



# SHIRE OF WOODANILLING



## ORDINARY MEETING OF COUNCIL Unconfirmed Minutes 18 October 2022

### Disclaimer

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Woodanilling warns that anyone who has an application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Woodanilling for any act, omission or statement or intimation occurring during a Council Meeting.

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# ORDINARY MEETING OF COUNCIL AGENDA

Minutes of the Ordinary Council Meeting of the Shire of Woodanilling held Tuesday 18 October 2022 at Kenmare Hall, Reshke Road, Kenmare.

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Shire President, Cr Russel Thomson declared the meeting open at 4.10pm. Cr Russel Thomson thanked the Kenmare Community members and Councillors and staff for attending the Ordinary Council Meeting held at Kenmare Hall. Cr Thomson noted that this afternoons meeting has exceeded the number of attendants to a Council meeting previously.

Cr Thomson advised that due to the ill health of Cr Jefferies wife, Michelle, that he would be presiding at today's meeting. Cr Thomson wishes Michelle a speedy recovery and our thoughts are with Cr Jefferies and the family.

Cr Thomson also advised that Cr Brown has been unable to attend today and will be an apology.

### 1.1. DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Division 6 Subdivision 1 of the Local Government Act 1995 requires Council Members and Employees to declare any direct or indirect financial interest or general interest in any matter listed in this Agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter be discussed.

NB: A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision making procedure relating to the declared matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

#### DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Disclosures of Interest Affecting Impartiality are required to be declared and recorded in the minutes of a meeting. Councillors who declare such an interest are still permitted to remain in the meeting and to participate in the discussion and voting on the particular matter. This does not lessen the obligation of declaring financial interests etc. covered under the Local Government Act.

To help with complying with the requirements of declaring Interests Affecting Impartiality the following statement is recommended to be announced by the person declaring such an interest and to be produced in the minutes.

"I (give circumstances of the interest being declared, eg: have a long standing personal friendship with the proponent). As a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".

**Nil disclosures for any items.**

## 2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

#### Present:

Cr Russel Thomson	Deputy Shire President	Presiding Member
Cr Peter Morrell		
Cr Dale Douglas		
Cr Bev Smith		
Kellie Bartley	Chief Executive Officer	
Sue Dowson	Deputy CEO	

#### Apologies:

Cr S Jefferies  
Cr T Brown

#### Observers:

Mr Ray Baxter  
Mr Grady Wilcox  
Mr John & Mrs Di Pickford  
Mr Peter Eckersley  
Mr & Mrs Ray Kowald  
Mr Mal Baxter  
Mr Mike & Mrs Sally Vermeulen

Mr Mark Tarnowy  
Mr Frank & Mrs Lola Carter  
Ms Jenna Fleay  
Mr Tim & Mrs Amy Bolt

### 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil to report.

### 4. PUBLIC QUESTION TIME

Cr Thomson advised that if there were any comments, statements or questions that were to be asked today. As this was a great representation of the Kenmare community, the floor was left open for the community to have this time to reflect on what they would like to ask Council.

#### **Sally Vermeulen, Kenmare**

Is it possible to improve the signage for fire risk down at the lake showing restriction periods? City folk come and light fires without the realisation of the dangers.

Can the Shire also reduce the hazard around the area by fuel reduction?

#### **Response by Cr Thomson**

*The Shire will be able to address this as we have started the spray program.*

#### **Response by Cr Douglas**

*The Shire's Community Development Committee attended Lake Queerearup today and there will be improved signage to the area and including upgrade to the fire restrictions as it was also highlighted this morning.*

How can the Shire prevent people from turning left when they get to the Lake turn off? Large vehicles get stuck when they turn left as there is no area for turning large vehicles around and this also goes into private property.

#### **Response by Chief Executive Officer**

*The Shire is able to order a NO THRU ROAD sign to assist in this matter.*

#### **Response by Cr Douglas**

*We are also able to review the signage with the current funding to make it clear to the direction of Lake Queerearup.*

Is there any chance we are able to get some signage on Kenmare Hall?

#### **Response by Chief Executive Officer**

*We are able to review this with the current draft plans for Kenmare Hall and erect.*

#### **Comment by Lola Carter**

Wendy BB did the signage around the whole of the shire, for Kenmare Hall and is there a chance for a seat for old people to sit.

#### **Response by Cr Douglas**

*We have applied through funding trails with Great Southern Treasures however ended up further down south in the Great Southern Region. With the release of Local Roads and Community Infrastructure Grants we are able to possibly utilise this funding.*

#### **Response by Deputy Chief Executive Officer**

*Wendy and I worked together on this project and the signs are ready to go to be printed. The list of current works is being presented at the next Community Development Meeting however Kenmare Hall will be a recommendation.*

**Ray Baxter, Woodanilling**

York Road Poison was removed on Baxter Road and it was dumped in Baxter's gravel pit. Ray has discovered further weeds that have been dumped there as well. What is the Shire able to do about this?

***Response by Cr Thomson***

*Happy to address this with the Chief Executive Officer will action.*

***Response by Chief Executive Officer***

*CEO confirmed that she will address this with the Works Coordinator.*

**John Pickford, Kenmare**

Road verge spraying has not been happening for a number of years what is going to happen with this?

***Response by Cr Thomson***

*The Shire has been active in some areas however there is more to be done which the Shire will be able to move forward with. With reference to our fire risk areas, we do have the support of funding through DFES and its grants program.*

***Response by Chief Executive Officer***

*The CEO has investigated the lack of spraying and lateness of starting a spray program to be earlier. This needs to be completed before the end of August. A spray program will be upgraded for the whole of Shire in areas of high risk areas, road reserves etc.*

**Sally Vermeulen, Kenmare**

What sort of insurance cover does the Hall have through the Council insurance policy?

***Response by Chief Executive Officer***

*It is currently covered under the Shire's Insurance Scheme. It is a good idea for the Shire to receive a list of items with pictures and invoices etc as proof of purchase for historical records in case of a future claim.*

**Lola Carter, Kenmare**

The roof repairs, was that covered by insurance?

***Response by Chief Executive Officer***

*Yes it was and the roof is to be fixed very shortly.*

**Graydn Wilcox**

Robinson Road gets a lot of use now and the CBH CEO is talking of the increase of road use for this coming year's harvest. How will the increase of use be dealt with by Local Government?

***Response by Cr Thomson***

*This is a Local Government road and we have allowed heavy traffic use the road. We believe there is a process that Main Road will repair the road and then the Road can be given back to Main Roads. The Grain cartage industry is a big issue for Local Governments. We are working towards a system to be able to do this that helps with the users along with the Shire who will struggle to maintain this road with the increase of roads users. We are trying to advocate to the Federal Government to help leverage funding to make this happen.*

***Response by Cr Douglas***

*Regional Road Group provides money to Local Government. Hoping by early next year the new group will have a list of eligible roads to take to Federal Government money.*

**John Pickford**

Lesser roads around the Shire, do we get enough money to resheet our gravel roads?

***Response by Cr Thomson***

*We always need more money to get all the roads completed, however we are aware we are behind with the current roads but endeavouring to get better at this.*

***Response by Chief Executive Officer***

*The shire will be updating their road plans and actions that are required across the district. We will also continue to grant fund to support our main roads that are funded through Regional Road Group and Roads to Recovery.*

**Tim and Amy Bolt entered the meeting at 4.40pm**

**Response by Cr Thomson**

*The heavy use of vehicles on some of our roads is significant with recent traffic counter numbers. The shire is also looking at the sets of rules/guidelines across the different councils and we are trying to get more uniformed with this. To have the similar basic guidelines across the shire and the surrounding Councils would be beneficial.*

**Response by Cr Morrell**

*The Shire is watching what will be happening with the Federal Government. It will be interesting to see what the Federal Government will put into the budget.*

**Peter Eckersley**

Road verge clearing have the rules changed over the last number of years. He has asked his farmer clients to contact the Shire regarding clearing requirements.

**Response by Cr Thomson**

*The Shire is well behind with verge maintenance however we are set by guidelines that we will continue to work with our community on these.*

**5. PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil to report.

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil to report.

**7. ANNOUNCEMENTS BY SHIRE PRESIDENT AND/OR DEPUTY PRESIDENT WITHOUT DISCUSSION**

Cr Thomson, Deputy Shire President advised that that Councillors Jefferies, Thomson, Morrell and Douglas attended Local Government Week.

Local Government Minister Carey updated on the Local Government Reform and one of those areas is to reduce councillors and to take away ward boundaries. This will have minimal impact on the Shire as we currently have no ward boundaries and our numbers are at 6 for elected members. Council meetings will proceed to be recorded with larger Councils taking their meetings to on line.

Speakers at Local Government Week – Ukrainian Ambassador absolutely grateful for the help and support from Australia. Ukraine going through a very tough patch.

Chief from WHS and Environment – Listen to understand what you are trying to get from the community.

Great opportunity to meet with other Shires and Councillors.

Cr Douglas – Speaker, rescuer from the Thai cave rescue, provided an insight into how we can do things differently in adverse conditions.

Cr Douglas acknowledgement Cr Thomson – 40 years of service to Local Government. There will be a celebration in February to celebrate Cr Thomson's 40 years of Service to Local Government all welcome.

Cr Thomson thanked Marg and those at home for their support.

Cr Thomson would further address the community at the end of the meeting.

## 8. CONFIRMATION OF COUNCIL MEETING MINUTES:

### 8.1. ORDINARY MEETING OF COUNCIL HELD – 20 SEPTEMBER 2022

That the Minutes of the Ordinary Meeting of Council held 20 September 2022 be confirmed as a true and correct record of proceedings without amendment.

#### **COUNCIL RESOLUTION OCM 105/10/2022**

**Moved Cr Morrell**

**Seconded Cr Douglas**

That the Minutes of the Ordinary Meeting of Council held 20 September 2022 be confirmed as a true and correct record of proceedings without amendment.

**CARRIED 4/0**

## 9. CONFIRMATION OF OTHER MEETING MINUTES:

### 9.1. BUSHFIRE ADVISORY MEETING HELD – 11 OCTOBER 2022

That the Minutes of the Bushfire Advisor Committee meeting held on the 11 October 2022 be endorsed by Council.

#### **COUNCIL RESOLUTION OCM 106/10/2022**

**Moved Cr Douglas**

**Seconded Cr Smith**

That the Minutes of the Bushfire Advisor Committee meeting held on the 11 October 2022 be endorsed by Council.

**CARRIED 4/0**

## 10. REPORTS OF OFFICERS

## 11. REGULATORY SERVICES

### 11.1. PROPOSED BOUNDARY REALIGNMENT AND AMALGAMATION – WAPC162835

<b>File Reference</b>	DA17/A132/ WAPC 162835
<b>Date of Report</b>	10 October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Jennifer Dowling, Town Planner Gillian French, Special Projects Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	Attachment 11.1.1 - Plan of subdivision (amalgamation/boundary realignment) Attachment 11.1.2 – WAPC 162835 - Application

<b>Proponent</b>	35 Degrees South
<b>Owner</b>	Thomas Eric Crossley and Tomsblock PTY LTD
<b>Date of Receipt</b>	28 September 2022
<b>Property Address</b>	Lot 106, 1211 and 4611 Harvey Road Cartmeticup
<b>Lot Area</b>	144ha
<b>TPS 1 Zoning</b>	Regional Rural

#### BRIEF SUMMARY

Council is in receipt of correspondence from the Western Australian Planning Commission (WAPC) seeking comment on an application for a boundary realignment and amalgamation, reducing the number of lots from three to two, between Lot 106, 1211 and 4611 Harvey Road, Cartmeticup as contained in **Attachment 11.1.2**. This report recommends that Council conditionally support the application.

#### BACKGROUND/COMMENT

The land has historically been broad acre farming land. There does not appear to be any proposal to change this land use.

Lot 1211 is currently separated in two by Harvey Road. The proposal is to amalgamate the western portion of Lot 1211 with Lot 4611 and the eastern portion of Lot 1211 with Lot 1061. The resultant configuration is a rationalisation of lot boundaries to provide for contiguous farming lots. The proposal does not result in the creation of any additional lots and provides for constructed road frontage to both Lots A and B via Harvey Road. The amalgamation of these lots will further assist in continued broad acre farming practices.

#### STATUTORY/LEGAL IMPLICATIONS

##### ***Planning and Development Act 2005 - Town Planning Scheme No.1.***

The land is zoned Regional Rural with the purpose of the land being for rural/agricultural purposes. The Scheme generally presumes against subdivision in the Regional Rural zone however does provide for boundary realignments and amalgamation that does not result in the creation of additional lots.

##### **State Planning Policy 2.5 – Rural Planning (2016)**

##### **Development Control Policy 3.4 – Subdivision of Rural Land (2016)**

This Development Control Policy is that with which the WAPC will consider subdivision in rural areas of Western Australia. Specific to this proposal is the following clause:

- 6. *Circumstances under which rural subdivision may be considered. In considering applications under section 6, the WAPC will consider rural subdivision in the following exceptional circumstances:***
  - (a) *to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;***

#### POLICY IMPLICATIONS

There is currently no policy associated with this item.



## FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

## STRATEGIC IMPLICATIONS

### Theme 2

### Enhancing Natural and Built Environment

#### VISION

To protect and enhance the key natural and cultural assets of the Shire whilst supporting appropriate development opportunities.

#### OBJECTIVES

To provide for appropriately zoned and controlled land to facilitate a variety of industrial and agricultural land uses that support the ongoing growth of the future population of Woodanilling.

#### GOALS

**EN.4 Encourage industry, business and residential development that is consistent with state legislation and endorsed Schemes/Strategies.**

## CONSULTATION/COMMUNICATION

There is no consultation required for this item.

## RISK MANAGEMENT

The risk for this item is classified as "Low".

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before

## VOTING REQUIREMENTS

Simple Majority

## OFFICER'S RECOMMENDATION

That Council authorise the Chief Executive Officer to advise the Western Australian Planning Commission that it supports a boundary realignment and amalgamation on Lots 106, 1211 and 4611 Harvey Road, Cartmeticup (WAPC 162835) as contained in **Attachment 11.1.2** with no conditions.

### COUNCIL RESOLUTION OCM 107/10/2022

**Moved Cr Douglas**

**Seconded Cr Morrell**

That Council authorise the Chief Executive Officer to advise the Western Australian Planning Commission that it supports a boundary realignment and amalgamation on Lots 106, 1211 and 4611 Harvey Road, Cartmeticup (WAPC 162835) as contained in **Attachment 11.1.2** with no conditions.

**CARRIED 4/0**

## 11.2.APPLICATION FOR ADDITIONAL OVERSIZED SHED LOT 147 MCDONALD ROAD

Correspondence received from the applicants after the agenda item had been issued. This amended the Officer's report. These were handed to Elected Members at the meeting and the changes are in RED.

<b>File Reference</b>	DA13/A532
<b>Date of Report</b>	30 September 2022
<b>Responsible Officer</b>	Kellie Bartley
<b>Author of Report</b>	Jennifer Dowling
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment 11.2.1</b> – Application for Planning Approval <b>Attachment 11.2.2</b> – Contour and feature survey <b>Attachment 11.2.3</b> – Correspondence from owner <b>Attachment 11.2.4</b> – Elevated Plans <b>Attachment 11.2.5</b> – Application for Temporary Accommodation

<b>Proponent</b>	Shayne Annice
<b>Owner</b>	Shayne and Collette Annice
<b>Date of Receipt</b>	16 September 2022
<b>Property Address</b>	Lot 147 McDonald/Garstone Road Woodanilling
<b>Lot Area</b>	3.8527ha
<b>Town Planning Scheme No 1 Zoning</b>	Local Rural

### BRIEF SUMMARY

The purpose of this report is for Council to determine a retrospective planning application for an oversize outbuilding on Lot 147 corner of McDonald and Garstone Roads, Woodanilling.

The officer recommendation would be that the outbuilding be granted Planning Approval subject to conditions.

Previously the landowner has applied for an additional oversized outbuilding at the site, approval of which was deferred pending the submission of a development application for a dwelling at the site.

Council has now received an application for a dwelling at Lot 147 McDonald/Garston Road, which is currently being assessed by an officer. During the period between the submission of the application for a dwelling, the landowner has constructed the additional outbuilding without Planning Approval or an approved Building Permit. On 22 July 2022, the landowner Mr. Annice, attended the Shire Offices and advised both the Deputy Chief Executive Officer and Planner that the building had been constructed at the site.

### BACKGROUND/COMMENT

An application has been received by Council for an additional oversized outbuilding to be constructed on a Local Rural zoned lot prior to the approval for a single dwelling at the site. The site is generally cleared and is 3.8484 acres in area. The proposal meets the setback requirements for a Local Rural zone.

An oversized outbuilding and water tank was approved at the Ordinary Council Meeting 9 February 2010 on the then vacant lot subject to the following conditions:

1. This approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Council, is granted by it in writing.

2. The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.
3. Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
4. An application for a Building Licence being submitted and approved by the Shire prior to any construction works being commenced.
5. The building hereby permitted shall only be used for purposes incidental to the residential or rural use of the property and shall not be used for any commercial or industrial purpose and shall not be used for human habitation
6. Non-reflective natural colours which blend with the landscape to the satisfaction of the Building Surveyor being used on the external walls of all buildings except for rainwater tanks. Please note that unpainted zincalume cladding does not apply.

That outbuilding was constructed and the water tank installed in the subsequent months after Planning and Building approval.

The application as presented before council now does not meet all the policy requirements for this zone and therefore requires specific consideration by Council.

The additional outbuilding has an area of 234m<sup>2</sup> consisting of a lock up area 180m<sup>2</sup> (18x 10) and a lean to area of 54m<sup>2</sup> (9x6). It is not unusual in regional areas and indeed larger Peri Urban properties adjacent to metropolitan areas to establish lockup outbuildings with the provision for carports and for the storage of maintenance equipment.

Generally, the form of maintenance equipment that is used on this type of property is that of a small tractor, slasher and firefighting equipment. Currently there are several large pieces of earthmoving equipment located at the site.

A letter has been supplied in support of the application and this is attached. The applicant ascertains that the additional shed is required for water catchment and to store materials and machinery for the construction of the new house. A planning application for a dwelling has now been received.

In the absence of a valid house approval, Council must consider any possible land use implications that the additional large outbuilding may have for the site. In particular, it must be established if approval would set an undesirable precedent for the development of other local rural zoned lots in the area. It must also be considered whether or not approval can be considered in the interest of orderly and proper planning.

At the ordinary Council Meeting of the 21 December 2021, Council considered a further additional oversized outbuilding at the site. In considering the application Council resolved:

***COUNCIL DECISION – ITEM 10.3 ADDITIONAL OVERSIZE OUTBUILDING PRIOR TO A DWELLING***

***Moved Cr Douglas, seconded Cr Smith***

***That in respect to the application for an additional outbuilding at Lot 147 Garstone/McDonald Road Woodanilling, that Council resolve:***

***To defer the further assessment of the application until such time as approval has been sought and approved for a single dwelling at the site.***

Council has now received an application for a single dwelling at the site. The house is a modular construction with a wallaby coloured colorbond roof and the wall cladding is to be colorbond monument and strausse white. This application was received on the 16<sup>th</sup> of September 2022 and meets all scheme requirements including setbacks.

An application for “Temporary Accommodation” was received by the Shire on Friday 14 October 2022, after the Agenda for Ordinary Council Meeting had been forwarded to Councillors and placed on the Shire’s website. The property owners are requesting approval from Council to “camp” onsite whilst the construction of their dwelling is undertaken.

Council have a policy in place that allows for the consideration of temporary accommodation, subject to the following conditions:

1. *Applications must be submitted in writing and accompanied by a town planning application fee.*
2. *Applications will only be considered to reside in a caravan inside an already approved and constructed shed, on a temporary basis whilst constructing a permanent dwelling on the same property; and*
  - *Will only be granted to those persons who are to occupy the house when completed.*
  - *For a maximum period of 12 months.*
  - *Land being zoned "Local Rural" or "Regional Rural"*
  - *Applicants submitting a bond of \$5,000 cash, to be refunded upon temporary accommodation being vacated to the satisfaction of the Environmental Health Officer/Building Surveyor.*
  - *Toilet, hand wash basin in close proximity, bath and/or shower and laundry trough may be provided in the shed (and connected to an approved onsite effluent disposal system and hot and cold potable water supply). The laundry trough is permitted to be used as the hand wash basin. Cooking facilities must be provided for in the caravan.*
  - *The shed being supplied with a supply of potable water, and where no scheme water is available then it must be in the form of a water tank with a minimum capacity of 92,000L.*
  - *Installation of a smoke alarm to the temporary accommodation.*
3. *Prior to submitting an application for temporary accommodation the proponents must already have obtained an approved building licence for the construction of a permanent dwelling.*
4. *Temporary accommodation must be inspected and approved by the Environmental Health Officer/ Building Surveyor prior to occupation.*
5. *In accordance with the provisions of the Caravan Parks and Camping Grounds Regulations 1997, for occupation of temporary accommodation greater than 12 months, applications must be made to the Minister, Department of Local Government and Regional Development. Applications will only be supported where significant progress has been made on the construction of the permanent dwelling.*
6. *Council reserves the right to revoke temporary accommodation permission at any time if it is dissatisfied with the state of progress towards the construction of a permanent dwelling or any general terms of the temporary accommodation permission have not been met.*

The property owners have an onsite caravan and this could be located within the retrospective outbuilding. A water tank is in place and a septic application can be lodged and will form part of the Advice Notes for this item.

There is currently a planning application for the single dwelling awaiting determination by the Shire. Once approved, this will be forwarded to a Building Surveyor for approval.

Should Council determine to approve the retrospective outbuilding, based on Council Policy No.97, the application for temporary accommodation can be supported subject to standard conditions and inspection by the Shire's contract Environmental Health Officer.

#### **STATUTORY/LEGAL IMPLICATIONS**

##### ***Planning and Development Act 2005***

##### ***Planning and Development (Local Government Planning Fees) Regulations 2000***

The regulations provide for an additional fee where development has occurred prior to approval being granted by way of a penalty. In this instance it is twice the initial application fee.

##### ***Town Planning Scheme No.1.***

The land is zoned Local Rural with the purpose of the land being for rural residential purposes. Any other land use should be ancillary to this purpose.

In regard to development that has occurred prior to approval being granted, the Scheme states Section 8;

#### **8.4. Unauthorised existing developments**

8.4.1. *The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.*

8.4.2. *Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful upon the grant of planning approval.*

Note:

1. *Applications for approval to an existing development are made under Part 9.*
2. *The approval by the local government of an existing development does not affect the power of the local government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.*

#### **POLICY IMPLICATIONS**

##### **Local Planning Policy 2. –Sheds/Outbuildings.**

This policy requires that an outbuilding is not to exceed 72m<sup>2</sup> in area and is to have a maximum height of 4.2m. The policy also stipulates that an outbuilding is not to be constructed on vacant Local Rural zoned lot without the prior approval for a dwelling.

The proposal before Council does not meet the requirements of the The Shire's Policy 2 - Sheds/Outbuildings in that the cumulative area of the outbuildings is far in excess of the 72m<sup>2</sup> the policy stipulates (378m<sup>2</sup>). Council must have regard to a Planning Scheme Policy however is not bound by it.

##### **Council Policy No.97 – Temporary Accommodation**

To provide guidelines on the prerequisite conditions for approval of temporary accommodation for occupation during the completion of a permanent dwelling.

#### **FINANCIAL IMPLICATIONS**

The initial Planning Approval fee of \$147.00 has been paid. There is an additional fee as per the *Planning and Development Act (2005) - Planning and Development (Local Government Planning Fees) Regulations (2000)* and as per those regulations retrospective approval under the Scheme would require an additional fee of \$294.00.

There are penalties that will result from the construction of the building without a building licence however this will be addressed by the Building Surveyor at time of assessing the Building Permit application.

#### **STRATEGIC IMPLICATIONS**

##### **Theme 1: Social**

##### **Community Wellbeing**

##### **VISION**

- To deliver a quality of life to our residents that is based upon sound environmentally sustainable principles and is socially productive & growing

##### **OBJECTIVES**

- To support the delivery of programs and initiatives that foster community spirit and harmony
- To ensure that our community is accessible for people with disabilities, their families and carers (Woodanilling Disability Access Inclusion Plan 2010)

##### **STRATEGIES**

- By supporting community projects that have direct benefit to the well-being of our community – example Woody on Display

- Disability Access and Inclusion Plan (DAIP) – Advocate to local businesses and tourist venues the requirements for, and benefits flowing from, the provision of accessible venues

### CONSULTATION/COMMUNICATION

There are no consultation requirements under the TPS No. 1.

### RISK MANAGEMENT

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before

### VOTING REQUIREMENTS

Simple Majority

### ORIGINAL OFFICER'S RECOMMENDATION

That Council resolve to approve the Retrospective Planning Application for the additional outbuilding and temporary accommodation, subject to the following conditions:

- That the development be consistent with the development application dated 27 November 2021.
- The outbuilding being setback in accordance with the site plan dated 27 November 2021 with setbacks marked in red.
- The outbuilding being constructed in non-reflective material that does not adversely affect the amenity of the area.
- The outbuilding not being used for human habitation at any time.
- A retrospective Planning Fee of \$294.00 being paid.

#### Advice Notes:

- A retrospective Building Permit application is required.
- A Statutory Declaration is to be submitted, endorsed by all registered owners of the property and witnessed by an appropriate witness stating that the outbuilding is not to be used for human habitation at any time.

### OFFICER'S ALTERNATIVE RECOMMENDATION

That Council resolve to approve the retrospective Planning Application for the additional outbuilding and temporary accommodation, subject to the following conditions:

- That the development be consistent with the development application dated 27 November 2021.
- The outbuilding being setback in accordance with the site plan dated 27 November 2021 with setbacks marked in red.

- c) The outbuilding being constructed in non-reflective material that does not adversely affect the amenity of the area.
- d) A retrospective Planning Fee of \$294.00 being paid.
- e) The property owners to reside within a caravan inside the approved and constructed shed, on a temporary basis whilst constructing a permanent dwelling on the same property.
- f) This approval is granted to those persons who are to occupy the house when completed.
- g) This approval is limited to a maximum period of 12 months.
- h) Applicants to submit a bond of \$5,000 cash, to be refunded upon temporary accommodation being vacated to the satisfaction of the Environmental Health Officer.
- i) Toilet, hand wash basin in close proximity, bath and/or shower and laundry trough to be provided in the shed (and connected to an approved onsite effluent disposal system and hot and cold potable water supply). The laundry trough is permitted to be used as the hand wash basin. Cooking facilities must be provided for in the caravan.
- j) The shed being supplied with a supply of potable water, and where no scheme water is available then it must be in the form of a water tank with a minimum capacity of 92,000L.
- k) Installation of a smoke alarm to the temporary accommodation.
- l) An application for a building permit for the construction of a permanent dwelling to be lodged with the Shire of Woodanilling.
- m) Temporary accommodation to be inspected and approved by the Environmental Health Officer prior to occupation.
- n) In accordance with the provisions of the *Caravan Parks and Camping Grounds Regulations 1997*, for occupation of temporary accommodation greater than 12 months, applications must be made to the Minister, Department of Local Government and Regional Development. Applications will only be supported where significant progress has been made on the construction of the permanent dwelling.
- o) Council reserves the right to revoke this temporary accommodation permission at any time if it is dissatisfied with the state of progress towards the construction of a permanent dwelling or any general terms of the temporary accommodation permission have not been met.

**Advice Notes:**

- c) A retrospective Building Permit application for the outbuilding and temporary accommodation is required to be lodged with the Shire.
- d) An application to construct and install an apparatus for the treatment of sewerage to be submitted and endorsed by the Shire's Environmental Health Officer.

**COUNCIL RESOLUTION OCM 108/10/2022**

**Moved Cr Morrell**

**Seconded Cr Smith**

That Council resolve to approve the Retrospective Planning Application for the additional outbuilding and temporary accommodation, subject to the following conditions:

- a) That the development be consistent with the development application dated 27 November 2021.
- b) The outbuilding being setback in accordance with the site plan dated 27 November 2021 with setbacks marked in red.
- c) The outbuilding being constructed in non-reflective material that does not adversely affect the amenity of the area.
- d) A retrospective Planning fee of \$294.00 being paid.
- e) The property owners to reside within a caravan inside the approved and constructed shed, on a temporary basis whilst constructing a permanent dwelling on the same property.
- f) This approval is granted to those persons who are to occupy the house when completed.
- g) This approval is limited to a maximum period of 12 months.

- h) Applicants to submit a bond of \$5,000 cash, to be refunded upon temporary accommodation being vacated to the satisfaction of the Environmental Health Officer.
- i) Toilet, hand wash basin in close proximity, bath and/or shower and laundry trough to be provided in the shed (and connected to an approved onsite effluent disposal system and hot and cold potable water supply). The laundry trough is permitted to be used as the hand wash basin. Cooking facilities must be provided for in the caravan.
- j) The shed being supplied with a supply of potable water, and where no scheme water is available then it must be in the form of a water tank with a minimum capacity of 92,000L.
- k) Installation of a smoke alarm to the temporary accommodation.
- l) An application for a building permit for the construction of a permanent dwelling to be lodged with the Shire of Woodanilling.
- m) Temporary accommodation to be inspected and approved by the Environmental Health Officer prior to occupation.
- n) In accordance with the provisions of the Caravan Parks and Camping Grounds Regulations 1997, for occupation of temporary accommodation greater than 12 months, applications must be made to the Minister, Department of Local Government and Regional Development. Applications will only be supported where significant progress has been made on the construction of the permanent dwelling.
- o) Council reserves the right to revoke this temporary accommodation permission at any time if it is dissatisfied with the state of progress towards the construction of a permanent dwelling or any general terms of the temporary accommodation permission have not been met.

**Advice Notes:**

- a) A retrospective Building Permit application for the outbuilding and temporary accommodation is required to be lodged with the Shire.
- b) An application to construct and install an apparatus for the treatment of sewerage to be submitted and endorsed by the Shire's Environmental Health Officer.

**CARRIED 4/0**

**Reason for Change: Additional information was received after the agenda had been issued to Elected Members and new information affected the outcome of the Officer's Recommendation to Council to consider the planning application approval process.**

## **12. INFRASTRUCTURE SERVICES**

Nil to Report.



## 13. CORPORATE SERVICES

### 13.1.LIST OF ACCOUNTS FOR PAYMENT – 30 SEPTEMBER 2022

<b>File Reference</b>	ADM0066
<b>Date of Report</b>	10 October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Brooke Dellacqua, Finance Officer Cath Painter, Accountant
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment No. 13.1.1</b> – List of Accounts for Payment – 30 September 2022 <b>Attachment No. 13.1.2</b> – List of Credit Card Transactions for September 2022

#### BRIEF SUMMARY

The purpose of this report is to present to Council the list of accounts paid, for the month ending 30 September 2022, as required under the *Local Government (Financial Management) Regulations 1996*.

#### BACKGROUND/COMMENT

In accordance with *Local Government (Financial Management) Regulations 1996*, Clause 13 (1) schedules of all payments made through Council's bank accounts are presented to Council for inspection.

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid is to be provided to Council, where such delegation is made.

The following table summarises the payments for the period by payment type, with full details of the accounts paid contained within **ATTACHMENT 13.1.1**.

The detailed list of the expenditure made with the Shire's Corporate Credit Card are contained within **ATTACHMENT 13.1.2**.

#### Payments up to 30 September 2022

Payment Type	Account Type	Amount \$
Automatic Payment Deductions (Direct Debits)	Municipal	\$15,965.52
Cheque Payments (cheque numbers 15363, 15365 & 15366)	Municipal	\$838.90
EFT Payments #6311 to #6347	Municipal	\$125,602.63
<b>Sub Total</b>	<b>Municipal</b>	<b>\$126,441.53</b>
Payments	<b>Trust</b>	\$0.00
Payments	<b>Reserve</b>	\$0.00
<b>Totals</b>		<b>\$126,441.53</b>

#### STATUTORY/LEGAL IMPLICATIONS

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*

(1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*

(a) *the payee's name; and*

- (b) *the amount of the payment; and*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
- (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee’s name; and*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;**and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

**POLICY IMPLICATIONS**

The Chief Executive Officer, under relevant delegation, is authorised to arrange purchase of specific items in the budget, which do not require calling tenders, providing that it is within the approved and adopted budget.

**FINANCIAL IMPLICATIONS**

There are no financial implications that have been identified as a result of this report or recommendation.

**STRATEGIC IMPLICATIONS**

**THEME 3**

**Governance**

**OBJECTIVES**

To promote continual improvement that is supported by efficient and effective governance structures and processes.

**STRATEGIES**

By ensuring legislation is used to effectively enable quality decision making.

**CONSULTATION/COMMUNICATION**

There are no community engagement implications that have been identified as a result of this report or recommendation.

**RISK MANAGEMENT**

The risk in relation to this matter is assessed as “Medium” on the basis that if Council does not accept the payments. The risk identified would be failure to fulfil statutory regulations or compliance requirements. Shire Officer’s provide a full detailed listing of payments made in the timely manner.

<b>Consequence</b>	<b>Insignificant</b>	<b>Minor</b>	<b>Moderate</b>	<b>Major</b>	<b>Extreme</b>
<b>Likelihood</b>					
<b>Almost Certain</b>	Medium	High	High	Severe	Severe
<b>Likely</b>	Low	Medium	High	High	Severe
<b>Possible</b>	Low	Medium	Medium	High	High
<b>Unlikely</b>	Low	Low	Medium	Medium	High
<b>Rare</b>	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER’S RECOMMENDATION**

That Council accepts the list of accounts, totalling \$126,441.53 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 30 September 2022, as contained within **ATTACHMENT 13.1.1.**

**COUNCIL RESOLUTION OCM 109/10/2022**

**Moved Cr Douglas**

**Seconded Cr Morrell**

That Council accepts the list of accounts, totalling \$126,441.53 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 30 September 2022, as contained within **ATTACHMENT 13.1.1.**

**CARRIED 4/0**

## 13.2.STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 SEPTEMBER 2022

<b>File Reference</b>	ADM0066
<b>Date of Report</b>	12 <sup>th</sup> October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Cath Painter, Accountant
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment No. 13.2.1</b> - Monthly Financial Report 30 September 2022

### BRIEF SUMMARY

The Statement of Financial Activity for period ending 30 September 2022 together with associated commentaries are presented for Council's consideration.

### BACKGROUND/COMMENT

In accordance with regulation 34 of the *Government (Financial Management) Regulations 1996*, the Shire is to prepare a monthly Statement of Financial Activity for approval by Council. The Monthly Financial Reports have been prepared in accordance with statutory requirements.

### STATUTORY/LEGAL IMPLICATIONS

Section 6.4 of the *Local Government Act 1995* requires a Local Government to prepare an annual financial statement for the preceding year and other financial reports as they prescribed.

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the Local Government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

### POLICY IMPLICATIONS

There is no Council Policy relevant to this item.

### FINANCIAL IMPLICATIONS

The Budget will be regularly monitored on at least a monthly basis, by the Chief Executive Officer and Accountant. Responsible Officers are also required to review their particular line items for anomalies each month, with a major review required by law, between 1 January and 31 March of each year pursuant to the *Local Government (Financial Management) Regulations 1996* (Regulation 33A).

Any material variances that have an impact on the outcome of the budgeted closing surplus/deficit position are detailed in the Monthly Financial Report contained within **ATTACHMENT 13.2.1**.

### STRATEGIC IMPLICATIONS

#### THEME 3

#### Governance

#### OBJECTIVES

To promote continual improvement that is supported by efficient and effective governance structures and processes.

#### STRATEGIES

By ensuring legislation is used to effectively enable quality decision making.

### CONSULTATION/COMMUNICATION

Reporting Officers receive monthly updates to track expenditure and income and to be aware of their work commitments versus budget allocations.



### 13.3.BUDGET VARIATION - SHIRE OF WOODANILLING BUSHFIRE MITIGATION ACTIVITY FUNDING APPLICATION 2022/2023

<b>File Reference</b>	ADM0043
<b>Date of Report</b>	19 September 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author/s of Report</b>	Gillian French, Special Projects Officer Kellie Bartley, Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Absolute Majority
<b>Attachments</b>	<b>ATTACHMENT 13.3.1</b> – Shire of Woodanilling Bushfire Risk Management Plan <b>ATTACHMENT 13.3.2</b> – Shire of Woodanilling Proposed Mitigation Projects

#### BRIEF SUMMARY

The purpose of this report is to request for Council to approve a budget variation for the Shire's Mitigation Activity Funding (MAFS) application currently in progress with the Department of Fire and Emergency Services (DFES).

The proposed list of projects for 2022/2023 is contained in **Attachment 13.3.2**.

#### BACKGROUND

The Western Australian Government has established the Bushfire Mitigation Activity Fund to proactively treat extreme, very high and high bushfire risks in combination with the progressive rollout of the Bushfire Risk Management Planning framework.

The Shire has successfully achieved funding of \$4,800.00 under the 2021/22 round for the list of applied projects.

#### 2022/2023 Funding Round

The Mitigation Activity Fund round in 2022/23 is seeking to continue supporting activities that build the fire management capacity and overall resilience of communities. It targets on-ground treatments that address extreme, very high and high bushfire risks on State-owned or vested lands located within or adjacent to regional town sites across Western Australia.

The identified projects, if approved, will be completed, and funding acquitted by 30 June 2023. This grant funding will assist the Shire in its ongoing implementation of bushfire risk management, consistent with its adopted plan.

A copy of the Shire's Bushfire Risk Management Plan is contained in **Attachment 13.3.1**.

At present, a total of \$8,000.00 has been set aside within the 2022/2023 annual budget for mitigation funded works. Shire Officer's lodged an application on 19 September 2022 for a proposed sum of \$78,699.00, which will continue the shared responsibility of bushfire mitigation within the Shire of Woodanilling. The Shire should be informed by DFES by the end of November if the application has been successful with the works then to carry out.

The Shire has been successful over a number of years with this program and has been supported in reducing the risk to the community, residents and the district. The Community Emergency Services Manager (CESM) has been working extensively with relevant stakeholders to support the continued reduction of risk.

The Officer's recommendation is to support the grant total in principle however the total may vary depending on the number of applications received from local government recipients.

#### COMMENT

Subject to Council resolving to make the necessary budget (income) adjustment, the proposed mitigation application will enable the Shire to implement a total of \$78,699.00 of identified works, consistent with the endorsed Bushfire Risk Management Plan. The funding, if successful, will allow for treatments which include bridge works, slashing and spraying maintenance and clearing of vegetation.

This is the 5<sup>th</sup> year of applications submitted for mitigation funding for the Shire. A successful application and delivery of the mitigation works will involve the Community Emergency Services Manager working closely with the Shire’s Works Coordinator to ensure a robust risk management approach to delivery. To ensure these works are delivered according to the parameters of the funding agreement, there will be internal project management applied to ensure the most effective delivery outcome.

It must be noted that the current Plan is due for review however the Chief Executive Officer and CESM were advised by DFES representatives that the guidelines for review of these plans are in review process and that the Shire are better to wait for the new guidelines.

**STATUTORY/LEGAL IMPLICATIONS**

Under State Hazard Plan - Fire (Office of Emergency Management 2022), an integrated Bushfire Risk Management Plan is to be developed for local government areas with significant bushfire risk. This Bushfire Risk Management Plan was prepared for the Shire of Woodanilling in accordance with the requirements of the Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines) (Office of Bushfire Risk Management 2015).

This request aligns to Section 6.8 of the *Local Government Act 1995*, which states:

**Local Government Act 1995**

6.8. *Expenditure from municipal fund not included in annual budget*

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
  - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) *is authorised in advance by resolution\*; or*
  - (c) *is authorised in advance by the mayor or president in an emergency.*

*\* Absolute Majority required.*

**POLICY IMPLICATIONS**

There are currently no Council policies associated with this item.

**FINANCIAL IMPLICATIONS**

There is overall a nil financial impact to the Shire. The Department of Fire and Emergency Services will pay the grant funds (no GST applied) in two instalments. The initial 50% of the total grant will be paid once the Funding Agreement has been executed, and the remaining 50% (up to the total grant and total cost) will be paid following acceptable grant acquittal.

Any unexpended funds will be returned to the Department of Fire and Emergency Services within 30 days of the acceptance of the grant acquittal, as per conditions of the grant. The Shire of Woodanilling must keep adequate financial accounts and records to enable identification of the grant, payments and receipts.

The 2022/2023 Annual Budget an allocation of \$8,500 was adopted. Therefore the balance of funds totalling \$70,199.00 is to be added into the budget as a variation.

Pursuant to section 6.8 of the *Local Government Act 1995* a budget amendment is required.

<b>Account Number</b>	<b>Type</b>	<b>Account Description</b>	<b>Debit \$</b>	<b>Credit \$</b>
051030	Increase Expenditure	Townsite Fire Management Plan	\$70,199.00	
051200	Increase Income	Income relating to MAF Projects		\$70,199.00
Total cost is of Nil effect due to costings fully recovery under the DFES MAFS program				
<b>Reason: To provide for the income and expense for the MAFS grant project.</b>				

## STRATEGIC IMPLICATIONS

### THEME 3

#### Governance

#### OBJECTIVES

To promote continual improvement that is supported by efficient and effective governance structures and processes.

#### STRATEGIES

By ensuring legislation is used to effectively enable quality decision making.

**CW.3** Expand Fire Awareness.

**LO.2** Implementation of Fire management Plan adopted recommendations including, but not limited to: - Policies – Committee consideration of Town Brigade.

#### CONSULTATION/COMMUNICATION

The CESM has been working with relevant shire employees and DFES on this item. The CESM has also advised the BFAC and relevant elected members who are on the BFAC through this process.

The Bushfire Risk Management Plan as adopted by Council includes a Communication Strategy and is contained within **Attachment 13.3.1**. The Plan underpins the funding request to the Department of Fire and Emergency Services.

Consultation will be facilitated through this plan, dependent on the works to be undertaken. Consultation is critical to the development of the Bushfire Risk Management Plan and associated treatments, particularly because it is tenure blind, and looks at risk across all tenures.

#### RISK MANAGEMENT

The risk management processes used to develop this Bushfire Risk Management Plan are aligned to the key principles of AS/NZS ISO31000:2017 Risk Management - Principles and Guidelines (AS/NZS ISO31000:2017), as described in the Second Edition of the National Emergency Risk Assessment Guidelines (NERAG 2015). This approach is consistent with State Emergency Management Policy (State Emergency Management Policy) 3.2 - Emergency Risk Management Planning

The risk in relation to this matter has been assessed as “Moderate” within the Risk Management Table below with the principal consequence being that the Shire and the Community will have to fund its own mitigation activities.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.



## VOTING REQUIREMENTS

Absolute Majority

## OFFICER'S RECOMMENDATION

That Council:

1. Approves a budget amendment that allows for the Chief Executive Officer to expend the additional funds (in principle) totalling \$70,199.00 for the purpose of the Shire of Woodanilling Mitigation Activity Funding Application for the purpose of Bush Fire Mitigation associated works;
2. Approves the budget variation detailed in the table below:

Account Number	Type	Account Description	Debit \$	Credit \$
051030	Increase Expenditure	Townsite Fire Management Plan	\$70,199.00	
051200	Increase Income	Income relating to MAF Projects		\$70,199.00
Total cost is of Nil effect due to costings fully recovery under the DFES MAFS program				
<b>Reason: To provide for the income and expense for the MAFS grant project.</b>				

3. Authorises the Chief Executive Officer to sign the funding agreement; and
4. Notes the Mitigation works to be undertaken as contained within **Attachment 13.3.2.**

### **COUNCIL RESOLUTION OCM 111/10/2022**

**Moved Cr Morrell**

**Seconded Cr Smith**

That Council:

- 1) Approves a budget amendment that allows for the Chief Executive Officer to expend the additional funds (in principle) totalling \$70,199.00 for the purpose of the Shire of Woodanilling Mitigation Activity Funding Application for the purpose of Bush Fire Mitigation associated works;
- 2) Approves the budget variation detailed in the table below:

Account Number	Type	Account Description	Debit \$	Credit \$
051030	Increase Expenditure	Townsite Fire Management Plan	\$70,199.00	
051200	Increase Income	Income relation to MAF Projects		\$70,199.00
Total Cost is of Nil effect due to costings fully recovery under the DFES MAFS program.				
<b>Reason: To provide for the income and expense for the MAFS grant project.</b>				

- 3) Authorises the Chief Executive Officer to sign the funding agreement; and
- 4) Notes the Mitigation works to be undertaken as contained within **Attachment 13.3.2.**

**CARRIED 4/0**

### 13.4.BUDGET VARIATION - SHIRE OF WOODANILLING STANDPIPE UPGRADE – BOYERINE

<b>File Reference</b>	ADM 0287 AG96
<b>Date of Report</b>	13/10/2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Sue Dowson, Deputy Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Absolute Majority
<b>Attachments</b>	<b>Attachment 13.4.1</b> - Quote Smarter Control Standpipe Upgrades

#### BRIEF SUMMARY

This item presented to Council for consideration of the replacement of the Boyerine Standpipe due to complete failure to the solenoid and is currently not working. The request will require a budget variation with nil effect between accounts.

#### BACKGROUND/COMMENT

The Boyerine Standpipe is currently out of service due to electrical damage from ants and/or mechanical issues with the latch solenoid. The site has now been inspected and it has been declared a complete failure within the solenoid. Unfortunately, this current model is no longer available and cannot be replaced.

This is a vital use for our community and the Bush Fire Brigades along with external contractors who utilise this site. The urgency to replace is due to the oncoming fire season.

This will compromise the current Woodanilling standpipes located on Burt Road in the town site and the other in Boyerine, as neither have received any recommended updates, historically. They are currently using technology that is no longer manufactured and able to service the current units.

It has been recommended by Smarter Control, the providers of the Standpipe technology in the region, to align our current standpipes with the 2022 version which they can currently supply.

Shire Officers have made contact with the Shire of Katanning who have upgrade to this system last year and are happy with the product they have installed. This system allows for uploading all water usage through an internet connection that can be viewed at any time just by logging in. The old system required that the officer drive to the stand pipe and plug in a laptop to download the usage information to charge out to customers.

They have suggested that they replace the core components but keep the current framework as this can be retrofit. The changes and costs are as follows.

1x ILC PLC	\$ 1,588
200W solar Panel Additional + 75Ah 12v Deep Cell Battery and bracket	\$ 697
1x 50mm Motorised Valve to replace old solenoid valve	\$ 867
1x 4G Router 1x Dome Antenna Software & Programming	\$ 1210

Installation Travel and fuel	\$ 1,472
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#### Operational Costs

Sim card & Support \$43per month (Payable 12 months in advance)	\$ 516
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Annual Cloud Server Access & License fee	\$ 695
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This brings the total cost for the upgrade to:	<u>\$ 7,045</u>
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If you wish to update both your standpipes, I can provide the second unit at a discounted rate and install it in the same trip	\$ 5,683
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With this upgrade all reports and card activations can be done remotely 24/7, and users can access both locations with the one card. The update will add another 10 years onto the lifetime of the product

We can maintain the current swipe cards so that there is no additional cost for setting up new cards.

There would be annual ongoing costs with the installation of the 2 new components:-

\$43 per month per Sim card	\$1,032.00
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Annual Cloud Server Access & License fee \$ 695.00

**Total** **\$1,727.00**

Council may consider to change only the current Boyerine standpipe with the option to consider in the 2023/2024 draft budget discussions to upgrade the Townsite standpipe and the option to add additional meterage.

### Community Request

With the recent Annual Electors Meeting, it was raised with regards to the opportunity for better access to local residents that required additional non-potable water through a smaller outlet as reduced costs, to be accessible.

This may be a prime opportunity for Council to support an additional 25mm outlet to be added to this site, either at Boyerine or the Town standpipe. At the time of this report, Shire Officers were waiting for further costings on this option.

Shire Officers are yet to find another supplier to be able to quote on upgrades to the Standpipes, which are specific with the aspect associated with the costs and readings required to maintain service delivery to the community.

### STATUTORY/LEGAL IMPLICATIONS

This request aligns to Section 6.8 of the *Local Government Act 1995*, which states:

#### Local Government Act 1995

6.8. *Expenditure from municipal fund not included in annual budget*

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
  - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) *is authorised in advance by resolution\*; or*
  - (c) *is authorised in advance by the mayor or president in an emergency.*

*\* Absolute Majority required.*

### POLICY IMPLICATIONS

There is no Policy relating to this item.

### FINANCIAL IMPLICATIONS

There is no allocation in the 2022/2023 Annual Budget. Therefore a budget as a variation will be required to complete the urgent works required to maintain the service delivery of the Boyerine Standpipe. The provisions of the ongoing costs will be reviewed at budget review period.

Pursuant to section 6.8 of the *Local Government Act 1995* a budget amendment is required.

Account Number	Type	Account Description	Debit \$	Credit \$
135010	Increase Expenditure	Economic Services - Expenses relating to Standpipes	\$7,500	
144030	Decrease Expenditure	Other Property & Services – Parts & Repairs		\$7,500

Total cost is of Nil effect to the budget.

**Reason: To utilise the funds from the Parts and Repairs within the Other Property & Services area to the Expenses relating to Standpipes to do urgent upgrade works for the Boyerine Standpipe for the oncoming fire season and general water availability to stakeholders.**

## STRATEGIC IMPLICATIONS

### Theme 1

#### Community Facilities

##### VISION

- To provide facilities and amenities that meet the communities needs and expectations within Council’s ability to fund from rates and external sources
- To ensure access to high quality facilities and services that the community is proud to use and promote

##### OBJECTIVES

- Enhance the lifestyle of residents through their participation and achievement in sport and recreation (See also Woodanilling Local Recreation Plan – Aug 2003)
- To make our Community a place where people want to come, stay and grow

##### STRATEGIES

- Future development of facilities is to be continually monitored, progressed and supported where appropriate by various funding sources and by submitting planned and comprehensive capital works programs bids are required
- To ensure our facilities are maintained to a suitable functional standard

##### GOALS

###### Short Term

**CF.2** Secure water supply to ensure self-sufficiency for town oval, parks & public areas (non-potable water)

##### CONSULTATION/COMMUNICATION

Deputy Chief Executive Officer spoke with contractor from Smarter Control, Shire Officers from Shire of Katanning and the Chief Executive Officer.

##### RISK MANAGEMENT

If the Shire does not manage its finances adequately and allows budget expenditure to exceed allocations and the Shire then finds itself unable to fund its services that have been approved through the budget process.

Failure to fulfil statutory regulations or compliance will place the Shire as non-compliant to legislation. To reduce the risk, it is required to submit budget variation requests to Council as they arise, identifying financial implications and ensure there is nil effect on the budget adopted.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

## VOTING REQUIREMENTS

Absolute Majority

## OFFICER'S RECOMMENDATION

That Council:

1. Approves a budget amendment that allows for the Chief Executive Officer to expend the funds totalling \$7,500 for the purpose of the emergency works at the Boyerine Standpipe and associated costs;
2. Approves the budget variation detailed in the table below:

Account Number	Type	Account Description	Debit \$	Credit \$
135010	Increase Expenditure	Economic Services - Expenses relating to Standpipes	\$7,500	
144030	Decrease Expenditure	Other Property & Services – Parts & Repairs		\$7,500
Total cost is of Nil effect to the budget.				
<b>Reason: To utilise the funds from the Parts and Repairs within the Other Property &amp; Services area to the Expenses relating to Standpipes to do urgent upgrade works for the Boyerine Standpipe for the oncoming fire season and general water availability to stakeholders.</b>				

3. Authorises the Chief Executive Officer to further investigate the options for the Townsite Standpipe and the options to increase the capacity for the additional 25mm outlet to the site and the upgrade which will be presented in the 2023/2024 draft annual budget.

## AMENDED OFFICER'S RECOMMENDATION

Cr Douglas moved the Officer's Recommendation with an amendment to Point 3 that read as follows:

That Council:

1. Approves a budget amendment that allows for the Chief Executive Officer to expend the funds totalling \$7,500 for the purpose of the emergency works at the Boyerine Standpipe and associated costs;
2. Approves the budget variation detailed in the table below:

Account Number	Type	Account Description	Debit \$	Credit \$
135010	Increase Expenditure	Economic Services - Expenses relating to Standpipes	\$7,500	
144030	Decrease Expenditure	Other Property & Services – Parts & Repairs		\$7,500
Total cost is of Nil effect to the budget.				
<b>Reason: To utilise the funds from the Parts and Repairs within the Other Property &amp; Services area to the Expenses relating to Standpipes to do urgent upgrade works for the Boyerine Standpipe for the oncoming fire season and general water availability to stakeholders.</b>				

3. Authorises the Chief Executive Officer to arrange the Boyerine Standpipe to seek further investigate and quotes on the best outcome with upgrades and to be presented back to Council for consideration.

**COUNCIL RESOLUTION OCM 112/10/2022**

**Moved Cr Douglas**

**Seconded Cr Morrell**

That Council:

- 1) Approves a budget amendment that allows for the Chief Executive Officer to expend the funds totalling \$7,500 for the purpose of the emergency works at the Boyerine Standpipe and associated costs;
- 2) Approves the budget variation detailed in the table below:

Account Number	Type	Account Description	Debit \$	Credit \$
135010	Increase Expenditure	Economic Services – Expenses relating to Standpipes	\$7,500	
144030	Decrease Expenditure	Other Property & Services – Parts & Repairs		\$7,500

Total Cost is of Nil effect to the budget.

**Reason: To utilise the funds from the Parts & Repairs within the Other Property & Services area to the Expenses relating to Standpipes to do urgent upgrade works for the Boyerine Standpipe for the oncoming fire season and general water availability to stakeholders.**

- 3) Authorises the Chief Executive Officer to further investigate the options for the Townsite Standpipe and the options to increase the capacity for the additional 25mm outlet to the site and the upgrade which will be presented in the 2023/2024 draft annual budget.

**CARRIED 4/0**

## 14. COMMUNITY SERVICES

### 14.1. SENIORS WEEK FUNDING APPLICATION DEPARTMENT OF COMMUNITIES & COTA WA

<b>File Reference</b>	ADM0332 GP739
<b>Date of Report</b>	4 October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Sue Dowson, Deputy Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Absolute Majority
<b>Attachments</b>	<b>Attachment 14.1.1</b> - COTA WA Funding application <b>Attachment 14.1.2</b> - Letter of Agreement

#### BRIEF SUMMARY

The purpose of this report is to advise and request for Council to support the Seniors Week Event to be held during the period of 6 to 11 November 2022. The provisional support of funds of up to \$1,000.00 may be required to assist with additional costs outside the grant applied with Department of Communities, Council of the Ageing grant.

#### BACKGROUND/COMMENT

At the recent Electors Meeting held 23 August 2022, it was identified through the local residents and community members of the lack of Health Services available to the residents in the Shire of Woodanilling. Enquiries with the local Health Services based in Katanning has identified services that are willing to come to Woodanilling to help to activate, inform and engage with the residents of the district.

A successful Grant Funding application has been received for \$600.00 from the Council of the Ageing (COTA) Western Australia along with the Department of Communities. The funding amount on offer was amounts of up to \$1000.00 for Councils to hold an event for seniors during WA Seniors Week 6 – 11 November 2022.

The funding will go towards holding a High Tea and Health Forum for Community Members with representation from the Regional Health Services to provide information about the services they offer seniors in Woodanilling.

The Woodanilling P & C have quoted for the catering for the High Tea and the CWA Ladies have offered to perform some light entertainment in the way of a singalong.

The Officers recommendation is to support this event along with Council to consider any provisions of additional costs associated and to make it a well informed and engaged event for the local community members and residents.

#### STATUTORY/LEGAL IMPLICATIONS

This request aligns to Section 6.8 of the *Local Government Act 1995*, which states:

##### **Local Government Act 1995**

6.8. *Expenditure from municipal fund not included in annual budget*

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
  - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) *is authorised in advance by resolution\*; or*
  - (c) *is authorised in advance by the mayor or president in an emergency.*

*\* Absolute Majority required.*

#### POLICY IMPLICATIONS

There are no Council Policies relevant to this item.

#### FINANCIAL IMPLICATIONS

The cost to hold this event is \$1,000.00 and the funding application was successful for \$600.00 which leaves a shortfall of \$400.00. There are funds allocated in the 2022/23 Annual Budget for this grant funding application, therefore there will be additional expenditure being incurred in the 2022/2023 financial year. The level of expenditure will be \$400 to top up the required funds to hold the event however consideration of the use of \$1,000.00 be available from General Ledger 105040 (Town Centre Enhancement) for the purpose of this event.

However the approval of the grant of \$600.00 is not within the annual budget as income received. Pursuant to section 6.8 of the *Local Government Act 1995* a budget amendment is required which will be completed through the budget review process.

## STRATEGIC IMPLICATIONS

### Theme 1

#### Community Well-Being

#### VISION

To deliver a quality of life to our residents that is based upon sound environmentally sustainable principles and is socially productive & growing

#### OBJECTIVES

To support the delivery of programs and initiatives that foster community spirit and harmony

#### STRATEGIES

By supporting community projects that have direct benefit to the well-being of our community – example Woody on Display

## CONSULTATION/COMMUNICATION

Consultation has been undertaken with the following agencies and groups:

- WA Country Health Services Senior Mental Health Officer - Liz Borthwick.
- Community Home Support Programme – Pauline O’Connor and Claire Lopes.
- Palliative Care – Gaye Fisher and Rachel Dark.
- Occupational Therapy – Tamara Bishop, Physiotherapy – Lisa Stanley.
- Dietitian – Elisabeth Keegan.
- Wound Care – Sue Ham.
- Social Worker – Sharon Thomas.
- Primary Health Manager – Michelle Carrington.
- CWA President Ms Barb Ashby.
- P & C representative Mrs Kahlia Stephens.

## RISK MANAGEMENT

The risk for this event is classified as “Low”.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium



Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

#### VOTING REQUIREMENTS

Simple Majority

#### OFFICER'S RECOMMENDATION

That Council;

1. Acknowledges the 2022 Seniors Week to take place between the period of 6<sup>th</sup> to 11<sup>th</sup> November 2022 with the support of Council of the Ageing (COTA) Western Australia along with the Department of Communities with the successful grant; and
2. Supports for budgeted funds of up to \$1,000.00 from General Ledger 105040 (Town Centre Enhancement) towards the event.

#### COUNCIL RESOLUTION OCM 113/10/2022

Moved Cr Douglas

Seconded Cr Smith

That Council;

1. Acknowledges the 2022 Seniors Week to take place between the period of 6<sup>th</sup> to 11<sup>th</sup> November 2022 with the support of Council of the Ageing (COTA) Western Australia along with the Department of Communities with the successful grant; and
2. Supports for budgeted funds of up to \$1,000.00 from General Ledger 105040 (Town Centre Enhancement) towards the event.

**CARRIED 4/0**

## 14.2. WOODANILLING COMMUNITY EVENT GRANT FUND – P & C COMMUNITY CHRISTMAS TREE PARTY IN THE PARK

<b>File Reference</b>	ADM 0332 GP 741
<b>Date of Report</b>	13/10/2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Sue Dowson, Deputy Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment 14.2.1</b> - Shire of Woodanilling Community Events Fund Application Form - Woodanilling Primary School P & C

### BRIEF SUMMARY

That for Council to consider an application for the Community Event Fund received from the Woodanilling Primary School Parents & Citizens (P & C) for \$500.00. This is to assist in financing the running of the Community Christmas Tree Party to be held at the Town Park on the 15<sup>th</sup> December 2022.

### BACKGROUND/COMMENT

Council adopted a Council Policy – 32 Community Financial Assistance Grant Program in 2015. Recognising that community funding provides financial assistance for organisations and/or projects, which benefit the community.

The objective of this funding is to maintain and build on Woodanilling's vibrant community spirit and welfare by providing financial support for local events which involve people coming together in the celebration and enjoyment of their culture or a common interest.

Applicants to complete the appropriate form and must address the selection criteria provided within the Policy which has been detailed below. The application form and request is contained in **Attachment 14.2.1**.

### Minor Community Grants Guidelines (up to \$5,000)

Groups, individuals, organisations or clubs are not to expect, as of right, any financial assistance from the Council. Requests will only be considered in respect to the overall priorities of other projects within the Shire and will also be subject to the availability of finance.

- 1. Projects must be completed in the financial year for which funding has been approved. Funds not expended by the end of the financial year in which they were approved, will be forfeited.*

This event is to be held on the 15<sup>th</sup> December so funds will be expended well before the end of the financial year. Any unspent funds will be reimbursed to the shire.

- 2. Where financial assistance is approved by Council for projects that are dependent upon funding from an outside source and that funding application is unsuccessful or the level of financial assistance from an outside source has been reduced below that requested by an organisation, the organisation shall be required to demonstrate its ability to meet the funding shortfall.*

The P & C is not applying for or receiving funding money from any outside source. However they have requested other Community Groups such as CWA, Playgroup and the Woodanilling Men's Shed become involved in some form with the event.

- 3. Council's contribution is limited to 1/3 of the total project cost and may include the provision of materials, and loans of plant and equipment, calculated at private works rates, so long as the combination of the dollar value of the in kind support plus financial contribution does not exceed 1/3 of the total project cost.*

The P & C have asked for the Shire to contribute to the costs of a Face Painter as well as help purchase new Christmas Tree Decorations the P & C will be contributing more than half of the costs associated with this event as in kind contributions.

- 4. 50% of the approved grant will be paid on approval of the project and the balance following successful acquittal of the project.*

Council may consider payment in full prior to the event.

5. *Prior approval must be sought for any substantial change of proposal.*

No changes at present for this item.

6. *Acquittal of the grants funds must be submitted to the Shire in a timely manner.*

Confirmed with CWA that the acquittal for this application will be provided after the event.

7. *Acknowledgement that "This project was made possible through financial assistance from the Shire of Woodanilling" must be made in all publicity associated with the project. Use of the Shire of Woodanilling Logo is encouraged.*

CWA supports this request. Shire officers will provide the appropriate logo for the event.

### **STATUTORY/LEGAL IMPLICATIONS**

Council is able to offer a donation or afford a financial grant through the adopted budget and policy framework for the Community Events Fund, which have been endorsed under the relevant provisions of the *Local Government Act 1995*.

### **POLICY IMPLICATIONS**

Policy No 32 Community Financial Assistance Grant Program applies to this application.

### **FINANCIAL IMPLICATIONS**

The Community Financial Assistance Program is allocated from within the Council's budget each year, once funds have been fully allocated no further funds will be available until the following financial year. No allocations have been made to Council at this point. The general ledger 041150 – Donations has been identified to assist with this grant and was adopted in the 2022/2023 annual budget adoption.

### **STRATEGIC IMPLICATIONS**

#### **Theme 1**

#### **Community Well-Being**

#### **VISION**

To deliver a quality of life to our residents that is based upon sound environmentally sustainable principles and is socially productive & growing

#### **OBJECTIVES**

To support the delivery of programs and initiatives that foster community spirit and harmony  
To ensure that our community is accessible for people with disabilities, their families and carers  
(Woodanilling Disability Access Inclusion Plan 2010)

#### **STRATEGIES**

By supporting community projects that have direct benefit to the well-being of our community –  
example Woody on Display  
Disability Access and Inclusion Plan (DAIP) – Advocate to local businesses and tourist venues the requirements for, and benefits flowing from, the provision of accessible venues.

#### **GOALS**

##### **Short Term**

**CW.2** Establishment of a Community Well Being Fund to provide financial support for events that directly benefit the well-being of the local community

##### **Medium Term**

**CW.1** Develop Community Initiative Programs to ensure active community participation and volunteering.

### **CONSULTATION/COMMUNICATION**

Deputy Chief Executive Officer has consulted with P & C member Brooke Moulden on this grant request and discussions held with the Chief Executive Officer on the matter.

**RISK MANAGEMENT**

The risk in relation to this matter is assessed as “Medium” on the basis that if Council does not accept the recommendation places the Woodanilling P & C with the lack of financial support to provide a Community Christmas Tree Party. This could affect the long term aspect of the P & C being able to be financially viable to continue to support the students and Community of Woodanilling.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER’S RECOMMENDATION**

That Council:

1. approves the application from the Woodanilling Primary School Parents & Citizens Association under Council Policy 32 – Community Events Fund grant approval for \$500.00 for the Community Christmas Tree Party in the Town Park to be held on the 15<sup>th</sup> December 2022 with the following conditions;
  - a) Grant acquittal required after the event submitted in a timely manner.
  - b) The Shire of Woodanilling logo to be encouraged to be used on all advertising.

**COUNCIL RESOLUTION OCM 114/10/2022**

**Moved Cr Douglas**

**Seconded Cr Morrell**

That Council:

1. approves the application from the Woodanilling Primary School Parents & Citizens Association under Council Policy 32 – Community Events Fund grant approval for \$500.00 for the Community Christmas Tree Party in the Town Park to be held on the 15<sup>th</sup> December 2022 with the following conditions;
  - a) Grant acquittal required after the event submitted in a timely manner.
  - b) The Shire of Woodanilling logo to be encouraged to be used on all advertising.

**CARRIED 4/0**

### 14.3. WOODANILLING COMMUNITY EVENTS GRANT FUND – CWA SENIORS CHRISTMAS LUNCH - WITHDRAWN

<b>File Reference</b>	ADM 0332 GP742
<b>Date of Report</b>	12/10/2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Sue Dowson, Deputy Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment 14.3.1</b> - Shire of Woodanilling Community Events Grant Fund - Application Form CWA

#### BRIEF SUMMARY

This report is for Council to consider an application for the Community Event Fund received from the Woodanilling CWA for \$1,200. This is to assist in financing the running of the Annual Seniors Christmas Lunch to be held at the Woodanilling Pavilion on the 16<sup>th</sup> December 2022.

#### BACKGROUND/COMMENT

Council adopted a Council Policy – 32 Community Financial Assistance Grant Program in 2015. Recognising that community funding provides financial assistance for organisations and/or projects, which benefit the community. The objective of this funding is to maintain and build on Woodanilling's vibrant community spirit and welfare by providing financial support for local events which involve people coming together in the celebration and enjoyment of their culture or a common interest.

Applicants to complete the appropriate form and must address the selection criteria provided within the Policy. The application form and request is contained in **Attachment 14.3.1**.

#### Minor Community Grants Guidelines (up to \$5,000)

Groups, individuals, organisations or clubs are not to expect, as of right, any financial assistance from the Council. Requests will only be considered in respect to the overall priorities of other projects within the Shire and will also be subject to the availability of finance.

- 1. Projects must be completed in the financial year for which funding has been approved. Funds not expended by the end of the financial year in which they were approved, will be forfeited.*

This event is to be held on the 16<sup>th</sup> December so funds will be expended well before the end of the financial year. Any unspent funds will be reimbursed to the shire.

- 2. Where financial assistance is approved by Council for projects that are dependent upon funding from an outside source and that funding application is unsuccessful or the level of financial assistance from an outside source has been reduced below that requested by an organisation, the organisation shall be required to demonstrate its ability to meet the funding shortfall.*

The CWA is not applying for or receiving funding money from any outside source.

- 3. Council's contribution is limited to 1/3 of the total project cost and may include the provision of materials, and loans of plant and equipment, calculated at private works rates, so long as the combination of the dollar value of the in kind support plus financial contribution does not exceed 1/3 of the total project cost.*

The CWA will be contributing more than half of the costs associated with this event as in kind contributions.

- 4. 50% of the approved grant will be paid on approval of the project and the balance following successful acquittal of the project.*

Council may consider payment in full prior to the event.

- 5. Prior approval must be sought for any substantial change of proposal.*

No changes at present for this item.

- 6. Acquittal of the grants funds must be submitted to the Shire in a timely manner.*

Confirmed with CWA that the acquittal for this application will be provided after the event.

7. *Acknowledgement that “This project was made possible through financial assistance from the Shire of Woodanilling” must be made in all publicity associated with the project. Use of the Shire of Woodanilling Logo is encouraged.*

CWA supports this request. Shire officers will provide the appropriate logo for the event.

### **STATUTORY/LEGAL IMPLICATIONS**

Council is able to offer a donation or afford a financial grant through the adopted budget and policy framework for the Community Events Fund, which have been endorsed under the relevant provisions of the *Local Government Act 1995*.

### **POLICY IMPLICATIONS**

Policy No 32 Community Financial Assistance Grant Program applies to this application.

### **FINANCIAL IMPLICATIONS**

The Community Financial Assistance Program is allocated from within the Council’s budget each year, once funds have been fully allocated no further funds will be available until the following financial year. No allocations have been made to Council at this point. The general ledger 041150 – Donations has been identified to assist with this grant and was adopted in the 2022/2023 annual budget adoption.

### **STRATEGIC IMPLICATIONS**

#### **Theme 1**

#### **Community Well-Being**

#### **VISION**

- To deliver a quality of life to our residents that is based upon sound environmentally sustainable principles and is socially productive & growing

#### **OBJECTIVES**

- To support the delivery of programs and initiatives that foster community spirit and harmony
- To ensure that our community is accessible for people with disabilities, their families and carers (Woodanilling Disability Access Inclusion Plan 2010)

#### **STRATEGIES**

- By supporting community projects that have direct benefit to the well-being of our community – example Woody on Display
- Disability Access and Inclusion Plan (DAIP) – Advocate to local businesses and tourist venues the requirements for, and benefits flowing from, the provision of accessible venues.

#### **GOALS**

##### **Short Term**

**CW.2** Establishment of a Community Well Being Fund to provide financial support for events that directly benefit the well-being of the local community

##### **Medium Term**

**CW.1** Develop Community Initiative Programs to ensure active community participation and volunteering.

### **CONSULTATION/COMMUNICATION**

Deputy Chief Executive officer Consulted with the CWA President Barb Ashby on this grant request and discussions held with the Chief Executive Officer on the matter.

### **RISK MANAGEMENT**

The risk in relation to this matter is assessed as “Medium” on the basis that if Council does not accept the recommendation places the Woodanilling CWA with the lack of financial support to provide a Seniors Christmas lunch. This could affect the long term aspect of the CWA being able to be financially viable to continue to support the community and residents of Woodanilling.

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Extreme
Almost	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
<b>LOW</b>	Monitor for continuous improvement.
<b>MEDIUM</b>	Comply with risk reduction measures to keep risk as low as reasonably practical.
<b>HIGH</b>	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
<b>SEVERE</b>	Unacceptable. Risk reduction measures must be implemented before proceeding.

### VOTING REQUIREMENTS

Simple Majority

### OFFICER'S RECOMMENDATION

That Council:

1. Approves the application from the Woodanilling Country Women's Association under Council Policy 32 – Community Events Fund grant approval for \$1,200 for the Senior Citizens Xmas Luncheon to be held on the 16<sup>th</sup> December 2022 with the following conditions;
  - a) Grant acquittal required after the event submitted in a timely manner.
  - b) The Shire of Woodanilling logo to be encouraged to be used on all advertising.

### COUNCIL RESOLUTION OCM 115/10/2022

Moved Cr Douglas

Seconded Cr Morrell

That Council accepts this item to be withdrawn due to the Woodanilling Country Women's Association have decided not to proceed with this event.

**CARRIED 4/0**

**Reason for Change:** The Shire Officer was advised that the CWA will not be proceeding with this request after the agenda had been issued and the item is to be withdrawn.

## 15. OFFICE OF CEO

### 15.1. INFORMATION BULLETIN – OCTOBER 2022

<b>File Reference</b>	ADM0105
<b>Date of Report</b>	3 October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Gen Harvey, Landcare WWLZ (for attached report) Kellie Bartley, Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment No. 15.1.1</b> – WWLZ – Information Report for October 2022

#### BRIEF SUMMARY

The purpose of the information bulletin is to keep Elected Members informed on matters of interest and importance to Council.

#### BACKGROUND/COMMENT

The Information Bulletin Report/s deal with monthly standing items and other information of a strategic nature relevant to Council.

Copies of other relevant Councillor information are distributed via email as required or possible Elected Member nominated on the relevant working group have been in attendance.

This month's Information Bulletin attachment includes:

#### Reports:

- Wagin Woodanilling Landcare Zone – October 2022 (**Attachment 15.1.1**)

#### Circulars, Media Releases, Newsletters, Letters:

- Transport, Plant & Works – Notes from meeting
- LEMC Minutes 12.09.2022 – Meeting held in Shire of Woodanilling
- Minister Carey – Local Government Reform
- WALGA – State Council Minutes – 9<sup>th</sup> September 2022
- DAMA Employer Surveys for RDA Great Southern
- 2022 Hollow Log Golf Tournament
- Tidy Towns 2022 Acknowledgement
- 2021/2022 WALGA Annual Report

#### STATUTORY/LEGAL IMPLICATIONS

There is no statutory or legal implications relating to this report.

#### POLICY IMPLICATIONS

There is no current policy implications with regards to this report.

#### FINANCIAL IMPLICATIONS

There are no financial implications that have been identified as a result of these reports or recommendation.

#### STRATEGIC IMPLICATIONS

#### THEME 2

#### Enhancing Natural and Built Environment

#### OBJECTIVES

To ensure our natural resource management (NRM) decisions and aims are in reference to the Wagin Woodanilling Landcare Action Plan.

#### STRATEGIES



By co-operative management and empowering community involvement, whilst allowing for ecologically sustainable activities.

**CONSULTATION/COMMUNICATION**

There are no community engagement implications that have been identified as a result of this report or recommendation.

**RISK MANAGEMENT**

The risk in relation to this matter is assessed as “Low” on the basis that if Council does not accept the reports.

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER’S RECOMMENDATION**

That Council accepts the Information Bulletin Report for the month of October 2022.

**COUNCIL RESOLUTION OCM 116/10/2022**

**Moved Cr Morrell**

**Seconded Cr Smith**

That Council accepts the Information Bulletin Report for the month of October 2022.

**CARRIED 4/0**

## 15.2. PROPOSED OFFICE AND WORKS DEPOT CLOSURE - CHRISTMAS / NEW YEAR PERIOD 2022/2023

<b>File Reference</b>	4.2.2
<b>Date of Report</b>	12 October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Gillian French, Special Projects Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	Nil

### BRIEF SUMMARY

Council is asked to consider the closure of the Administration Office and Works Depot from 12 noon on Friday 23 December 2022, with Administration Office staff returning on Monday 9 January 2023 and Depot staff returning Tuesday 10 January 2023.

An early decision will inform the community well in advance of the office closure and thus allow residents to make arrangements to meet their commitments.

### BACKGROUND

Traditionally the Administration Office and Depot have closed over the Christmas and New Year period, and there is no record of this closure causing any inconvenience to the community.

The closure of the office will allow staff to have an extended period of leave with the inclusion of the public holidays. Traditionally the number of enquiries and transaction during this period has been low.

The Depot crew also take leave during this period, however, there will be staff available to attend to any emergencies that may be required to be attended to.

The proposed closure dates are as detailed below:

<b>2022/2023 Proposed Christmas Dates</b>				
<b>Day</b>	<b>Date</b>	<b>Administration</b>	<b>Depot</b>	<b>Rubbish Tip</b>
Thursday	22-Dec			OPEN
Friday	23-Dec	shire proposed to close at 12 noon		
Saturday	24-Dec			OPEN
Sunday	25-Dec	Christmas Day		CLOSED
Monday	26-Dec	Boxing Day Public Holiday		
Tuesday	27-Dec	Public Holiday in lieu of Christmas Day		
Wednesday	28-Dec	Local Government Day as per award		
Thursday	29-Dec	Leave Day	Depot RDO from 26 Dec	OPEN
Friday	30-Dec	Leave Day	Leave Day	
Saturday	31-Dec			OPEN
Sunday	1-Jan	New Year Day		CLOSED
Monday	2-Jan	Public Holiday in lieu of New Year Day		
Tuesday	3-Jan	Leave Day	Depot RDO from 2 Jan	
Wednesday	4-Jan	Leave Day	Leave Day	
Thursday	5-Jan	Leave Day	Leave Day	OPEN
Friday	6-Jan	Leave Day	Leave Day	
Saturday	7-Jan			OPEN
Sunday	8-Jan			OPEN
Monday	9-Jan	Return to work	RDO	
Tuesday	10-Jan		Return to work	

The Shire of Woodanilling Tip hours will remain the same except for the two public holidays that fall on Sunday 25<sup>th</sup> December 2022 and Sunday 1<sup>st</sup> January 2023.

It is the Officers Recommendation to support this request for Christmas and New Year’s closure period with emergency numbers to be available and distributed for the aspect of any significant emergencies or requirements that may be needed to be addressed over this period of time.

**STATUTORY/LEGAL IMPLICATIONS**

There is no statutory environment related to this item.

**POLICY IMPLICATIONS**

There is no policy implications associated with this item.

**FINANCIAL IMPLICATIONS**

There is no financial implications to the organisation as all staff are entitled to leave which has been factored into the annual budget.

**STRATEGIC IMPLICATIONS**

**Theme 3 - Customer Service**

**VISION**

- To be responsive to the expectations of our clients and users in the area of customer service.
- To promote excellence in customer service.

**OBJECTIVES**

- To observe the service standards in the Woodanilling Customer Service Charter (2010).
- To build confidence, support and satisfaction in service delivery by increasing and developing communication channels with the whole community.

**STRATEGIES**

- By ensuring elected members and staff are supported by ongoing professional development, and the maintenance of their professional standards
- An awareness of community views and listening to our community and being responsive

**CONSULTATION/COMMUNICATION**

Staff have been consulted and informed in relation to the designated public holidays and Local Government public holiday.

**RISK MANAGEMENT**

The risk in relation to this matter has been assessed as “Low” within the Risk Management Table.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council:

1. ENDORSES the Chief Executive Officers request to close the Administration Office and the Works Depot from noon on Friday 23 December 2022 with Administration staff returning at 08:30am Monday 9 January 2023, and Depot staff returning Tuesday 10 January 2023 subject to:
  - a) The closure and emergency contacts being publicised on the Shire's website, Facebook page and Notice Boards in the months leading up to the Christmas period.
  - b) The Chief Executive Officer ensuring that there will be staff available for call outs in the event of an emergency.

### **COUNCIL RESOLUTION OCM 117/10/2022**

**Moved Cr Douglas**

**Seconded Cr Morrell**

That Council:

- 1) ENDORSES the Chief Executive Officers request to close the Administration Office and the Works Depot from noon on Friday 23 December 2022 with Administration staff returning at 08:30am Monday 9 January 2023, and Depot staff returning Tuesday 10 January 2023 subject to:
  - a) The closure and emergency contacts being publicised on the Shire's website, Facebook page and Notice Boards in the months leading up to the Christmas period.
  - b) The Chief Executive Officer ensuring that there will be staff available for call outs in the event of an emergency

**CARRIED 4/0**

### 15.3. PROPOSED COUNCIL MEETING DATES 2023

<b>File Reference</b>	ADM0368
<b>Date of Report</b>	12 October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Gillian French, Special Projects Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	Nil

#### BRIEF SUMMARY

The purpose of this report is for Council to consider the Ordinary Council Meeting dates, times and schedule for the 2023 calendar year. All nominated meeting dates fall on the 3<sup>rd</sup> Tuesday of the month except where it is a 5 week cycle in a month, it will then be held on the 4<sup>th</sup> Tuesday of the month.

#### BACKGROUND

The *Local Government (Administration) Regulations 1996* requires a local government, at least once a year, to give local public notice of the dates, times and places at which Ordinary meetings of Council are to be held for the next twelve months.

Currently all Council meetings are held in the Council Chambers at the Shire of Woodanilling Administration Building at 3316 Robinson Road, Woodanilling. Council meetings commence at 4:00pm. Council meetings are open to the public. Council have the option to choose an alternative location, such as Kenmare Hall to hold one meeting, if they so decide.

Accordingly, Council is requested to adopt the following dates on which Ordinary Council Meetings are to be held in 2023:

No Meeting held in January 2023  
21 February 2023  
21 March 2023  
18 April 2023  
23 May 2023  
20 June 2023  
18 July 2023  
22 August 2023  
19 September 2023  
24 October 2023  
21 November 2023  
19 December 2023

#### STATUTORY/LEGAL IMPLICATIONS

Section 5.25(1)(g) of the *Local Government Act 1995* (the Act) provides for the giving of public notices of the date and agenda for Council meetings.

Regulation 12(2) of the *Local Government (Administration) Regulations 1996* provides -

“(2) The CEO must publish on the local government’s official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held –

- a) Ordinary council meetings;
- b) Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.”

Section 5.3(2) of the Act requires that a local government hold Ordinary Council Meetings no more than three months apart.

## POLICY IMPLICATIONS

There are no policies that are associated with this item.

## FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

## STRATEGIC IMPLICATIONS

### Theme 3

### Customer Service

#### VISION

- To be responsive to the expectations of our clients and users in the area of customer service.
- To promote excellence in customer service.

#### OBJECTIVES

- To observe the service standards in the Woodanilling Customer Service Charter (2010).
- To build confidence, support and satisfaction in service delivery by increasing and developing communication channels with the whole community.

#### STRATEGIES

- By ensuring elected members and staff are supported by ongoing professional development, and the maintenance of their professional standards.
- An awareness of community views and listening to our community and being responsive.

## CONSULTATION/COMMUNICATION

Subject to Council's approval, in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, an advertisement regarding Council meetings will be placed on the Shire's website, as well as the Shire's Facebook page and Notice Boards.

## RISK MANAGEMENT

The risk in relation to this matter has been assessed as "Low" within the Risk Management Table.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

## VOTING REQUIREMENTS

Simple Majority

## OFFICER'S RECOMMENDATION

That Council:

1. REQUESTS the Chief Executive Officer give local public notice in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996* for the Shire's 2023 Ordinary Council Meetings to be held at 4:00pm in the Council Chambers, Shire of Woodanilling Administration Office, 3316 Robinson Road, Woodanilling, with the exception of one meeting being held at Kenmare Hall, as noted below:

January 2023 – No meeting to be scheduled

21 February 2023

21 March 2023

18 April 2023

23 May 2023

20 June 2023

18 July 2023

22 August 2023

19 September 2023

24 October 2023

21 November 2023

19 December 2023

### **AMENDED COUNCIL RESOLUTION OCM 118/10/2022**

**Moved Cr Morrell**

**Seconded Cr Smith**

That Council:

- 1) REQUESTS the Chief Executive Officer give local public notice in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996* for the Shire's 2023 Ordinary Council Meetings to be held at 4:00pm in the Council Chambers, Shire of Woodanilling Administration Office, 3316 Robinson Road, Woodanilling, with the exception of two meetings with one being held at Kenmare Hall, and an additional meeting to be held out east of the Shire (site to be determined), dates as noted below:

January 2023 – No meeting to be scheduled

21 February 2023

21 March 2023

18 April 2023

23 May 2023

20 June 2023

18 July 2023

22 August 2023

19 September 2023

24 October 2023

21 November 2023

19 December 2023

**CARRIED 4/0**

**REASON:** As the Ordinary Council Meeting held at Kenmare Hall, it has been a benefit for Council to consider another meeting to be held however on the East side of the Shire to enhancement the community, residents and the Council.

## 15.4.APPOINTMENT OF DUAL FIRE CONTROL OFFICERS

<b>File Reference</b>	ADM0066
<b>Date of Report</b>	12 <sup>th</sup> October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Sue Dowson, Deputy Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment No. 15.4.1</b> – Shire of Wagin – Dual Fire Control Officers <b>Attachment No. 15.4.2</b> – Shire of West Arthur – Dual Fire Control Officers

### BRIEF SUMMARY

In accordance with legislation requirements the Council is required to formally appoint its Bushfire Control Officers. This is done to ensure compliance and lawfully legitimise their authorisation under the *Bush Fires Act 1954*, in fulfilling their duty.

### BACKGROUND/COMMENT

This report seeks Councils consideration to appoint Dual Fire Control Officers from the Shire of Wagin. Council has been requested by the Shire of Wagin to appoint Dual Fire Control Officers under the *Bush Fires Act, 1954* to empower these volunteers to act in their appointed roles across the municipal boundary.

This includes the appointment of the following people in the capacity of Dual Fire Control Officer from Shire of Wagin:

Mr W Brockway  
Mr I Mc Dougall

A copy of the letter from the Shire of Wagin is provided at **Attachment 15.4.1**.

Advice has also been received from the Shire of West Arthur. This was not tabled at the Bush Fires Advisory Committee on the 11<sup>th</sup> October 2022. Therefore Shire Officers are seeking for Council to consider the recommendation to appoint the following persons in the capacity of a Dual Fire Control Officer from the Shire of West Arthur.

The appointment to be considered is Neil Morrell.

A copy of the letter from the Shire of West Arthur is contained in **Attachment 15.4.2**.

### STATUTORY/LEGAL IMPLICATIONS

As mentioned the appointment of a Dual fire Control Officer for the 2022/23 Bush fire season is undertaken in accordance with Section 38 of the *Bush Fire Act, 1954*.

### POLICY IMPLICATIONS

There are no policies applicable to this proposal.

### FINANCIAL IMPLICATIONS

There is no impost on the Shire's finances in relation to this matter.

### STRATEGIC IMPLICATIONS

#### THEME 3

#### Law & Order

#### OBJECTIVES

To increase public awareness and empowerment of the community's role in crime prevention, animal control and fire management

#### GOALS

#### Short Term

**LO.2** Implementation of Fire Management Plan adopted recommendations including, but not limited to: -Policies -Committee-Consideration of Town Brigade

**LO.6** Local Emergency Management to ensure preparedness for local emergencies



## CONSULTATION/COMMUNICATION

There has been no consultation in relation to this matter.

## RISK MANAGEMENT

Without the required authorisation from Council there is a perceived high level risk in relation to the duties performed by the newly appointed Dual Fire Control Officers, which could be deemed unlawful and potentially invalid should their actions be challenged through a judicial process. Therefore, the level of risk is assessed against the following matrix table as "Medium".

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

## VOTING REQUIREMENTS

Simple Majority

## BFAC RECOMMENDATION 1

That the Bush Fires Advisory Committee recommends that Council appoints under Section 38 of the *Bush Fire Act 1954*, the following Dual Fire Control Officers from the Shire of Wagin:

- Mr Wade Brockway
- Mr Ian McDougall

As authorised officers in the capacity of Dual Fire Control Officers for the 2022/2023 Bush Fire Season.

## OFFICER'S RECOMMENDATION 2

That Council appoints under Section 38 of the *Bush Fire Act 1954*, the following Dual Fire Control Officers from the Shire of West Arthur:

- Mr Neil Morrell

As authorised officer in the capacity of Dual Fire Control Officers for the 2022/2023 Bush Fire Season.

## COUNCIL RESOLUTION OCM 119/10/2022

**Moved Cr Morrell**

**Seconded Cr Smith**

That the Bush Fires Advisory Committee recommends that Council appoints under Section 38 of the *Bush Fire Act 1954*, the following Dual Fire Control Officers from the Shire of Wagin:

- Mr Wade Brockway
- Mr Ian McDougall

As authorised officers in the capacity of Dual Fire Control Officers for the 2022/2023 Bush Fire Season.

**CARRIED 4/0**

**COUNCIL RESOLUTION OCM 120/10/2022**

**Moved Cr Douglas**

**Seconded Cr Smith**

That Council appoints under Section 38 of the *Bush Fire Act 1954*, the following Dual Fire Control Officers from the Shire of West Arthur:

- Mr Neil Morrell

As authorised officer in the capacity of Dual Fire Control Officers for the 2022/2023 Bush Fire Season.

**CARRIED 4/0**

## 15.5.ENDORSEMENT OF AMENDED FIRE BREAK NOTICE AND BUSH FIRE INFORMATION 2022/2023

<b>File Reference</b>	ADM
<b>Date of Report</b>	12 October 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Gillian French, Special Projects Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>ATTACHMENT 15.5.1</b> – Fire Break Notice and Bush Fire Information 2022/2023 <b>ATTACHMENT 15.5.2</b> – <b>Amended</b> Fire Break Notice and Bush Fire Information 2022/2023

### BRIEF SUMMARY

The purpose of this report is to endorse the Shire's **amended** annual Fire Break Notice and Bush Fire Information 2022/2023 being issued under section 33 of the *Bush Fires Act 1954* for the upcoming fire season. The power to endorse this notice has been delegated to the Chief Executive Officer in accordance with section 48 of the *Buh Fires Act 1954*. There is no power to sub-delegate under this Act.

The proposed amendments are as follows:

#### **Fire Break Notice change in Prohibited Burning Period**

*Prohibited Burning Period to change to "1 November to 27 February (inclusive)"*

#### **Bushfire Executive:**

*Senior Fire Control Officer 2 "Graydn Wilcox (with Call Sign and Mobile to be added)"; and*

*Glencoe Brigade FCO/Captain's call sign be amended to "Glencoe 1"*

### BACKGROUND/COMMENT

At its meeting of 21 June 2022, Council endorsed the Shire's annual Fire Break Notice and Bush Fire Information 2022/2023.

At the same meeting Council also supported the extension to the prohibited burning period as requested by the Bush Fire Advisory Committee.

This extension to the prohibited burning period was supported by the Department of Fire and Emergency Services (DFES) and gazetted by the FES Commissioner on 26 July 2022. The amendment appeared within the Government Gazette dated 29 July 2022.

At the Bush Fire Advisory Committee meeting held 11 October 2022, it was noted by the DFES District Officer that the proposed date changes stated 28 February, which does not take into account a Leap Year.

The Committee also noted some anomalies within the Firebreak Notice regarding Senior Fire Control Officers and call signs for said officers.

The Fire Break Notice and Bush Fire Information 2022/2023 has been amended to reflect these changes.

Should Council recommend endorsement, then Shire officers will arrange advertisement of the Notice within the *Government Gazette* and the local newspaper. In addition, the information on the Shire's website and the Fire Break Notice and Bush Fire Information 2022/2023 brochure will also be updated to provide current and consistent information.

### STATUTORY/LEGAL IMPLICATIONS

This request aligns to section 33 of the *Bush Fires Act 1954*, which states the following:

#### **Bush Fires Act 1954**

#### **17. Prohibited burning times may be declared by Minister**

- (1) *The Minister may, by declaration published in the Gazette, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the declaration and may, by subsequent declaration so published, vary that declaration or revoke that declaration either absolutely or for the purpose of substituting another declaration for the declaration so revoked.*

- (2) *Where by declaration made under subsection (1) prohibited burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those prohibited burning times shall have effect in respect of that zone in each year until that declaration is revoked.*

**67. Advisory committees**

- (1) *A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.*

**33 Local government may require occupier of land to plough or clear fire-break**

- (1) *Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things –*

Please refer to State Law Publisher for the full details from Sections 33(1) through to 33(9). The details are defined under this section of the Act.

**POLICY IMPLICATIONS**

There are no policies associated with this item.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

**STRATEGIC IMPLICATIONS**

**THEME 3**

**Law & Order**

**OBJECTIVES**

To increase public awareness and empowerment of the community’s role in crime prevention, animal control and fire management.

**CONSULTATION/COMMUNICATION**

The Fire Break Notice and Bush Fire Information 2022/2023 has been circulated to Council, the Shire’s Volunteer Bush Fire Brigades and the Bush Fire Advisory Committee members.

**RISK MANAGEMENT**

The risk in relation to this matter has been assessed as “Medium” on the basis that if Council does not endorse the amendments to the Fire Break Notice and Bush Fire Information 2022/2023, it may cause confusion to members of the community and fail to meet the statutory requirements of the *Bush Fires Act 1954*.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe

Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

## VOTING REQUIREMENTS

Simple Majority

## OFFICER'S RECOMMENDATION

That Council:

1. Recommends the Chief Executive Officer endorses the Shire's Fire Break Notice and Bush Fire Information 2022/2023 reflecting the changes below and as contained within **Attachment 15.5.2** of this report:

***Fire Break Notice change in Prohibited Burning Period***

*Prohibited Burning Period to change to "1 November to 27 February (inclusive)"*

***Bushfire Executive:***

*Senior Fire Control Officer 2 "Graydn Wilcox (with Call Sign and Mobile to be added)"; and  
Glencoe Brigade FCO/Captain's call sign be amended to "Glencoe 1"*

2. Authorises the Chief Executive Officer to request an amendment, in writing, to the Fire and Emergency Services Commissioner as detailed below:

***a. Fire Break Notice change in Prohibited Burning Period***

*Prohibited Burning Period to change to "1 November to 27 February (inclusive)".*

### **COUNCIL RESOLUTION OCM 121/10/2022**

**Moved Cr Douglas**

**Seconded Cr Morrell**

That Council:

- 1) Recommends the Chief Executive Officer endorses the Shire's Fire Break Notice and Bush Fire Information 2022/2023 reflecting the changes below and as contained within **Attachment 15.5.2** of this report:

***Fire Break Notice change in Prohibited Burning Period***

*Prohibited Burning Period to change to "1 November to 27 February (inclusive)"*

***Bushfire Executive:***

*Senior Fire Control Officer 2 "Graydn Wilcox (with Call Sign and Mobile to be added)"; and  
Glencoe Brigade FCO/Captain's call sign be amended to "Glencoe 1"*

- 2) Authorises the Chief Executive Officer to request an amendment, in writing, to the Fire and Emergency Services Commissioner as detailed below:

***Fire Break Notice change in Prohibited Burning Period***

*Prohibited Burning Period to change to "1 November to 27 February (inclusive)".*

**CARRIED 4/0**

## 15.6. NEW COUNCIL POLICY 108 – CONSUMPTION OF ALCOHOL IN OR ON SHIRE OWNED FACILITIES AND RESERVES

<b>File Reference</b>	ADM0019
<b>Date of Report</b>	26 August 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Kellie Bartley, Chief Executive Officer
<b>Disclosure of any Interest</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
<b>Voting Requirement</b>	Simple Majority
<b>Attachments</b>	<b>Attachment 15.6.1</b> – Revised New Council Policy 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves <b>Attachment 15.6.2</b> – Application to Consume Alcohol on Shire Property

### BRIEF SUMMARY

The purpose of this report is for Council to endorse a new Council Policy for the consumption of Alcohol in or on Shire Owned Facilities and Reserves within the Shire of Woodanilling.

### BACKGROUND/COMMENT

The Shire has recently undertaken a review of their current facilities hire and the application to consume alcohol on shire properties. The Shire currently has no reference to alcohol being consumed within the Shire's current facilities.

The consumption of alcohol at shire reserves or on shire properties will allow for the user and shire officers a guide when issuing hirers permit to consume alcohol. These permits are generally for private functions, or for the issue of a permit in conjunction with a License to Sell Liquor (issued by the Department of Local Government, Sport and Cultural Industries – Racing, Gaming and Liquor). The permits apply to the Shires Facilities and Shire managed reserves and parks.

The revised new Council Policy – 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves is contained in **ATTACHMENT 15.6.1**.

The provisions for an application to consume alcohol on Shire property form is also attached for Council's reference. This is contained within **Attachment 15.6.2**.

At the Ordinary Council Meeting held on the 20 September 2022, Cr Douglas raised an alternative motion to defer this item for further consideration to the policy to amend the context to refer to only within the townsite boundary.

The recommendations and alternative motion/resolution is listed below.

### OFFICER'S RECOMMENDATION

*That Council pursuant to section 2.7 of the Local Government Act 1995, adopts the Council Policy 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves as contained in **ATTACHMENT 15.1.2**.*

### ALTERNATIVE MOTION

Cr Douglas proposed for the following Alternative Motion:

*That Council defers the item until the October 2022 Ordinary Council Meeting to allow for the Chief Executive Officer time to further review the item with regards to the reference of Shire Owned Facilities and Reserves within and outside the "Townsite" Boundary.*

### **ALTERNATIVE COUNCIL RESOLUTION OCM 102/09/2022**

**Moved Cr Douglas**

**Seconded Cr Morrell**

That Council defers the item until the October 2022 Ordinary Council Meeting to allow for the Chief Executive Officer time to further review the item with regards to the reference of Shire Owned Facilities and Reserves within and outside the "Townsite" Boundary.

**CARRIED 5/0**

The Chief Executive Officer discussed with elected members at the Council Briefing session with regards to the policy and the changes were made to reflect the policy direction that Council believes is best for its community and residents.

The revised version of Council Policy - 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves is contained within **Attachment 15.6.1**.

### **STATUTORY/LEGAL IMPLICATIONS**

Section 2.7 (2) (b) of the *Local Government Act 1995* prescribes that a primary function of the Council is determining the Local Government Policies.

#### **2.7. Role of council**

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

#### **Liquor Control Act 1988 – A Guide for Local Governments**

#### **Liquor Licensing Act 1988**

Local governments have power under the Liquor Control Act 1988 to properly control the consumption of liquor on local government property and develop a local liquor policy compliant with the Act.

### **POLICY IMPLICATIONS**

There is currently Council Policy - 81 Use of Shire of Woodanilling Facilities that is associated with this item.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item. However the provisions for this policy will require and fall under the provisions of hiring any shire facilities. The Shire holds a bond and requires the relevant paperwork to be taken for all hire of facilities.

### **STRATEGIC IMPLICATIONS**

#### **THEME 3**

#### **Governance**

#### **OBJECTIVES**

To promote continual improvement that is supported by efficient and effective governance structures and processes.

#### **STRATEGIES**

By ensuring legislation is used to effectively enable quality decision making.

### **CONSULTATION/COMMUNICATION**

Consultation has taken place with Councillors, Chief Executive Officer and Deputy Chief Executive Officer (DCEO). Further consultation with Elected Members was held at Council Briefing Session on 23 August 2022.

### **RISK MANAGEMENT**

The Risk in relation to this matter has been assessed as “Medium” within the Risk Management Table below, the policy will have no financial impact on the Shire and facilities hirers are required to pay a bond for any concerns with this policy.

<b>Consequence</b>	<b>Insignificant</b>	<b>Minor</b>	<b>Moderate</b>	<b>Major</b>	<b>Extreme</b>
<b>Likelihood</b>					
<b>Almost Certain</b>	Medium	High	High	Severe	Severe
<b>Likely</b>	Low	Medium	High	High	Severe
<b>Possible</b>	Low	Medium	Medium	High	High
<b>Unlikely</b>	Low	Low	Medium	Medium	High
<b>Rare</b>	Low	Low	Low	Low	Medium

Risk Rating	Action
<b>LOW</b>	Monitor for continuous improvement.
<b>MEDIUM</b>	Comply with risk reduction measures to keep risk as low as reasonably practical.
<b>HIGH</b>	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
<b>SEVERE</b>	Unacceptable. Risk reduction measures must be implemented before proceeding.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

*That Council pursuant to section 2.7 of the Local Government Act 1995, adopts the Council Policy 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves as contained in **ATTACHMENT 15.6.1.***

**COUNCIL RESOLUTION OCM 122/10/2022**

**Moved Cr Douglas**

**Seconded Cr Morrell**

*That Council pursuant to section 2.7 of the Local Government Act 1995, adopts the Council Policy 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves as contained in **ATTACHMENT 15.6.1.***

**CARRIED 4/0**



**16. CONFIDENTIAL REPORTS**

Nil

**17. ELECTED MEMBERS’ MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**18. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL**

**18.1.COUNCILLORS AND /OR OFFICERS**

There were no further business however Cr Thomson addressed the meeting with the where the Shire is currently at with the public.

- Acknowledge and thank the Kenmare Hall Committee for maintaining the Hall for the greater community.
- Apologies from Cr Jefferies and Brown today
- Tidy Towns Competition Kenmare Hall was included and the Kenmare Hall Committee represented well for the judging.
- Kenmare Hall Roof – Builder contacted Sue last week, will be done in the next two weeks.
- Bush Fire Season Ready – firebreaks, town mitigation, breaks round assets, gutters etc
- Welcome the Harvest Season and we wish everyone a good and safe season
- Projects by Council
  - Town Dam grant (Grant for Town Oval Dam to repair the dam leak and further improvements, bore and upgrade of water supply for the town dam.)
  - Beaufort River Water Catchment (Beaufort River Paleo Channel joint Project GSDC, West Arthur and Woodanilling, aim is to survey the Paleo channel and gather further info on capacity and future use.)
  - Fletchers
- Local Roads Funding
  - Orchard Road – Culvert and rehab work
  - Robinson Road East – Resheeting and rehab SLK5.5 to 10.6
  - Oxley Road – Shoulder grading
  - Robinson Road West – Maintenance and shoulder grading SLK 0 to 32.48
  - Onslow Road – Resheeting – SLK 0.5 to 2.5
  - Cornwall Road – Resheeting – SLK0 to 4.4
  - Half courts basketball in town
  - Walking paths
  - CCTV and street lighting at Rec Centre
  - Lake Queerearup – toilet block & improvements
- Roads to Recovery
  - Newstead, Burt, Orchard & Douglas Roads

**19. CLOSURE OF MEETING**

Cr Thomson thanked everyone for attending and the meeting closed at 5.42pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on the .....

.....Presiding Member – Councillor Thomson

..... Date