Willara Wyatt – Aboriginal Mental Health Worker based in Warwick, residing in Brabham; and
- Rosanna Hindmarsh – Wannamal.

Following this process, discussions commenced regarding the development of a Standard Agreement with the Yued Aboriginal Corporation. As these discussions progressed, no further action was undertaken in relation to the RAP Roadmap or establishment of the Reconciliation Working Group.

The Shire of Chittering spans the traditional lands of both the Yued and Whadjuk peoples. Following the Council resolution, the Shire engaged directly with the Yued Aboriginal Corporation and has since executed a Standard Agreement. This agreement establishes agreed protocols for engagement, consultation, cultural respect and ongoing partnership within Yued Country.

A Standard Agreement applicable to Whadjuk Country is currently not ready for execution. The Shire continues to engage respectfully and remains committed to entering into a Standard Agreement with the Whadjuk people as soon as it is advised that the agreement is ready for signing.

The Standard Agreement with the Yued Aboriginal Corporation (officially signed on 10 December 2025) achieves the core intent of Council Resolution 100824 by providing a practical, locally relevant and formal framework for reconciliation outcomes. This framework delivers the objectives of the endorsed RAP Roadmap and supersedes the need for development of a separate Reflect Reconciliation Action Plan.

While the Yued Standard Agreement applies to the majority of the Shire, Council acknowledges that reconciliation is ongoing across all Traditional Owner groups. The Shire's commitment to entering into a future Standard Agreement with the Whadjuk people ensures that reconciliation outcomes will be progressed consistently across the entirety of the Shire when that agreement is ready.

It is therefore appropriate for Council to formally recognise that Council Resolution 100824 has been fulfilled.

Consultation SummaryLocal

Engagement has been undertaken with the Yued Aboriginal Corporation through the negotiation and execution of the Standard Agreement. Engagement with the Whadjuk people will continue until a Standard Agreement is ready for execution.

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

Nil

Financial Implications

There are no additional financial implications arising from this report.

Strategic Assessment / Implications

Local

This matter supports the Shire's Strategic Community Plan and Council Plan objectives relating to inclusive governance, respectful relationships and reconciliation with Aboriginal communities.

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

The risk associated with this matter is considered low. The Shire has an active and formal agreement in place that addresses the intent of Council Resolution 100824, while maintaining a clear commitment to completing agreements with all relevant Traditional Owner groups.

Officer Comment/Details

The execution of the Standard Agreement with the Yued Aboriginal Corporation represents a significant and tangible reconciliation outcome for the Shire. It provides a structured and culturally appropriate framework for engagement that is place-based and responsive to local context.

While the original resolution contemplated development of a Reflect Reconciliation Action Plan, the Standard Agreement delivers the practical governance, recognition and engagement mechanisms intended through that process. It is therefore considered that the intent of Council's resolution has been substantively achieved.

Officers will continue to progress engagement with the Whadjuk people and will bring forward a further report should a Standard Agreement become ready for execution.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 200326

Moved Cr Hughes, seconded Cr Angus

That Council:

1. Note the actions undertaken in relation to Council Resolution 100824, including the expression of interest process conducted in March 2025;
2. Note that the Shire of Chittering has entered into a Standard Agreement with the Yued Aboriginal Corporation on 10 December 2025;
3. Affirm the Shire's commitment to entering into a Standard Agreement with the Whadjuk people as soon as it is advised that the agreement is ready for signing; and
4. Determine that Council Resolution 100824 – Reconciliation Action Plan Roadmap 2024–2026, has been fulfilled and requires no further action.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 8.07PM

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

AGAINST: Nil

CEO11 – 03/26**Policy Review**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-100078
Author	Governance Officer
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. Previous Policies 2. Updated Policies

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

Executive Summary

Council is requested to review and endorse the updated Council Policies per Attachment 2.

Background

At its Ordinary Council Meeting on 18 February 2026, Council resolved (Council Resolution 130226) to endorse an updated Council Policy Framework, including adoption of revised Policy and Position Statement templates and authorisation for the progressive transition of existing Council Policies in accordance with the approved Transition Schedule (March – June 2026).

Following on from that resolution, Administration and Finance policies have now been reviewed and transferred to the approved template format.

The updated policies are presented to Council (Attachment 2) for formal endorsement following completion of the template transition process.

Consultation SummaryLocal

- Chief Executive Office
- Executive Management Team

State

- Western Australian Local Government Association (WALGA) guidance on policy and regulatory functions.

Legislative ImplicationsState

- Local Government Act 1995
 - s2.7(2)(b) – Council determines local government policies
 - s5.41 – Functions of the Chief Executive Officer

Local

Nil

Policy ImplicationsState

Nil

Local

- Council Policy Register
- Council Position Statement Register

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024-2034
Community Aspiration: Community Aspiration 5
Strategy: Strategy 5.1 Enhancing Accountability and Transparency

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

State

Nil

Site Inspection

Site inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance: Failure to formally endorse transitioned policies may result in continued reliance on legacy policy formats, creating inconsistency across Council governance documents	Possible	Minor	Low	Policies presented for endorsement following structured review and transition program approved by Council
Operational: Delays in completing the approved transition schedule may impact implementation of the	Possible	Minor	Low	Staged transition program monitored through registers

endorsed Policy Transition Schedule				
<p>Opportunity: Completion of the transition schedule presents the following organisational opportunities:</p> <ul style="list-style-type: none"> • Improved governance consistency across Council policies • Strengthened legislative and compliance alignment • Enhanced accessibility and readability for Councillors, staff and community • Reduced organisational risk arising from outdated or inconsistent policy documentation, and • Continued implementation of Council's endorsed transition schedule 				

Officer Comment/Details

The policies listed below have been reviewed as part of the approved transition program and updated to align with the endorsed Council Policy Template, changes are noted below:

POLICY	CHANGES
Administration Policies	
1.2 – Australian Citizenship Ceremonies	<ul style="list-style-type: none"> • New Template • Objective updated to read “Department of Home Affairs” not “Department of Immigration and Citizenship” • Addition of Definitions • Addition of Compliance
1.3 – Service Level Complaints Handling	<ul style="list-style-type: none"> • New Template • Addition of Definitions • Addition of Roles and Responsibilities • Addition of Compliance • Removal of Annexure
1.4 – Election Advertising	<ul style="list-style-type: none"> • New Template • Addition of Compliance
1.5 – Record Keeping	<ul style="list-style-type: none"> • New Template • Addition of Compliance
1.7 – Asset Management – Infrastructure Assets	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Roles and Responsibilities • Addition of Compliance
1.8 – Conferral of Title – Honorary Freeman of the Shire of Chittering	<ul style="list-style-type: none"> • New Template • Addition of Definitions • Addition of Compliance
1.9 – Risk Management	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Compliance
1.10 – Reimbursement of Volunteers for Damaged Personal Equipment	<ul style="list-style-type: none"> • New Template • Addition of Compliance
1.11 – Recording and Livestreaming of Council Meetings	<ul style="list-style-type: none"> • New Template • Addition of Compliance
1.12 – General Compliance and Enforcement	<ul style="list-style-type: none"> • New Template • Addition of Definitions • Addition of Compliance
1.14 – Execution of Documents and Use of the Common Seal	<ul style="list-style-type: none"> • New Template • Addition of Definitions • Addition of Compliance
1.15 – Communications and Social-Media	<ul style="list-style-type: none"> • New Template • Addition of Compliance

Finance Policies	
2.1 – Investment	<ul style="list-style-type: none"> • New Template • Addition of Compliance
2.2 – Rating	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Definitions • Addition of Roles and Responsibilities • Addition of Compliance
2.3 – Community Donations	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Compliance
2.5 – Purchasing & Procurement	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Definitions • Addition of Roles and Responsibilities • Addition of Compliance
2.6 – Change in Use of Rural Land	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Definitions • Addition of Roles and Responsibilities • Addition of Compliance
2.7 – Related Party Disclosures	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Roles and Responsibilities • Addition of Compliance
2.8 – Financial Hardship – Collection of Rates and Service Charges	<ul style="list-style-type: none"> • New Template • Addition of Scope • Addition of Definitions • Addition of Roles and Responsibilities • Addition of Compliance

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 210326

Moved Cr Angus, seconded Cr Foulkes-Taylor

That Council review and endorse the following policies (per Attachment 2), as transitioned to the approved Council Policy Template in accordance with Council Resolution 130226:

1. Administration Policies
 - a. 1.2 – Australian Citizenship Ceremonies
 - b. 1.3 – Service Level Complaints Handling
 - c. 1.4 – Election Advertising
 - d. 1.5 – Record Keeping
 - e. 1.7 – Asset Management – Infrastructure Assets
 - f. 1.8 – Conferral of Title – Honorary Freeman of the Shire of Chittering
 - g. 1.9 – Risk Management
 - h. 1.10 – Reimbursement of Volunteers for Damaged Personal Equipment
 - i. 1.11 – Recording and Livestreaming of Council Meetings
 - j. 1.12 – General Compliance and Enforcement
 - k. 1.14 – Execution of Documents and Use of the Common Seal
 - l. 1.15 – Communications and Social-Media
2. Finance Policies
 - a. 2.1 – Investment
 - b. 2.2 – Rating
 - c. 2.3 – Community Donations
 - d. 2.5 – Purchasing & Procurement
 - e. 2.6 – Change in Use of Rural Land
 - f. 2.7 – Related Party Disclosures
 - g. 2.8 – Financial Hardship – Collection of Rates and Service Charges

CARRIED UNANIMOUSLY: 6 / 0

TIME: 8.09PM

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

AGAINST: Nil

CEO12 – 03/26**Extraordinary Election – Councillor Vacancy**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-122921
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of Interest	Neither the Author nor Authorising Officer have any impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. Western Australian Electoral Commission Election Date and Cost Estimate 2. Western Australian Electoral Commission Written Agreement Letter

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

Executive Summary

Cr Mark Campbell tendered his resignation from Council on 3 March 2026, creating a vacancy in the office of Councillor.

Pursuant to the *Local Government Act 1995*, where a vacancy occurs in the office of Councillor and the term of office is not due to expire within the prescribed period, Council is required to fill the vacancy by way of an extraordinary election.

The purpose of this report is for Council to formally declare the office vacant and authorise the Chief Executive Officer to notify the Western Australian Electoral Commission and make the necessary arrangements for the conduct of an extraordinary election.

Background

Cr Mark Campbell served as a Councillor of the Shire of Chittering for five years prior to tendering his resignation on 3 March 2026, effectively immediately.

As the vacancy has occurred with more than 12 months remaining in the term of office (expiring October 2027), the vacancy must be filled by extraordinary election in accordance with *section 4.40 of the Local Government Act 1995*.

The Western Australian Electoral Commission (WAEC) conducts extraordinary elections on behalf of local governments. Upon notification of the vacancy, the WAEC will determine the election timeline in accordance with legislative requirements.

Consultation Summary

Local

- Western Australian Electoral Commission (preliminary advice regarding process and indicative timeframes)

State

Not applicable

Legislative Implications

Local

- Local Government Act 1995
 - Section 4.39 – Vacation of office
 - Section 4.40 – Extraordinary elections
 - Local Government (Elections) Regulations 1997

Section 4.40 of the Act requires that where a vacancy occurs in the office of Councillor and the term is not due to expire within 12 months, an extraordinary election must be held.

The Chief Executive Officer is required to notify the WAEC of the vacancy as soon as practicable.

State

Nil

Policy Implications

Local

Nil

State

Nil

Financial Implications

The cost of conducting the extraordinary election will be met by the Shire of Chittering.

Based on preliminary advice from the WAEC, the estimated cost is approximately \$(waiting on cost estimate) depending on enrolment numbers and postal election requirements.

Provision can be made through the existing 2025/2026 operational budget or by budget amendment if required.

Strategic Assessment / Implications

Local

- Strategic Community Plan 2024 - 2034
 - Community Aspiration: Inclusive, Active, and Resilient Community
 - Strategy: Strategy 1.1 – Strong leadership, governance and civic participation

Filling the vacancy through an extraordinary election ensures continued democratic representation and supports transparent and accountable governance.

State

Nil

Site Inspection

Site Inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Governance & Reptation: Failure to comply with statutory requirements for filling a vacancy may result in non-compliance with the Act and reputational damage.	Likely	Moderate	High	Ensure prompt notification to the WAEC and compliance with all legislative timeframes.
Financial: Election costs exceed budget allocation.	Possible	Moderate	Medium	Obtain formal cost estimate from WAEC and adjust budget if required.
Opportunity: An extraordinary election provides the community with the opportunity to elect a new representative and reinforces democratic engagement.				

Officer Comment / Details

The resignation of Cr Campbell has created a vacancy that must be filled in accordance with statutory requirements.

In order to comply with *section 4.40 of the Local Government Act 1995*, Council must formally declare the office vacant and authorise the Chief Executive Officer to notify the WAEC.

Upon notification, the WAEC will determine the election date and manage the conduct of the extraordinary election on behalf of the Shire.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 220326

Moved Cr Foulkes-Taylor, seconded Cr Angus

That Council by an ABSOLUTE MAJORITY:

1. Note the resignation of Cr Mark Campbell effective 3 March 2026;
2. Declare the office of Councillor vacant pursuant to section 4.39 of the *Local Government Act 1995*;
3. Declare in accordance with s4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election, together with any other elections or polls in which may be required;
4. Decide in accordance with s4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as postal election;
5. Authorise a budget amendment of \$28,000 in the 2025/26 Annual Budget to accommodate the cost of the extraordinary election; and
6. In accordance with section 4.9(1)(b) of the *Local Government Act 1995*, fix the date of the extraordinary election as Thursday, 25 June 2026.

CARRIED BY AN ABSOLUTE MAJORITY: 6 / 0

TIME: 8.12PM

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

AGAINST: Nil

CEO13 – 03/26 Appointment of Delegates to External Organisations

Applicant	Shire of Chittering
File ref	SOCR-1845402348-55726
Author	Governance Officer
Authorising Officer	Chief Executive Officer
Disclosure of Interest	Neither the Author nor Authorising Officer have any impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	Nil

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

Executive Summary

Council is requested to appoint delegates and representatives to Council Committees and Groups.

Background

Council is required to review and confirm its representation on:

- Statutory and advisory committees established under the *Local Government Act 1995*;
- Internal working and advisory groups of Council;
- External organisations and regional forums where Shire representation is invited or required.

Under s5.10(1) of the *Local Government Act 1995*, Council may appoint members (by absolute majority) to committees and prescribe the number of members, deputy members and terms of appointment.

Delegates are typically appointed for a two-year term, aligning with the local government election cycle, unless otherwise specified by the governing body or Council resolution.

This process ensures transparency and provides clarity to both Elected Members and stakeholders regarding representation responsibilities and reporting obligations.

Consultation SummaryLocal

Nil

State

Nil

Legislative ImplicationsLocal

- Shire of Chittering Standing Orders Local Law 2023
 - cl2.1- Establishment of committees
 - cl2.5 – Appointment of committee members
 - cl5.2 – Order of business

State

- Local Government Act 1995
 - s5.8 – Establishment of committees
 - s5.9 – Type of committees
 - s5.10 – Appointment of committee members
 - s5.11A – Deputy committee members
 - s5.12 – Presiding members and deputies
 - s5.17 – Limits on delegation of powers and duties to committees
 - s5.23 – Meetings generally open to the public
- Bush Fires Act 1954 – s38 (Bush Fire Advisory Committee)
- Emergency Management Act 2005 – s38 (Local Emergency Management Committee)

Policy ImplicationsLocal

Code of Conduct for Council Members

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Aspiration:	Council Accountability and Transparency
Strategy:	5.4 – Building Trust and Transparency
Strategic Objective:	Strengthen the Council’s commitment to accountability, transparency, and responsible financial management while empowering residents and stakeholders

State

Nil

Site Inspection

Site Inspection undertaken: Not applicable

Environmental Consideration

Environment consideration given: Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Failure to appoint delegates	Unlikely	Moderate	Moderate	Appoint all delegates at SCM to ensure statutory and external representation continuity
Conflict of interest or non-attendance at meetings	Possible	Moderate	Moderate	Require delegates to report back to Council and maintain attendance records
Opportunity: To strengthen Council's presence across regional networks and committees, ensuring effective advocacy for the Shire and alignment with community priorities.				

Officer Comment / Details

The following table outlines the representation required for the 2026 – 2027 period.

1. Council Statutory Committees

Committee	Representation	Legislative Basis
Audit, Risk and Improvement Committee	All Councillors (per Terms of Reference)	<i>Local Government Act 1995 s5.8</i>
Behaviour Complaints Committee	All Councillors (per Policy)	Shire Policy – established
Chittering Bush Fire Advisory Committee	X1 Delegate X1 Deputy Delegate	<i>Bush Fires Act 1954 s38</i>
Chittering Local Emergency Management Committee	X1 Delegate X1 Deputy Delegate	<i>Emergency Management Act 2005 s38</i>

2. Advisory Groups

Advisory Group	Representation	Purpose
Chittering Education Scholarship Advisory Group	X1 Delegate X1 Deputy Delegate	Review and recommend award recipients
Chittering Tourism Advisory Group	X1 Delegate X1 Deputy Delegate	Advise on local economic initiatives

3. External Agency Groups

Organisation / Group	Representation	Notes
WALGA Avon Midland Country Zone	X1 Delegate (Shire President) X1 Deputy Delegate (Deputy Shire President)	Meets quarterly at various regional locations
Northern Growth Alliance	X1 Delegate X1 Deputy Delegate	
Avon Regional Organisation of Councils	X 1 Delegate (Shire President) X 1 Deputy Delegate (Deputy Shire President)	Meets quarterly in Toodyay
Rural Water Council of WA (inc)	X1 Delegate X1 Deputy Delegate	
Wheatbelt North Regional Road Group	X1 Delegate (Shire President) X1 Deputy Delegate (Deputy Shire President)	Representation aligns with MRWA regional governance

4. External Incorporated Associations

External Incorporated Association	Representation	Notes
Chittering Land Conservation District Committee (t/a Chittering Landcare Group)	X1 Delegate X1 Proxy	Local environmental liaison
Ellen Brockman Integrated Catchment Committee	X1 Delegate X1 Deputy Delegate	

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 230326

Moved Cr Angus, seconded Cr Hughes

That Council by an ABSOLUTE MAJORITY:

1. Appoint the President and Deputy President as the Delegate and Proxy respectively to the following external agency groups:
 - a. WALGA Avon Midland Country Zone:
 - i. One delegate; and
 - ii. One proxy.
 - b. Northern Growth Alliance:
 - i. One delegate; and
 - ii. One proxy.
 - c. Avon Midland Peri-Urban Partnership:
 - i. One delegate; and
 - ii. One proxy.
2. Appoint Cr Foulkes-Taylor as the Alternate Member of Joint Development Assessment Panel.

CARRIED BY AN ABSOLUTE MAJORITY: 6 / 0

TIME: 8.14PM

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

AGAINST: Nil

ITEM 11. REPORTS OF COMMITTEES

COM01 – 03/26	Local Emergency Management Committee Unconfirmed Meeting Minutes & the Shire of Chittering Local Emergency Management Arrangements
Applicant	Shire of Chittering
File ref	SOCR-1845402348-100280
Author	Support Officer – Bushfire, Emergency Services & Rangers
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	<ol style="list-style-type: none"> 1. “Unconfirmed” minutes from Local Emergency Management Committee Meeting held on 4 March 2026 2. Local Emergency Management Plan 3. Local Emergency Management Work Plan (<i>Confidential</i>) 4. Local Recovery Plan (<i>Confidential</i>)

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

Executive Summary

Council is requested to receive the minutes from the Chittering Local Emergency Management Committee meetings held on Wednesday, 4 March 2026 and to endorse the suite of Local Emergency Management Arrangement documents as presented to the Committee at that meeting.

Background

The Shire of Chittering has been involved in the Local Emergency Management Arrangement Pilot Project which has been coordinated by WALGA and DFES. The main outcome of this project was to determine a more practical format for the Shire’s Local Emergency Management Arrangements as prescribed by the *Emergency Management Act 2005*.

The draft documents were circulated to the Local Emergency Management Committee to consider and table at the March Meeting. The Chittering Local Emergency Management Committee meeting met on Wednesday, 4 March 2026, where the following formal recommendation was made and carried:

MOTION

Moved Cr Hughes / Seconded Cr Grayer

That the Local Emergency Management Committee receives and endorses the Local Emergency Management Plan, Local Emergency Management Work Plan and the Local Recovery Plan and recommend to Council to adopt the plans.

CARRIED UNANIMOUSLY

Consultation SummaryLocal

Local Emergency Management Committee

State

Nil

Legislative ImplicationsLocal

Nil

State

- Local Government Act 1995, s5.12 and s5.13
- Emergency Management Act 2005

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of—
 - a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established—

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

Policy ImplicationsLocal

Nil

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

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

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

Site Inspection

Not applicable

Environmental Consideration

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Natural Environment: Making sure the natural environment of the Shire is protected as much as possible	Possible	Minor	Moderate	Ensuring requirements are met through holding the scheduled meetings
Opportunity: Nil				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation: The Shire's reputation in the community being impacted because we are not prioritising emergency management efforts	Possible	Minor	Moderate	More regular LEMC meetings with meaningful membership and valuable information shared at meetings.
Opportunity: Committee members building rapport with each other and understanding each other's specific needs should an emergency occur				

Officer Comment/Details

Following the meeting of the Local Emergency Management Committee, Council is requested to receive the meeting minutes and endorse the suite of documents to form the new set of Local Emergency Management Arrangements as prescribed by the *Emergency Management Act 2005*.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 240326

Moved Cr Hughes, seconded Cr Grayer

That Council:

1. Receive the 'unconfirmed' minutes from the Local Emergency Management Committee meeting held on Wednesday, 4 March 2026.
2. Adopt the Local Emergency Management Arrangement Documents, namely:
 - a. The Local Emergency Management Plan;
 - b. The Local Emergency Management Work Plan; and
 - c. The Local Recovery Plan

CARRIED UNANIMOUSLY: 6 / 0

TIME: 8.16PM

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

AGAINST: Nil

ITEM 12. MOTIONS, OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

ITEM 13. QUESTIONS FROM MEMBERS WITHOUT NOTICE

QMWN01 – /26 **Cr John Curtis – Homes West Housing**

Question: Have we received any money from the sale of the Homes West housing?

Response: *The Chief Executive Officer advised that the process is still underway. The Shire is still busy with the subdivision of the block, for it to be subdivided off the Shire property which will then enable the sale of the housing.*

ITEM 14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

ITEM 15. MEETING CLOSED TO THE PUBLIC**Matters of which the meeting may be closed****OFFICER RECOMMENDATION / COUNCIL RESOLUTION 250326****Moved Cr Angus, seconded Cr Foulkes-Taylor****That Council moves into a confidential session to discuss the following items:**

- **CON1 – 03/26 Compliance Consideration for Unauthorised Vegetation Clearing and Works – Lot 201 (99) Polinelli Road, Lower Chittering; and**
- **CON02 – 03/26 Chief Executive Officer Performance Review**

Under the terms of the *Local Government Act 1995*, s5.23(2)(a)(d):**(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 —****(a) a matter affecting an employee or employees.****(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.****CARRIED UNANIMOUSLY: 6 / 0**

TIME: 8.18PM

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

AGAINST: Nil

CON1 – 03/26	Compliance Consideration for Unauthorised Vegetation Clearing and Works – Lot 201 (99) Polinelli Road, Lower Chittering
Applicant	Shire of Chittering
File ref	A12001
Author	Senior Planning Officer
Authorising Officer	Executive Manager Development Services
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	1. CON01 – 07/25 – Council Resolution 2. DS01 – 02/26 – Council Resolution 3. State Administrative Tribunal Correspondence 4. DWER Correspondence

Reason for Confidentiality

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

(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 —

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

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

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 260326

Moved Cr Hughes, seconded Cr Grayer

That Council do not pursue punitive action in relation to the vegetation clearing that has occurred at Lot 201 (99) Polinelli Road, Lower Chittering.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 8.22PM

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

AGAINST: Nil

CON02 – 03/26**Chief Executive Officer Performance Review**

Applicant	Shire of Chittering
File ref	SOCR-1845402348-61891
Author	Governance Officer
Authorising Officer	Chief Executive Officer
Disclosure of Interest	The Authorising Officer has a Financial Interests that requires disclosure
Voting requirements	Absolute Majority
Attachments	1. CEO Performance Review 2. Clarified Position on CEO Request – Option 8

Mrs Melinda Prinsloo declared a financial interest in this item and left the Council Chambers at 8.22pm.

Nature of Interest: This item relates to Mrs Prinsloo's employment.

Jake Whistler and Denaye Kerr left the Chambers at 8.22pm.

Reason for Confidentiality

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

(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 –

(a) a matter affecting an employee or employees

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

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 270326

Moved Cr Angus, seconded Cr Foulkes-Taylor

That Council by an ABSOLUTE MAJORITY:

1. Endorse the outcome of the review of the Chief Executive Officer's performance for the period of 1 March 2025 to 28 February 2026, which resulted in the Chief Executive Officer's performance being assessed as "Exceeds Expectations" as detailed in Attachment 1 (*Confidential*).
2. Endorse the Total Reward Package remuneration outcome arising from the performance review in accordance with Option 8 contained within the confidential attachment.
3. Endorse the Chief Executive Officers Key Performance Indicators for 2026/27 as contained in the attached report and schedule the next review of the Chief Executive Officers performance and total remuneration package for consideration by Council in February-March 2027.
4. Determine that the Chief Executive Officer's Car Allowance be aligned to the WALGA Vehicles Rate 3 – Unrestricted private use (Large SUV), noting that this allowance was originally based on that rate at the commencement of the Chief Executive Officer's contract on 15 February 2023, but has not been formally indexed or adjusted since that date.
5. Determine that the Chief Executive Officer's Personal Development Allowance remain unchanged and be maintained in accordance with the existing terms of the Chief Executive Officer's contract.
6. Endorse the ability for the Chief Executive Officer to take a provision of a 19-day month (one day rostered off per month).
7. Appoints Strategic Leadership Consulting (SLC), to facilitate the Chief Executive Officer's next annual performance review and assist with the development of Key Performance Indicators for the remainder of the Chief Executive Officer's five-year contract.

CARRIED BY AN ABSOLUTE MAJORITY: 6 / 0

TIME: 8:31 PM

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

AGAINST: Nil

PROCEDURAL MOTION / COUNCIL RESOLUTION 280326

Moved Cr Angus, seconded Cr Dewar

The Council come out from behind closed doors.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 8:32 PM

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

AGAINST: Nil

Melinda Prinsloo, Jake Whistler and Denaye Kerr re-entered the Council Chambers at 8.33pm

Public reading of resolution that may be made public

The Presiding member read aloud the resolutions.

ITEM 16. CLOSURE

The Presiding Member declared the meeting closed at 8.39pm.