



# SHIRE OF WOODANILLING



## ORDINARY MEETING OF COUNCIL Confirmed Minutes 20 September 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.

Agendas and Minutes are available on the Shire website [www.woodanilling.wa.gov.au](http://www.woodanilling.wa.gov.au)

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The purpose of this Council Meeting is to discuss and where possible make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussions occurring, during the course of the meeting. Persons should be aware that the provisions of the *Local Government Act 1995* (Section 5.25 (1) (e)). No person should rely on the decisions made by Council until formal advice of the Council resolution is received by that person.

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

## ORDINARY MEETING OF COUNCIL MINUTES

Minutes of the Ordinary Council Meeting of the Shire of Woodanilling held Tuesday 20 September 2022 in the Council Chambers, 3316 Robinson Road, Woodanilling.

### 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Shire President, Councillor Thomson declared the meeting opened at 4.10pm and welcomed the Councillors and Staff.

#### 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 HR Thomson Deputy Shire President

Cr P Morrell

Cr D Douglas

Cr T Brown Arrived at 4.12pm

Cr B Smith

#### Officers:

Kellie Bartley Chief Executive Officer

Sue Dowson Deputy CEO

#### Apologies:

Cr S Jefferies  
Shire President  
**Observers:**  
Nil

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

Nil to Report.

### 4. PUBLIC QUESTION TIME

Nil to Report.

### 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

Deputy Shire President Cr Thomson – reported that 1500kl of storm water in the last 10 days has been pumped up to the town dam from the reservoir behind CBH. Noting no leaks in the current dam walls.

**Cr Tim Brown entered the meeting at 4.12pm**

### 8. CONFIRMATION OF COUNCIL MEETING MINUTES:

#### 8.1. ORDINARY MEETING OF COUNCIL HELD – 23 AUGUST 2022

That the Minutes of the Ordinary Meeting of Council held 23 August 2022 be confirmed as a true and correct record of proceedings without amendment.

#### **COUNCIL RESOLUTION OCM93/09/2022**

**Moved Cr Douglas                      Seconded Cr Morrell**

That the Minutes of the Ordinary Meeting of Council held 23 August 2022 be confirmed as a true and correct record of proceedings without amendment.

**CARRIED 5/0**

### 9. CONFIRMATION OF OTHER MEETING MINUTES:

#### **COUNCIL RESOLUTION OCM94/09/2022**

**Moved Cr Morrell                      Seconded Cr Smith**

That Council agree to move en bloc items 9.3 to 9.7 and listed below:

- 9.3 Community Development Meeting 23/08/2022
- 9.4 Great Southern Recreation Advisory Group 25/08/2022
- 9.5 WALGA Great Southern Country Zone 26/08/2022
- 9.6 Local Emergency Management Committee 02/09/2022
- 9.7 Transport Plant and Works Committee 13/09/2022

**CARRIED 5/0**

**9.1. SPECIAL COUNCIL MEETING HELD 30/08/2022**

That the Minutes of the Special Meeting of Council held 30 August 2022 be confirmed as a true and correct record of proceedings without amendment.

**COUNCIL RESOLUTION OCM95/09/2022**

**Moved Cr Douglas                      Seconded Cr Morrell**

That the Minutes of the Special Council Meeting held 30 August 2022 be confirmed as a true and correct record of proceedings without amendment.

**CARRIED 5/0**

**9.2. ANNUAL ELECTORS MEETING HELD 23/08/2022**

That the Minutes of the Annual Electors Meeting held on 23<sup>rd</sup> August 2022 be confirmed as a true and correct record of proceedings without amendment.

**COUNCIL RESOLUTION OCM96/09/2022**

**Moved Cr Morrell                      Seconded Cr Smith**

That the Minutes of the Annual Electors Meeting held 30 August 2022 be confirmed as a true and correct record of proceedings without amendment.

**CARRIED 5/0**

**9.3. COMMUNITY DEVELOPMENT COMMITTEE HELD 23/08/2022**

That the Minutes of the Community Development Committee Meeting held at the Shire of Woodanilling on 23 August 2022 be received by Council.

**9.4. GREAT SOUTHERN RECREATION ADVISORY GROUP 25/08/2022**

That the Minutes of the GSRAG Meeting held at the Shire of Katanning on 25 August 2022 be received by Council.

**9.5. WALGA GREAT SOUTHERN COUNTRY ZONE 26/08/2022**

That the Minutes of the WALGA Great Southern Country Zone Meeting held at the Shire of Katanning on 26 August 2022 be received by Council.

**9.6. LOCAL EMERGENCY MANAGEMENT COMMITTEE 2/09/2022**

That the Minutes of the Local Emergency Management Committee held at the Woodanilling Recreation Centre on the 12 September 2022 be received by Council.

To be distributed prior to the meeting.

**9.7. TRANSPORT PLANT AND WORKS COMMITTEE 13/09/2022**

That the Minutes of the Transport Plant and Works Committee Meeting held at the Shire of Woodanilling on 13 September 2022 be endorsed by Council.

To be distributed prior to the meeting.

**COUNCIL RESOLUTION OCM97/09/2022****Moved Cr Douglas                      Seconded Cr Brown**

That the Minutes of the following Committee Advisory and Zone meetings be received by Council as en bloc for the following meetings:

- 9.3      Community Development Meeting 23/08/2022
- 9.4      Great Southern Recreation Advisory Group 25/08/2022
- 9.5      WALGA Great Southern Country Zone 26/08/2022
- 9.6      Local Emergency Management Committee 02/09/2022
- 9.7      Transport Plant and Works Committee 13/09/2022

**CARRIED BY AN EN BLOC VOTE 5/0****10. REPORTS OF OFFICERS**

## 11. REGULATORY SERVICES

### 11.1.CAFÉ SIGNAGE – LOT 55, 25995 GREAT SOUTHERN HIGHWAY, WOODANILLING

<b>File Reference</b>	A242/DA11
<b>Date of Report</b>	12 September 2022
<b>Responsible Officer</b>	Kellie Bartley, Chief Executive Officer
<b>Author of Report</b>	Jennifer Dowling, Town Planner
<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 11.1.1</b> –Application for Planning Approval <b>ATTACHMENT 11.1.2</b> – Additional Information for Advertisements <b>ATTACHMENT 11.1.3</b> – Main Roads Application for Roadside Advertising

<b>Proponent</b>	David Shannon
<b>Owner</b>	V Watson & K Parkhill
<b>Date of Receipt</b>	9 September 2022
<b>Property Address</b>	Lot 55, 25995 Great Southern Highway, Woodanilling
<b>Lot Area</b>	2.1954 ha
<b>Town Planning Scheme No 1 Zoning</b>	Local Rural

#### BRIEF SUMMARY

The operator of the Café wishes to install advertising signage at the site. The positioning of the signage requires approval from Main Roads in accordance with R 7(1) and (4) of the *Main Roads (Control of Advertising) Regulations 1996*. That regulation requires Council approval to be submitted with that application. The operator has sourced the appropriate Main Roads application form and is seeking Council endorsement of that form.

Council does not have a Signs, Billposting and Hoarding Local Law therefore in the absence of a Local Law, the only method of assessing and guiding standards is through the Shire of Woodanilling Town Planning Scheme No 1 (TPS 1).

The proposed signs are 1.5m<sup>2</sup> and are double sided. They are to be erected on frangible metal posts. The underside of the sign is to be 660mm from ground level and the top of the sign is 1.55m in height. The graphics for the sign are to be non-reflective and finished in blue yellow orange and black on a white background.



Figure 1. Signage

The Planning Application and associated documents are contained in **ATTACHMENTS 11.1.1, 11.1.2 and 11.1.3.**

## **BACKGROUND/COMMENT**

The site that is the Caravan Park (Lot 55, 25995 Great Southern Highway, Woodanilling) is zoned Local Rural with additional uses permitted for a Service Station, Restaurant (Café) and Shop in TPS 1.

## **STATUTORY/LEGAL IMPLICATIONS**

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

The land is zoned Local Rural with an 'Addition Use' noted in Schedule 2 within TPS 1. This permits, at Council's discretion, the addition development of a Service Station, Shop and Restaurant.

Part 8.2 of the Scheme details permitted development. Section 8.2(f) notes;

#### *8.2. Permitted development*

*Except as otherwise provided in the Scheme, for the purposes of the Scheme the following development does not require the planning approval of local government –*

- (f) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included in the Heritage List or in a heritage area.*

The signs as proposed do not fall within the list of exempted advertising signs within Schedule 5 and therefore require Planning Approval.

Furthermore, the provisions for signage is also required under **Main Roads Act 1930 – Main Roads (Control of Advertising) Regulations 1996**, as the property is on the road alignment of Great Southern Highway, which falls under Main Roads Department control.

## **POLICY IMPLICATIONS**

There are currently no planning policies associated with this item.

## **FINANCIAL IMPLICATIONS**

The fee for this application has been adopted in the 2022/2023 Fees and Charges and is set at \$147.00 under the *Planning and Development (Local Government Planning Fees) Regulations 2009*. The application fee has been paid.

## **STRATEGIC IMPLICATIONS**

### **Theme 1: Social**

#### **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**

Main Roads WA (Great Southern) have been informally consulted to ascertain the suitability of the location, construction materials and size of the sign. Officers from the Great Southern office attended site and have advised of the suitability of the signs with the required Main Roads guidelines.



**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

**OFFICER'S RECOMMENDATION***That Council;*

1. Approves the development application as contained in **ATTACHMENT 11.1.1** for two signs adjacent the boundary of Lot 55, 25995 Great Southern Highway, Woodanilling, subject to the following conditions and noting the advice notes:

**Conditions:**

- a) The development being generally in accordance with the plans date stamped 9<sup>th</sup> September 2022; and
- b) The signs being maintained in a neat and tidy manner to maintain the amenity of the area.

**Advice notes:**

Consultation with Main Roads is required for any proposed additional signage at the site 'prior' to submission of signage plans to Council for approval.

2. Authorises the Chief Executive Officer to sign the application as contained in **ATTACHMENT 11.1.3**, to erect/modify roadside advertising sign and forward to Main Roads Department – Albany Branch for finalisation.

**COUNCIL RESOLUTION OCM98/09/2022****Moved Cr Douglas****Seconded Cr Morrell***That Council;*

1. Approves the development application as contained in **ATTACHMENT 11.1.1** for two signs adjacent the boundary of Lot 55, 25995 Great Southern Highway, Woodanilling, subject to the following conditions and noting the advice notes:

**Conditions:**

- a) The development being generally in accordance with the plans date stamped 9<sup>th</sup> September 2022; and
- b) The signs being maintained in a neat and tidy manner to maintain the amenity of the area.

**Advice notes:**

Consultation with Main Roads is required for any proposed additional signage at the site 'prior' to submission of signage plans to Council for approval.

2. Authorises the Chief Executive Officer to sign the application as contained in **ATTACHMENT 11.1.3**, to erect/modify roadside advertising sign and forward to Main Roads Department – Albany Branch for finalisation.

**CARRIED 5/0**

## 12. INFRASTRUCTURE SERVICES

### 12.1. REVIEW OF TERMS OF REFERENCE – TRANSPORT, PLANT & WORKS COMMITTEE

<b>File Reference</b>	ADM0331
<b>Date of Report</b>	7 September 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>Amended Attachment No. 12.1.1</b> – Current Terms of Reference – Transport, Plant & Works Committee <b>Attachment No. 12.1.2</b> – Terms of Reference – Transport, Plant & Works Committee

#### BRIEF SUMMARY

At the Transport, Plant & Works Committee (TPWC) held on 24 May 2022, the TPWC discussed the Terms of Reference for the Committee. It was requested that the Chief Executive Officer review and amend the number of members from 3 to 4 members.

The Officer's recommendation was that the Transport, Plant & Works Committee recommend to Council to endorse the new Terms of Reference. A draft Terms of Reference (TOR) was presented to the TPWC at the meeting held on the 13<sup>th</sup> September to discuss the draft Terms of Reference as contained in **ATTACHMENT X**.

The Committee has no delegated powers and its role is to consider issues and make recommendations to Council.

#### STATUTORY/LEGAL IMPLICATIONS

##### *Local Government Act 1995*

Part 5 (Administration) Division 2 (Council meetings, committees and their meetings and electors meetings) devotes numerous sections to the establishment, type and process for Committees.

#### POLICY IMPLICATIONS

There is currently no policy associated with this item.

#### FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

#### STRATEGIC IMPLICATIONS

##### **THEMES 3 & 4**

##### **Governance & Transport**

##### **OBJECTIVES**

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

To identify future transport needs.

##### **STRATEGIES**

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

Road Maintenance – by carrying out maintenance in accordance with the Maintenance Standards set out in the Road Asset Management Plan.

#### CONSULTATION/COMMUNICATION

Consultation has been conducted with the TPW Committee and discussions have been tabled at the Council Briefing Session with Elected Members.

#### RISK MANAGEMENT

The risk has been assessed and identified as “Medium” should the terms of reference are not supported.

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 the Transport, Plant & Works Committee recommends to Council to endorse the new Terms of Reference as contained in **ATTACHMENT 12.1.2**.*

#### COUNCIL RESOLUTION OCM99/09/2022

**Moved Cr Douglas**                      **Seconded Cr Morrell**

That the Transport, Plant & Works Committee recommends to Council to endorse the new Terms of Reference as contained in the **Amended ATTACHMENT 12.1.2**.

**CARRIED 5/0**

**Reason: Minor wording correction on original attachment 12.1.2.**

## 13. CORPORATE SERVICES

### 13.1.LIST OF ACCOUNTS FOR PAYMENT – 31 AUGUST 2022

<b>File Reference</b>	ADM0066
<b>Date of Report</b>	13 September 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. 13.1.1</b> – List of Accounts for Payment – 31 August 2022

#### BRIEF SUMMARY

The purpose of this report is to present to Council the list of accounts paid, for the month ending 31 August 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**.

#### Payments up to 31 August 2022

Payment Type	Account Type	Amount \$
Automatic Payment Deductions (Direct Debits)	Municipal	\$14,038.77
Cheque Payments (cheque numbers 15361 & 15362)	Municipal	\$7,661.85
EFT Payments #6271 to #6310	Municipal	\$171,632.90
<b>Sub Total</b>	<b>Municipal</b>	<b>\$193,333.52</b>
Payments	<b>Trust</b>	\$0.00
Payments	<b>Reserve</b>	\$0.00
<b>Totals</b>		<b>\$193,333.52</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 —*
- the payee's name; and*
  - the amount of the payment; and*
  - the date of the payment; and*
  - 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 subregulation (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
<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 accepts the list of accounts, totalling \$193,333.52 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 August 2022, as contained within **ATTACHMENT 13.1.1**.

### COUNCIL RESOLUTION OCM100/09/2022

**Moved Cr Morrell                      Seconded Cr Brown**

That Council accepts the list of accounts, totalling \$193,333.52 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 August 2022, as contained within **ATTACHMENT 13.1.1**.

**CARRIED 5/0**

## 13.2.STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 AUGUST 2022

<b>File Reference</b>	ADM0066
<b>Date of Report</b>	13 <sup>th</sup> September 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 31 August 2022

### BRIEF SUMMARY

The Statement of Financial Activity for period ending 31 August 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.

### RISK MANAGEMENT

The risk in relation to this matter is assessed as "Low" on the basis that if Council does not receive the Monthly Financial Reports for the month reported leading to the Shire not meeting legislative



requirements on financial reporting. The risk identified would be failure to fulfil statutory regulations or compliance requirements.

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
<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 receives the monthly statement of Financial Activity for the period of 31 August 2022, in accordance with section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1995* as presented in **ATTACHMENT 13.2.1**.

#### **COUNCIL RESOLUTION OCM101/09/2022**

**Moved Cr Douglas**                      **Seconded Cr Morrell**

That Council receives the monthly statement of Financial Activity for the period of 31 August 2022, in accordance with section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1995* as presented in **ATTACHMENT 13.2.1**.

**CARRIED 5/0**

## 14. COMMUNITY SERVICES

Nil

## 15. OFFICE OF CEO

### 15.1. 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 15.1.1</b> – New Council Policy 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves <b>Attachment 15.1.2</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 new Council Policy – 108 – Consumption of Alcohol in or on Shire Owned Facilities and Reserves is contained in **ATTACHMENT 15.1.1**.

The provisions for an application to consume alcohol on Shire property form is also attached for Council's reference. This is contained within **Attachment 15.1.2**.

#### 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.

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 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 OCM102/09/2022****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**

## 15.2. INFORMATION BULLETIN – SEPTEMBER 2022

<b>File Reference</b>	ADM0105
<b>Date of Report</b>	9 September 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. 15.2.1</b> – WWLZ – Information Report for September 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 – September 2022 (**Attachment 15.2.1**)

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

- WALGA Zone – Minutes held at Katanning 26 August 2022
- GSRAG – Minutes held at Katanning 25 August 2022
- Elected Member training e learning requirements
- WALGA Convention dates and details
- Woodanilling Primary School – 120 year celebration
- Media Release – Hon Stephen Dawson MLC – New Fire Danger Ratings
- Tidy Towns Submission 2022
- Advice of Office Closure – 22 & 23 September 2022

### 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.

<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

<b>Risk Rating</b>	<b>Action</b>
<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 accepts the Information Bulletin Report for the month of September 2022.

#### **COUNCIL RESOLUTION OCM103/09/2022**

**Moved Cr Douglas                      Seconded Cr Morrell**

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

**CARRIED 5/0**

### 15.3.WAGIN WOODANILLING LANDCARE ZONE - CONSTITUTION

<b>File Reference</b>	ADM0105
<b>Date of Report</b>	19 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 15.3.1</b> – WWLZ Constitution

#### BRIEF SUMMARY

The purpose of this report is for Council to accept the Wagin Woodanilling Landcare Zone Incorporated (WWLZ) Constitution that was recently accepted at the Annual General Meeting (AGM) for WWLZ held on 17<sup>th</sup> August 2022.

#### BACKGROUND/COMMENT

WWLZ are an incorporated, not for profit entity. WWLZ was incorporated in 2007, through a Memorandum of Understanding (MOU) agreement between the Shires of Woodanilling and Wagin. The objective of WWLZ is to foster a culture of community ownership and commitment to innovate and sustainable management and development of the environmental resources in the Wagin Woodanilling Landcare Zone, to improve the quality of life for current and future generations of the Landcare zone community.

The Management Committee consists of the following appointed members:

- Wagin Shire Chief Executive Officer;
- Woodanilling Shire Chief Executive Officer;
- Wagin Shire Council Representation;
- Woodanilling Shire Council Representation;
- Wagin Land User;
- Woodanilling Land User; and
- Ex-officio position of Wagin Woodanilling Landcare Officer; and
- Ex-officio representatives to a maximum of 2 in total from government departments as agreed.

The Shire of Woodanilling has currently the Chief Executive Officer, Cr Tim Brown and community member Mr Garstone and Mr Cummings appointed to the committee by Council decision.

The WWLZ has over the past years, required to undertaken the Annual General Meeting with a number in attendance. The turnout has been poor and therefore it was decided to update the draft constitution to assist in the future the representation that is able to be able to attend.

It has been amended to 5 members. Outgoing Chairperson, Cr Brian Kilpatrick and Ms Gen Harvey (NRM Officer – WWLZ) had worked on the constitution to update it to the present environment. This is contained in **ATTACHMENT 15.3.1**.

The Constitution was accepted at the AGM and forwarded to the associations section at Department of Mines, Industry Regulation and Safety for review. This will take a minimal 28 days for processing.

Landcare provides a highly valued service to both communities and the NRM Officer is a passionate, knowledgeable and respected Officer who provides the customer interface and deliver on important Natural Resource Management (NRM) activities through catchment and reserve planning, providing education and support to the community as well as project management for programs of externally funded environmental projects. The monthly reports are provided to Council each month.

**STATUTORY/LEGAL IMPLICATIONS**

This item is considered in accordance with section 1.3 (3) of the Local Government Act 1995, which states that a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

**POLICY IMPLICATIONS**

There is currently no policies associated with this item.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item in the 2022/2023 budget, as the Constitution has already been paid for in the previous year, through the WWLZ accounts.

**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 Zone Action Plan.

**STRATEGIES**

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

**CONSULTATION/COMMUNICATION**

Consultation has been activated with the Natural Resources Officer of WWLZ and the Chairperson over the last 12 months along with collaboration with members and the two Chief Executive Officers from both Councils.

**RISK MANAGEMENT**

The Risk in relation to this matter has been assessed as “Medium” within the Risk Management Table below, should Council chose not to accept the WWLZ Constitution. The support of this will enhance the Management Committee and their outcomes and objectives for both Shires.

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
<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 1.3 (3) of the Local Government Act 1995, accepts the Wagin Woodanilling Landcare Zone Incorporated Constitution as contained in **ATTACHMENT 15.3.1**.*

**COUNCIL RESOLUTION OCM104/09/2022**

**Moved Cr Douglas                      Seconded Cr Morrell**

That Council pursuant to section 1.3 (3) of the Local Government Act 1995, accepts the Wagin Woodanilling Landcare Zone Incorporated Constitution as contained in **ATTACHMENT 15.3.1**.

**CARRIED 5/0**

**16. CONFIDENTIAL REPORTS**

Nil items to report.

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

Deputy Shire President, Cr Thomson attended the Woodanilling Primary School - 120 Year Celebrations at the Primary School along with Shire President Cr Jefferies and Chief Executive Officer Kellie Bartley. It was well attended and is a great acknowledgement of the significance the school holds for the current and historical residents and students of Woodanilling. The P&C did an amazing job for catering for the event. The School did a great job representing its long history to the community. As a Shire, I wish to acknowledge the importance of the support that the Shire needs to continue with the School as much as we can.

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

**18.1.COUNCILLORS AND /OR OFFICERS**

Nil items to report.

**19. CLOSURE OF MEETING**

Meeting closed at 4.57pm.

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

.....Presiding Member – Councillor Thomson

..... Date