



ORDINARY COUNCIL MEETING MINUTES CONFIRMED

**5:00pm, Wednesday, 15 October 2025
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

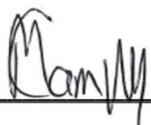
These minutes were approved for distribution on 20 October 2025



Melinda Prinsloo
Chief Executive Officer

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 19 November 2025

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 5.03pm.

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

Attendance

The following members will be in attendance:

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

The following staff will be in attendance:

Melinda Prinsloo	Chief Executive Officer
Scott Clayton	Deputy Chief Executive Officer
Leo Pudhota	Executive Manager Technical Services
Jake Whistler	Executive Manager Development Services
Anna Bateman	Executive Assistant

Members of the General Public: 1

Media: 0

Apologies

Cr Mark Campbell – due to the change in meeting time.

Approved leave of absence

Nil

Announcements

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

Cr Aaron King

17 September 2025	Councillor Information Session Ordinary Meeting of Council
21 September 2025	Historic Vehicle Day
25 September 2025	Hon Rob Horstman MLC & Shane Love MLA Office Opening
26 September 2025	Bindoon Bypass Advisory Group Team Meeting
3 October 2025	President & CEO Meeting
8 October 2025	Councillor Information Session Agenda Forum
10 October 2025	Bindoon Bypass Advisory Group Team Meeting

Cr Mary Angus

17 September 2025	Councillor Information Session Ordinary Meeting of Council
18 September 2025	Avon Regional Organisation of Councils Meeting
22-24 September 2025	WALGA Conference
3 October 2025	President & CEO Meeting
8 October 2025	Councillor Information Session Agenda Forum

Cr Kylie Hughes

17 September 2025	Councillor Information Session Ordinary Meeting of Council
22-24 September 2025	WALGA Conference
25 September 2025	Hon Rob Horstman MLC & Shane Love MLA Office Opening
8 October 2025	Councillor Information Session Agenda Forum

Cr Carmel Ross

17 September 2025	Councillor Information Session Ordinary Meeting of Council
25 September 2025	Hon Rob Horstman MLC & Shane Love MLA Office Opening
9 October 2025	Chittering Bush Fire Advisory Committee Meeting
8 October 2025	Councillor Information Session Agenda Forum

Cr John Curtis

17 September 2025	Councillor Information Session Ordinary Meeting of Council
8 October 2025	Councillor Information Session Agenda Forum

Cr Mark Campbell

17 September 2025 Councillor Information Session
Ordinary Meeting of Council

Cr David Dewar

17 September 2025 Councillor Information Session
Ordinary Meeting of Council

21 September 2025 Historic Vehicle Day

25 September 2025 Hon Rob Horstman MLC & Shane Love MLA Office Opening

8 October 2025 Councillor Information Session
Agenda Forum

13 October Wannamal Community Centre Committee

ITEM 3. DISCLOSURE OF INTEREST

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

Nil

ITEM 4. PUBLIC QUESTION TIME**Public question time**

Nil

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

Nil

Deputations

Nil

Presentations

Nil

ITEM 6. APPLICATIONS FOR LEAVE OF ABSENCE**COUNCILLOR MOTION / COUNCIL RESOLUTION 011025**

Moved Cr Curtis, seconded Cr Ross

That Council approve the following leave of absence:

- Cr Curtis – Saturday, 18 October 2025 through to Thursday, 23 October 2025 and Saturday, 25 October 2025 through to Monday, 3 November 2025(inclusive).

CARRIED UNANIMOUSLY: 6 / 0

TIME: 5.12pm

ITEM 7. CONFIRMATION OF MINUTES

Ordinary Meeting of Council: 17 September 2025

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 021025

Moved Cr Angus, seconded Cr Ross

That the minutes of the Ordinary Meeting of Council held on Wednesday, 17 September 2025, as published on the Shire website, be confirmed.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 5.13pm

ITEM 8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

- This evening marks the final Ordinary Council Meeting of the current Council. Local Government Elections close this Saturday, 18 October 2025, with the count to take place shortly after. I would like to take this opportunity to wish all candidates the very best of luck and to thank each of you for your willingness to serve our community.
 - A Special Council Meeting has been scheduled for Friday, 24 October 2025 at 12.00pm here in the Council Chambers. At that meeting, the newly elected Council will be sworn in, and the positions of Shire President and Deputy President will be determined for the next two-year term.
 - Tonight also marks the end of the current term for three Councillors, Cr Dewar, Cr Ross, and myself. While the election results will determine who returns to Council, I would like to acknowledge the commitment of all Councillors completing their term and thank them for their contribution to the community over the past four years. Cr Dewar and I have chosen to nominate again, while Cr Ross has chosen not to re-nominate, bringing to a close eight years of service since October 2017. Her long-standing contribution and dedication to the community are sincerely appreciated.
 - Finally, as well as the election taking place on Saturday, we also have the Bindoon Show, organised by the Bindoon Agricultural Society. It's always a highlight of our local calendar and promises to be a fantastic day for the whole community. I encourage everyone to come along and enjoy the event.
-
- Cr Curtis thanked Cr Ross for all her hard work and dedication.
-
- Cr Ross thanked Council and family for their support over the last 4 years.

ITEM 9. REPORTS

DEVELOPMENT SERVICES

Nil

TECHNICAL SERVICES

Nil

CORPORATE SERVICES

CS01 – 10/25

List of Accounts Paid for the Period Ending 30 September 2025

Applicant	Shire of Chittering
File ref	12/03/4
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 for the Period Ending 30 September 2025, inclusive of payments made using credit, debit, or other purchasing cards

	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 <i>Health Act</i> , <i>Dog Act</i> 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

To present the list of accounts paid by the Chief Executive Officer under delegated authority for the period ending 31 August 2025.

To present the List of Payments made by authorised employees using credit, debit and other purchasing cards for the period ending 31 August 2025.

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

- Deputy Chief Executive Officer

State

Nil

Legislative ImplicationsState

- Local Government Act 1995
- Local Government (Financial Management) Regulations

Local

Nil

Policy ImplicationsLocal

Nil

State

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 Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Theme:	Administration and Governance
Community Aspiration:	Council Accountability and Transparency
Strategy:	5.2 – Responsible Financial Management
Strategic Objective:	Strengthen the Council's commitment to accountability, transparency, and responsible financial management while empowering residents and stakeholders.

State

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 31 August 2025" is presented to Council, inclusive of payments made using credit, debit or other purchasing cards.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 031025

Moved Cr Curtis, seconded Cr Hughes

That Council receive the List of Accounts Paid as per Attachment 1 totalling \$818,888.48, inclusive of payments made using credit, debit or other purchasing cards for the period ending 31 August 2025:

1. PR6915, PR6931;
2. EFT28933 – EFT29026; and
3. Direct Debits, Cheques as listed.
4. Purchasing Card as listed.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 5.20pm

Question from Cr Curtis

Question: Cr Curtis made a query regarding item 99 of the List of Accounts, and asked what this item was regarding

Response: The Chief Executive Officer took the question on notice, and sent the following response on Thursday, 16 October 2025:

Payment for legal fees: McLeods Lawyers – We had to obtain legal advice on a Development Application to determine the legalities of a proposal for an extension to an existing non-conforming use. Or whether the proposal constitutes an additional X use.

Question from Cr Angus

Question: Cr Angus made a query regarding item 59 of the List of Accounts, and asked why there were credit notes for this item

Response: The Chief Executive Officer took the question on notice, and sent the following response on Thursday, 16 October 2025:

WA Stump Grinders: Credit Notes – Initial invoices for works applied GST to an already grossed up sum. These credit notes were processed removed the duplicate GST amounts.

CS02 – 10/25

Monthly Financial Report for the Period Ending 30 September 2025

Applicant	Shire of Chittering
File ref	12/03/4
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. Monthly Financial Report for the Period Ending 30 September 2025

	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.
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<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 requested to consider the interim financial statement for the period ending 31 August 2025.

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 2024/25 financial year 10% and a value greater than \$100,000 will be used for the reporting of variances.”

Consultation SummaryLocal

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

State

Nil

Legislative ImplicationsLocal

Nil

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*.

Policy ImplicationsLocal

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

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Theme:	Administration and Governance
Community Aspiration:	Council Accountability and Transparency
Strategy:	5.1 – Enhancing Accountability 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
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 041025

Moved Cr Angus, seconded Cr Ross

That Council receives the Monthly Financial Report for period ending 31 September 2025 as per Attachment 1.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 5.22pm

CHIEF EXECUTIVE OFFICER**CEO01 – 10/25****Work Health and Safety Statistics Report – September 2025****Applicant**

Shire of Chittering

File ref

SOCR-1845402348-258

Author

Human Resources 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. WHS Statistics Monthly Report – September 2025
2. WHS Statistics Quarterly Report – Quarter Ending September 2025

	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 <i>Health Act</i> , <i>Dog Act</i> 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 requested to receive the Shire of Chittering's Work Health and Safety Statistics Report for the quarter ending September 2025.

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

Local

Nil

State

- Work Health and Safety Act 2020

Policy Implications

Local

- Work Health and Safety (WHS) Policy

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Theme:	Administration and Governance
Community Aspiration:	Council Accountability and Transparency
Strategy:	5.1 – Enhancing Accountability 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
Reputation: Sufficient OSH practices	Possible	Moderate	Moderate	Rare chance of there being an insignificant impact
Opportunity: Nil				

Officer Comment / Details

Nil

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 051025

Moved Cr Angus, seconded Cr Ross

That Council receives the Shire of Chittering Work Health and Safety Statistics Report for the month ending September 2025 which includes:

1. Monthly Report for September 2025
 - a. Statistics
 - b. Near miss, incident and damage report
 - c. WHS Training
 - d. Site Inspections
 - e. Safety Observations
2. 1st Quarter Report July 2025 – September 2025
 - a. Working hours
 - b. Average overtime per person by department
 - c. Training hours
 - d. Toolbox talks
 - e. Equipment Breakdown

CARRIED UNANIMOUSLY: 6 / 0

TIME: 5.23pm

CEO02 – 10/25 Councillor Committee and Group Representation

Applicant	Shire of Chittering
File ref	SOCR-1845402348-12
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
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<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 requested to endorse the dissolution and reclassification of certain Council and Advisory Groups, and to note that a revised Councillor Committee and Representation Booklet will be finalised and adopted by the incoming Council following the 2025 Local Government Election.

Background

Council customarily appoints delegates to committees, advisory groups, and external organisations at its first meeting following the ordinary local government election.

In preparation for the 2025 Swearing-In Ceremony, a full review of all current committees and advisory/working groups was undertaken. The review identified:

- Several advisory and user groups that are inactive or administrative in nature;
- The need to re-classify external representation categories to align with governance best practice; and
- The opportunity to defer adoption of the consolidated booklet until the new Council has had the opportunity to workshop and consider future structure and delegations.

Consultation SummaryLocal

- Council
- Chief Executive Officer
- Executive Management Team
- Governance

State

Nil

Legislative ImplicationsLocal

- Shire of Chittering Standing Orders Local Law 2014

State

- Local Government Act 1995
 - s5.8 – Establishment of Committees
 - s5.9 – Types of committees
 - s5.10 – Appointment of committee members
 - s5.11 – Tenure of committee membership
 - s5.22 – Minutes of meetings
 - s5.23 – Meetings open to the public
 - s5.25 – Regulations about Council and Committee meetings
 - s7.1A – Establishment of Audit Committee
- Local Government (Audit) Regulations 1996
 - s16 – Functions of Audit Committee
- Local Government (Model Code of Conduct) Regulations 1996
 - s15(2) – Establishment of a procedure for dealing with complaints
- Bush Fires Act 1954
 - s67 – Bush Fire Advisory Committee
- Emergency Management Act 2005
 - s38 – Local Emergency Management Committee

Policy ImplicationsLocal

- Code of Conduct Behaviour Complaints Management
- Code of Conduct for Council Members, Committee Members and Candidates
- Transparency and Accountability Policy

State

Nil

Financial Implications

Nil

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Theme:	Administration and Governance
Community Aspiration:	Council Accountability and Transparency
Strategy:	5.1 – Enhancing Accountability 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
Reputation: Lack of transparency in reporting	Unlikely	Moderate	Moderate	Delegate Report framework and standard template
Opportunity: Nil				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Compliance: Non-compliance with statutory obligations	Unlikely	Moderate	Moderate	Booklet aligns responsibilities with legislation and policy
Opportunity: Nil				

Officer Comment / DetailsProposed Council Committees to be retained

The following statutory committees will continue to operate and be re-appointed at the Swearing-in Ceremony on 24 October 2025:

- Audit, Risk & Improvement Committee (ARIC) – statutory under s7.1A *Local Government Act 1995*
- Chittering Bush Fire Advisory Committee (BFAC) – established under s67 *Bush Fire Act 1954*
- Local Emergency Management Committee (LEMC) – statutory under s38 *Emergency Management Act 2005*
- Behaviour Complaints Committee (BCC) – Required under *Model Code of Conduct Regulations 2021*

External Agency Membership Representation to be retained and reclassified

To be recorded in the new booklet as *External Agency Membership Representation*:

- WALGA Avon Midland Country Zone
- Midwest / Wheatbelt Joint Development Assessment Panel
- Northern Growth Alliance
- Avon Regional Organisation of Councils (AROC)
- Rural Water Council of WA (Inc)
- Wheatbelt North Regional Road Group

Advisory Groups to be dissolved

Council endorses the dissolution of the following advisory groups, noting that consultation on relevant topics will continue through other engagement mechanisms or statutory processes:

- Chittering Community Support Funding Group (administrative function to remain with officers)
- Chittering Youth Crew Advisory Group
- Chittering Mining Advisory Group
- Chittering Community Planning Advisory Group
- Chittering Health Advisory Group

Advisory Groups to remain

The following advisory groups will continue to operate and be re-appointed at the Swearing-in Ceremony on 24 October 2025:

- Chittering Education Scholarship Advisory Group
- Chittering Tourism Advisory Group

User Groups (to be dissolved and managed administratively)

- Muchea Hall User Group
- Brockman Centre User Group
- Sandown Park User Group

These matters will now be handled through direct liaison between Administration and user representatives under facility management procedures.

The Shire's Community Facilities Officer has preliminarily discussed the proposed dissolution of the existing User Groups with individuals involved in these groups. Feedback from these informal discussions has generally been positive, and the concept of transitioning away from a User Group structure has been received well.

These User Group meetings are not minuted. Instead, they operate through informal meeting notes and a running action list, which primarily record administrative or facility-related matters. The majority of items raised are operational in nature, such as maintenance, scheduling, bookings, and compliance, which are addressed directly by the Community Facilities Officer through existing administrative processes.

Over time, the original purpose of these User Groups has evolved, their ongoing operations have increasingly focused on day-to-day management and maintenance coordination. This has blurred the distinction between Council's strategic governance role and administration's operational responsibilities.

Transitioning these groups to an administrative management model will:

- Streamline communication between facility users and Shire officers;
- Ensure operational issues are resolved efficiently through the appropriate administrative channels; and
- Allow Councillors to focus their engagement on strategic decision-making, policy development, and broader community outcomes through formal Council processes.

Administration acknowledges the importance of maintaining positive relationships with community facility users and will continue to meet regularly with these groups to ensure their needs are understood and addressed. Engagement will continue through the Community Facilities and Development teams, and future opportunities for Councillor participation, where strategically beneficial, can be considered by the incoming Council under the revised Councillor Committee and Representation Booklet and Framework.

External Incorporated Associations – Interim Approach

During the committee and representation review, the Shire examined all external incorporate associations to which Councillor delegates have historically been appointed.

Following this review, it was determined that several organisations operate independently of the Shire’s governance framework and that formal Councillor representation may not currently be necessary. Accordingly, the following organisations will be formally notified that Council delegates will not be appointed at this time, with representation arrangements to be reviewed by the incoming Council following the October 2025 election:

- Bindoon and Districts Historical Society
- Wannamal Community Centre

In relation to the Chittering Land Conservation District Committee (t/as Chittering Landcare Group) and the Ellen Brockman Integrated Catchment Committee, further analysis has determined that both groups perform functions that are closely aligned with the Shire’s environmental management, land-care, and catchment management responsibilities. These groups provide valuable technical input, community partnership, and regional coordination in areas directly supporting the Shire’s environmental and sustainable objectives.

However, preliminary investigation has identified some gaps in the current structure and representation arrangements, particularly regarding how Councillors are appointed, the scope of their role, and the mechanism for two-way reporting between the Shire and the committees.

To ensure that Councillor participation remains effective, transparent, and aligned with the Shire’s strategic priorities, further engagement will be undertaken with both organisations after the Swearing-In Ceremony. This process will clarify:

- the governance framework and membership composition of each committee
- the expectations and reporting obligations of Councillor delegates;
- how representation can best support the Shire’s strategic objectives for environmental sustainability, land management, and regional collaboration.

It is anticipated that the outcomes of this engagement will enable Council to refine the scope of representation and update these details within the revised Councillor Committee and Representation Booklet to be considered by the new Council.

Communication Plan

Upon Council Resolution, letters will be issued to all dissolved and affected groups advising of Council’s decision and next steps. Additionally, an updated Councillor Committee and Representation Booklet will be prepared for the new Council to consider and workshopped post-election.

SUBSTANTIVE MOTION / COUNCIL RESOLUTION 061025

Moved Cr Ross, seconded Cr Angus

That Council endorse the following changes to the internal and external representation of groups as follows: -

1. Confirms the following will remain established *Council Committees*: -
 - a. Audit, Risk and Improvement Committee
 - b. Chittering Bush Fire Advisory Committee
 - c. Local Emergency Management Committee
 - d. Behaviour Complaints Committee
2. Reclassifies the following as *External Agency Membership Representation*:
 - a. WALGA Avon Midland Country Zone
 - b. Midwest / Wheatbelt Joint Development Assessment Panel
 - c. Northern Growth Alliance
 - d. Avon Regional Organisation of Councils
 - e. Rural Water Council of WA (Inc)
 - f. Wheatbelt North Regional Road Group
3. Dissolves the following *Advisory Groups*:
 - a. Chittering Community Support Funding Group
 - b. Chittering Youth Crew Advisory Group
 - c. Chittering Mining Advisory Group
 - d. Chittering Community Planning Advisory Group
 - e. Chittering Health Advisory Group
4. Retains the following *Advisory Groups*:
 - a. Chittering Education Scholarship Advisory Group
 - b. Chittering Tourism Advisory Group*
5. Dissolves the following *User Groups*, noting that future liaison will occur through administration and facility management processes: -
 - a. Muchea Hall User Group
 - b. Brockman Centre User Group
 - c. Sandown Park User Group
6. Notes that the following *External Incorporate Associations* have been reviewed as part of the governance restructure:
 - a. Bindoon and Districts Historical Society – no delegate to be appointed at this time; to be reviewed by the incoming Council
 - b. Wannamal Community Centre - no delegate to be appointed at this time; to be reviewed by the incoming Council
 - c. Chittering Land Conservation District Committee (t/a Chittering Landcare Group) – delegates to be appointed at the Swearing-in Ceremony, with further engagement to be undertaken post-election to clarify representation structure, governance alignment, and Councillor role
 - d. Ellen Brockman Integrated Catchment Committee – delegates to be appointed at the Swearing-in Ceremony, with further engagement to be undertaken post-election to clarify representation structure, governance alignment, and Councillor role
7. Requests the Chief Executive Officer to prepare and present a revised Council Committee and Representation Booklet to the newly elected Council for consideration and adoption following a post-election workshop.
8. Engage in a documented consultation process with organisations and groups proposed to be discontinued, or where the attendance of a Councillor proposed to be discontinued to advise them of the decision and seek their input, prior to the November Ordinary Council Meeting.

***Terms of Reference are currently under review**

CARRIED: 5 / 1

TIME: 5.56pm

FOR: Cr King, Cr Angus, Cr Curtis, Cr Ross, Cr Hughes

AGAINST: Cr Dewar

AMENDMENT

Moved Cr Ross, seconded Cr Hughes

To add the following:

8. Engage in a documented consultation process with organisations and groups where the discontinuation of Councillor attendance is proposed to advise them of the proposal and seek their input, prior to the November Ordinary Council Meeting.

CARRIED: 4 / 2

5.29pm

FOR: Cr King, Cr Angus, Cr Ross, Cr Hughes

AGAINST: Cr Curtis and Cr Dewar

AMENDMENT

Moved Cr Curtis, seconded Cr Angus

Move 4(b) and renumber as 3(f) (dissolving the Chittering Tourism Advisory Group).

LOST: 1 / 5

Time: 5.32pm

FOR: Cr Curtis

AGAINST: Cr King, Cr Angus, Cr Dewar, Cr Ross, Cr Hughes

PROCEDURAL MOTION

Moved Cr King, seconded Cr Angus

Suspend standing order.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 5.38pm

PROCEDURAL MOTION

Moved Cr King, seconded Cr Angus

Resume standing order.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 5.47pm

AMENDMENT

Moved Cr Hughes, seconded Cr Ross

Reword point 8. of the Substantive Motion

8. Engage in a documented consultation process with organisations and groups proposed to be discontinued, or where the attendance of a Councillor proposed to be discontinued to advise them of the decision and seek their input, prior to the November Ordinary Council Meeting.

CARRIED: 5 / 1

TIME: 5.50pm

FOR: Cr King, Cr Angus, Cr Curtis, Cr Ross, Cr Hughes

AGAINST: Cr Dewar

ITEM 10. REPORTS OF COMMITTEES

COM01 – 10/25

Feedback Motion from Chittering Bush Fire Advisory Committee Meeting**Applicant**

Shire of Chittering

File ref

SOCR-1845402348-454

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. Chittering Bush Fire Advisory Committee Meeting Minutes 8 July 2025

	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 <i>Health Act</i> , <i>Dog Act</i> 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 requested to receive the findings from the Chief Executive Officer's (CEOs) investigation into the Chittering Bush Fire Advisory Committee's (CBFAC) motion of 8 July 2025.

Background

At its meeting of 8 July 2024, the Chittering Bush Fire Advisory Committee (CBFAC) passed a motion requesting that the Chief Executive Officer (CEO) investigate whether there was a need or legislative ability to appoint multiple Deputy Chief BFCOs.

MOTION

Moved Shelly Pannell / Seconded Paul Groves

To recommend to Council that the appointment of up to two additional deputies be investigated, covering the following items:

1. Support provided by DFES personnel to develop the role and responsibility statement for the position.
2. The appropriate recruitment process to identify a suitable candidate or candidates.
3. The outcome of that investigation to be tabled and considered at the October Chittering Bushfire Advisory Committee meeting.

CARRIED UNANIMOUSLY

Consultation Summary

Local

Internal review of the Bush Fires Act 1954 (the *Act*), the *Shire's Bush Fire Brigades Local Law 2012* (the *Local Law*), and the Memorandum of Understanding (MOU) between the Shire and the Department of Fire and Emergency Services (DFES).

State

Advice sought from the Western Australian Local Government Association (WALGA) Governance team.

Legislative Implications

Local

- *Shire of Chittering Bush Fire Brigades Local Law 2012*
 - s2.3: established a clear ranking structure at incidents. When brigade members have command of a fire under the *Act*, the senior brigade officer present has full authority to direct suppression activities. However, if a Fire Control Officer attends such an incident, the most senior Fire Control Officer assumes command and issues instructions in accordance with s13 of the *Act*.
 - s3.3: subject to any directions by the local government the Chief BFCO has primary managerial responsibility for the organisation and maintenance of bush fire brigades.
 - s3.5: Establishes the duties of the Chief BFCO
 - s3.7: During the AGM of the bush fire brigade, brigade members are to be nominated to the CBFAC to serve as the BFCO for the brigade area until the next brigade AGM.
 - s3.10: After the AGM, CBFAC is to nominate to the local government the nominations per s3.7, a person for the position of a BFCO for each of the brigade areas. Further clarification on this can be found in *Schedule 1, s3.2(3)*. The singularity indicates that only 1 BFCO is permitted per brigade.
 - s3.11: The CBFAC considers brigade motions, nominates BFCOs to Council, and Council has regard to nominees when making statutory appointments, with Council having delegated this authority to the CEO.
 - *Schedule 1, s3.2(4)*: Outlines the duties and responsibilities of the FCO
- *MOU between the shire and DFES*
 - cl4.2: DFES appoints the Community Emergency Services Manager (CESM) as Chief BFCO under s38A;
 - cl6.10: Shire appoints the Deputy Chief BFCO.
 - Sets out Prevention, Preparedness, Response, Recovery responsibilities and management / administration expectations for both parties.
- *Shire of Chittering Delegations Register – 16 July 2025*

Council has delegated to the Chief Executive Officer (Delegation 3.1.8, Delegations Register, adopted by Council July 2025), the power under s38 of the *Act* to appoint BFCO, including designating one as Chief BFCO and one as Deputy Chief BFCO, and to determine seniority among other officers.

In exercising this delegation, the CEO must comply with the statutory requirements of s38(2A) and s50(1)(b), including providing public notice of appointments and maintaining records of names, addresses and occupations of all appointed BFCOs. This reinforces that the matter under consideration is properly within the CEO's delegated authority, subject to Council's overall governance role and the statutory requirements of the *Act*.

State

- Bush Fires Act 1954
 - s38: Council may appoint as many BFCOs as necessary; of those officers, only one is to be appointed Chief BFCO, and only one Deputy Chief BFCO. Multiple substantive Deputies are not provided for.
 - s38(2C): The Local Government must give notice of Chief, Deputy Chief and BFCO appointments in a newspaper circulating in the district.
 - s38A: FES Commissioner may designate a DFES employee as Chief BFCO in a district is requested by the local government (this aligns with the Shire MOU with DFES).
 - s38(2A) & (2E): Acting appointments of Chief or deputy Chief BFCO must be done in accordance with these sections.
 - s38(8): The local government may appoint as many BFCOs as it thinks is necessary.
 - s67: Advisory committees (such as CBFAC) advise Council on bush fire matters, they do not appoint statutory officers, Council remains the appointing authority.

- Interpretation Act 1984
 - s52(1)(b) – (c): Where an office holder is unable to act, a person may be appointed to act in that office for a specified period, used for Acting Chief or Acting Deputy Chief BFCO scenarios.

Policy ImplicationsLocal

Nil

State

Nil

Financial Implications

Advertising / Public notice costs for appointments and minor administrative updates (Certificate updates, website changes etc)

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2024 - 2034

Community Theme:	Administration and Governance
Community Aspiration:	Council Accountability and Transparency
Strategy:	5.1 – Enhancing Accountability 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
Compliance: Non-compliance with the <i>Act</i>	Possible	Moderate	Moderate	Current two-Deputy Chief BFCO model is non-compliant
Opportunity: Adopting one Deputy and publishing appointments remedies this				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Reputation: Community / Volunteer Confidence	Possible	Moderate	Moderate	Clear role explanations and a fair, transparent appointment / nomination process reduce uncertainty and maintain morale
Opportunity: The statutory BFO pathway preserves leadership opportunities across brigades				

Officer Comment / Details

At its meeting of 8 July 2025, the CBFAC resolved unanimously to request investigation into the possible appointment of up to two additional Deputy Chief BFCOs. The motion directed that the investigation address the development of role statements with DFES support, the appropriate recruitment process, and that the outcomes be tabled at the October 2025 meeting.

As a result of this investigation, a number of legislative inconsistencies and compliance risks have been identified. It is important to note at the outset that the *Local Law* is currently due for review. However, there is presently no completion date for that process. Irrespective of the status of the reviewed local law the current statutory framework of the *Act* remains binding.

Key Findings of the Investigation**1. Multiple Deputy Chief BFCOs**

s38 of the *Act* provides for the appointment of only one Chief BFCO and one Deputy Chief BFCO. The long-standing practice of appointing two Deputy Chief BFCOs is therefore non-compliant and must be corrected.

The *Interpretation Act 1984* s52 allows for acting appointments where the Chief or Deputy Chief BFCO is unable to act, but not the creation of multiple substantive Deputy roles.

2. Multiple BFCOs

The *Act* expressly permits Council to appoint “as many BFCOs as its thinks necessary” (s38(1)), in addition to the Chief and Deputy Chief BFCO.

Conversely, the *Local Law* has historically been interpreted to suggest “one per brigade area.” This has created confusion between statutory officers under the *Act* and brigade officers under the *Local Law*.

3. Terminology – BFCO vs FCO

The *Act* consistently uses the term *Bush Fire Control Officer (BFCO)* to describe statutory appointments made by Council (or by the CEO under delegation). These officers exercise statutory powers such as issuing permits to burn, directing burning operations, and assuming control at fires.

The *Local Law*, however, refers to *Fire Control Officers (FCOs)* rather than *Bush Fire Control Officers*. This is inconsistent with the *Act*, creates unnecessary ambiguity, and should be rectified in the *Local Law* review so that terminology matches the legislation.

Aligning the *Local Law* with the *Act* will provide clarity for volunteers, brigades, DFES, and the community as to who holds statutory authority and who holds internal brigade positions.

4. Ranking of Officers

cl2.3 of the *Local Law* provides that at an incident, the most senior brigade officer commands unless a Fire Control Officer (FCO) is present, in which case the most senior FCO assumes command in accordance with s13 of the *Act*.

This reinforces the statutory authority of FCOs, but the coexistence of “brigade ranking” and “statutory ranking” has blurred roles and may create operational uncertainty.

5. Nomination and Appointment Pathway

Under the *Local Law*, brigades nominate individuals at their AGM for consideration by the CBFAC, which then makes recommendations to Council.

Council, however, has delegated authority under Delegation 3.1.8 for the CEO to make statutory appointments and determine seniority.

While nominations remain important for transparency and community input, the statutory authority to appoint rests with the local government (delegated to the CEO).

6. MOU between the Shire and DFES

The MOU specifies that DFES will designate the Community Emergency Services Manager (CESM) as Chief BFCO under s38A of the *Act*, and that the Shire appoints the Deputy Chief BFCO.

While the MOU recognises this arrangement, it cannot override the statutory requirements of the *Act* or Council’s delegations.

Pathways for Rectification

1. Multiple Deputy Chief BFCOs

Immediate Compliance:

- Confirm the appointment of one Deputy Chief BFCO only, with the other reverting to a BFCO
- Provide assurance that the reclassified officer retains statutory authority as a BFCO and continues to hold operational leadership.

Interim Option:

- Acknowledge that the appointment of two Deputy Chief BFCOs is non-compliant under the *Act*.
- Given that the fire season is imminent and changes to senior officer structures mid-season may disrupt preparedness, Council could elect to retain both current Deputies in their existing roles until the next AGM, on the understanding that this is a temporary measure.
- At the AGM, nominations can be considered afresh, and the CEO (under delegation) can appoint a single Deputy in compliance with the *Act*, with the second officer reclassified as a BFCO.
- This option maintains operational stability during the critical fire season but should be expressly acknowledged as non-compliant and rectified at the earliest practicable opportunity.

2. Multiple BFCOs

Clarify and Reinforce:

- Adopt a standard of one/two BFCOs per brigade, with statutory authorities only within that brigade’s defined locality. This balances statutory flexibility under the *Act* with fairness and consistency across brigades.
- Formally record all appointments in the statutory register and advertise in accordance with s38(2A).

Align Local Law:

- As part of the current *Local Law* review, insert a clear provision that each brigade may nominate one/two members for consideration as BFCOs.
- This would make explicit the practice of appointing more than one BFCO per brigade and ensure the *Local Law* is consistent with the *Act*.

Ranking of BFCOs:

- If two BFCOs are appointed from the same brigade, they must be ranked (e.g. “1st BFCO” and “2nd BFCO” for that brigade area) to avoid ambiguity in command.
- The updated *Local Law* should align this ranking system with the broader officer hierarchy, ensuring that statutory BFCOs and brigade officers integrate seamlessly on the fireground.

Operational Integration:

- Ensure that ranking and responsibilities are transparent and documented in Shire procedures, reducing any potential for conflict between BFCOs.

3. Terminology – BFCO vs FCO

- Amend the *Local Law* to replace “Fire Control Officer” with “Bush Fire Control Officer,” ensuring consistency with the *Act*.
- Update role descriptions, brigade constitutions, and operating procedures accordingly.

4. Ranking of Officers

- Amend the *Local Law* to better align its ranking provisions with the statutory framework, removing ambiguity.
- Consider a local “rank equivalency” chart to help volunteers and external agencies understand the dual structures.

5. Nomination and Appointment Pathway**Procedural Clarification:**

- Reinforce that CBFAC’s role under s67 of the *Act* is advisory only; the CEO makes appointments under delegation.
- Ensure that brigade nominations are recorded, considered, and transparently presented to the CEO for decision.

Formalisation:

- Use the standard template for brigade nominations in the *Local Law* and CBFAC recommendations to Council/CEO.
- Publicly advertise final appointments as required under s38(2A).

Local Law Review:

- Amend the *Local Law* to ensure it does not unintentionally suggest that brigades appoint statutory officers, instead clarifying that nominations are advisory only.

Officer Recommendation Rectification

As the fire season is now upon us, it is important that any changes to the senior officer structure do not disrupt operational preparedness. While compliance with the *Act* requires that only one Deputy Chief BFCO be appointed, the practical implementation of this change is dependent on several interrelated factors. These include the review and amendment of the *Local Law*, alignment of Brigade Operating Procedures, clarification of Brigade AGM nomination processes, and consistency across CBFAC’s advisory functions.

Accordingly, it is recommended that Council adopt the interim option, allowing the current two Deputy Chief BFCOs to remain in place until the next Brigade AGM, or until such time as the *Local Law* and related governance instruments can be updated and implemented. This approach provides immediate stability during the fire season, while recognising the current non-compliance. Following the AGM (or completion of governance updates), nominations can be reconsidered and the statutory correction to one Deputy Chief BFCO implemented alongside updated governance instruments.

By ensuring that statutory appointments, the Local Law, brigade operating procedures, and AGM processes are advanced together, rectification will be integrated and transparent. This coordinated approach will deliver both compliance and operational clarity, while maintaining confidence among volunteers, DFES, and the community.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION 071025

Moved Cr Ross, seconded Cr Angus

That Council:

1. Receives the findings from the Chief Executive Officer's (CEOs) investigation into the Chittering Bush Fire Advisory Committee's (CBFAC) motion of 8 July 2025.
2. Endorse the interim option for the 2025/26 fire season, acknowledging that the current arrangement of two Deputy Chief Bush Fire Control Officers is non-compliant under the *Bush Fires Act 1954*, however, retaining the existing structure will maintain operational stability and continuity during the imminent fire season.
3. Notes that the *Shire of Chittering Bush Fire Brigades Local Law 2012* will be reviewed and updated in the coming year, and that rectification of this non-compliance (including alignment of officer designations, ranking structure, and nomination procedures) will be implemented as part of that review process.

CARRIED UNANIMOUSLY: 6 / 0

TIME: 6.00pm

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

Nil

ITEM 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

QMWN01 – 10/25 Cr Curtis

Question: Do Councillors have any say in extending the fire season, there have been members of the public who think that it should have been extended this year. Also, can different areas have different restrictions (i.e. Wannamal).

Response from the CEO: Extensions are done by the Chief Bush Fire Control Officer, with advice from DFES. There was a 1-week extension given this year, that was concurred from all Bush Fire Control Officers, and Volunteer Bush Fire Brigades. There have been several fires already this season, and Volunteers were not comfortable with any further extension, which was agreed with by the Chief. The entire Shire falls under the same fire restrictions; the Shire cannot be split. A permit can currently be obtained by a Bush Fire Control Officer. Ultimately it is the Chief Bush Fire Control Officer that decides the restricted times, not the Shire.

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

NB01 – 10/25 Travel Cost to Cr Curits

Cr Curits declared a financial interest in the matter and will not vote in the matter.

Councillor	Type of Interest	Nature / Extent of Interest
Cr Curtis	Financial Interest	Direct financial interest, as he will benefit from the travel cost reimbursement.
Declaration pursuant to section 5.60A of the <i>Local Government Act 1995</i>		

Cr Curtis left Council Chambers at 6.06pm.

COUNCILLOR MOTION / COUNCIL RESOLUTION 081025

Moved Cr King, seconded Cr Ross

For the purpose of ensuring full attendance at the Special Council Meeting to be held on 24 October 2025, for the swearing-in of new councillors, and the election of the President and Deputy President that Cr Curits be reimbursed for the travel costs for Geraldton to Council Chambers and return at the per km rate prescribed in the *Public Services Award 1992*.

CARRIED: 4 / 1

TIME: 6.09pm

FOR: Cr King, Cr Angus, Cr Ross, Cr Hughes

AGAINST: Cr Dewar

Cr Curtis re-entered Council Chambers at 6.10pm

ITEM 14. MEETING CLOSED TO THE PUBLIC

Matters of which the meeting may be closed

Nil

Public reading of resolution that may be made public

Nil

ITEM 15. CLOSURE

The Presiding Member declared the meeting closed at 6.12pm.