



SHIRE OF WOODANILLING



ORDINARY MEETING OF COUNCIL Minutes 22 November 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

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ORDINARY MEETING OF COUNCIL MINUTES

Minutes of the Ordinary Council Meeting of the Shire of Woodanilling held Tuesday 22 November 2022 in the Council Chambers, 3316 Robinson Road, Woodanilling.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President Councillor Jefferies declared the meeting opened at 4pm 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 S Jefferies	Shire President
Cr HR Thomson	Deputy Shire President
Cr D Douglas	
Cr T Brown	
Cr B Smith	

Officers:

Kellie Bartley	Chief Executive Officer
Sue Dowson	Deputy CEO

Apologies:

Nil

Observers:

Cr Morrell	Via Phone (4pm)
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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

11. REGULATORY SERVICES

11.1.OVERSIZE SHED, OUTBUILDINGS, WATER TANKS AND TEMPORARY ACCOMODATION

File Reference	DA23 (A520) – Outbuilding, Water Tanks and Temporary Accommodation
Date of Report	15 November 2022
Responsible Officer	Kellie Bartley – Chief Executive Officer
Author of Report	Gillian French – Special Projects Officer
Disclosure of any Interest	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> .
Voting Requirement	Simple Majority
Attachments	Attachment 11.1.1 – Application for Planning Approval

Proponent	Susan and Michael Soanes
Owner	As Above
Date of Receipt	14 November 2022
Property Address	Lot 135 McDonald Road, Woodanilling
Lot Area	26, 836m ² (2.6 hectares)
Town Planning Scheme No 1 Zoning	Local Rural

BRIEF SUMMARY

The purpose of this report is for Council to determine a development application for an oversize outbuilding, two water tanks and temporary accommodation on Lot 135 McDonald Road, Woodanilling prior to the construction of a dwelling.

The Planning Application is contained within **ATTACHMENT 11.1.1**.

BACKGROUND/COMMENT

An application has been received by Council for an oversized outbuilding to be constructed on a Local Rural zoned property, prior to the approval for a single dwelling at the site. The site is generally cleared and is 2.6 hectares in size.

The application is presented before Council as:

- a) The application does not meet the requirements of Local Planning Policy No.2 - Outbuildings; and
- b) The Chief Executive Officer does not have delegation to approve the use class “Temporary Accommodation”.

The outbuilding has an area of 105m² consisting of a lock up area 80m² (8 x 10) and a lean to area of 25m² (9.9 x 2.5). It is not unusual in regional areas and indeed larger Peri Urban properties adjacent to residential areas to establish lockup outbuildings with the provision for carports and for the storage of maintenance equipment. The site is located below.



The property owners are relocating from the Eastern States to reside within the townsite adjacent to family. A quick settlement of their home requires them to vacate and travel to Western Australia in the week prior to Christmas.

Due to the urgency required for this relocation, the applicants are still considering plans for their dwelling, however this will be undertaken, prior to the lodgement of a Building Permit Application.

They are seeking rental accommodation in the area however this is proving difficult due to the lack of availability with the applicants only given short term lease agreement with no extension. They will reside in the short term accommodation until the shed has been built, and at that stage they will make use of the temporary accommodation. The property owners have an onsite camper van and this will be located within the outbuilding, in accordance with the Shire's Temporary Accommodation Policy – No. 97. A water tank has been applied for and a septic application has been lodged and will form part of the Advice Notes for this item.

In the absence of a valid house approval, Council must consider any possible land use implications this application 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 under the Town Planning Scheme and associated policies.

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

STATUTORY/LEGAL IMPLICATIONS

Town Planning Scheme No.1.

The land is zoned Local Rural, with the purpose of this zoning being to provide for a mix of residential and business related uses in a rural setting which achieves a high standard of visual amenity, facilitates landscape protection and conservation and will not cause land use conflicts or adverse impacts on the amenity and character of the zone.

POLICY IMPLICATIONS

Local Planning Policy No.2 –Sheds/Outbuildings.

This policy requires that an outbuilding does not exceed 72m² in floor area and should have a maximum wall height of 4.2m. The policy also stipulates that an outbuilding should 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 policy as varied in the table below.

	LPP2 – Outbuildings	Proposal	
Size	72m ²	105m ²	Non-compliant
Wall Height	4.2m	3.5m	Compliant
Front Setback	10m	90m	Compliant
Rear Setback	6m	88m	Compliant
Side Setback	5m	40m	Compliant

Council must have regard to a Local Planning Scheme Policy, however is not bound by it.

It is to be noted that the requirement of the policy are aligned with the Residential Design Codes of WA, which allows a shed size of 72m² on residential properties. As previously stated, it is not unusual for a variation to outbuilding sizes within the Local Rural zoning, as the properties are much larger than within the Residential area.

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

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 develop a responsive and appropriate Local Planning Strategy that supports the development of a new Local Planning Scheme.

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.

To document areas and sites of Cultural Heritage areas to provide for protection and sensitive development opportunities of same.

To understand the need to protect the natural and cultural values for present and future generations.

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

STRATEGIES

Development of a Local Planning Strategy and supporting Scheme.

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

CONSULTATION/COMMUNICATION

There are no consultation requirements under TPS No. 1 in relation to this item.

RISK MANAGEMENT

This item is considered “Low” risk to the local government, as the applicants will be required to lodge a bond payment of \$5,000.00 as outlined in the Council Policy that they are unable to redeem until the residential dwelling has been constructed.

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 grant Planning Approval for the construction of an oversize outbuilding, water tank and temporary accommodation pursuant to Schedule 2, Clause 68(2) of the *Planning and Development (Local Planning Schemes Regulations 2015)*, and subject to the following conditions:

- a) If the development, the subject of this approval, is not substantially commenced within a period of two (2) years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
- b) That all development is consistent with the development application lodged 14 November 2022.
- c) The property owners to reside within a camper van inside the approved and constructed shed, on a temporary basis whilst constructing a permanent dwelling on the same property.
- d) This approval is granted to those persons who are to occupy the house when completed.
- e) This approval is limited to a maximum period of 12 months.
- f) 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.
- g) 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.
- h) 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.
- i) Installation of a smoke alarm to the temporary accommodation.
- j) An application for a building permit for the construction of a permanent dwelling to be lodged with the Shire of Woodanilling.
- k) Temporary accommodation to be inspected and approved by the Environmental Health Officer prior to occupation.
- l) 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.
- m) 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 Building Permit application for the outbuilding, water tank 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.

COUNCIL RESOLUTION OCM 126/11/2022

Moved Cr Thomson

Seconded Cr Brown

That Council grant Planning Approval for the construction of an oversize outbuilding, water tank and temporary accommodation pursuant to Schedule 2, Clause 68(2) of the *Planning and Development (Local Planning Schemes Regulations 2015)*, and subject to the following conditions:

- a) If the development, the subject of this approval, is not substantially commenced within a period of two (2) years from the date of this approval being granted, the approval shall lapse and be of no further

effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

- b) That all development is consistent with the development application lodged 14 November 2022.
- c) The property owners to reside within a camper van inside the approved and constructed shed, on a temporary basis whilst constructing a permanent dwelling on the same property.
- d) This approval is granted to those persons who are to occupy the house when completed.
- e) This approval is limited to a maximum period of 12 months.
- f) 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.
- g) 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.
- h) 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.
- i) Installation of a smoke alarm to the temporary accommodation.
- j) An application for a building permit for the construction of a permanent dwelling to be lodged with the Shire of Woodanilling.
- k) Temporary accommodation to be inspected and approved by the Environmental Health Officer prior to occupation.
- l) 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.
- m) 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 Building Permit application for the outbuilding, water tank and temporary accommodation is required to be lodged with the Shire.

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 5/0

12. INFRASTRUCTURE SERVICES

Nil to Report

13. CORPORATE SERVICES

13.1. LIST OF ACCOUNTS FOR PAYMENT – 31 OCTOBER 2022

File Reference	ADM0066
Date of Report	11 th November 2022
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Cath Painter, Accountant
Disclosure of any Interest	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> .
Voting Requirement	Simple Majority
Attachments	Attachment No. 13.1.1 – List of Accounts for Payment – 31 October 2022

BRIEF SUMMARY

The purpose of this report is to present to Council the list of accounts paid, for the month ending 31 October 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 October 2022

Payment Type	Account Type	Amount \$
Automatic Payment Deductions (Direct Debits)	Municipal	\$13,034.88
Cheque Payments (cheque number 15367)	Municipal	\$200.00
EFT Payments #6348 to #6392	Municipal	\$151,505.37
Sub Total	Municipal	\$164,740.25
Payments	Trust	\$0.00
Payments	Reserve	\$0.00
Payments	Credit Card	\$984.12
Totals		\$165,724.37

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 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.

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 accepts the list of accounts, totalling \$165,724.37 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 October 2022, as contained within **ATTACHMENT 13.1.1.**

COUNCIL RESOLUTION OCM 127/11/2022

Moved Cr Thomson

Seconded Cr Smith

That Council accepts the list of accounts, totalling \$165,724.37 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 October 2022, as contained within **ATTACHMENT 13.1.1.**

CARRIED 5/0

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

File Reference	ADM0066
Date of Report	11 th November 2022
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Cath Painter, Accountant
Disclosure of any Interest	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> .
Voting Requirement	Simple Majority
Attachments	Attachment No. 13.2.1 – Monthly Financial Report 31 October 2022

BRIEF SUMMARY

The Statement of Financial Activity for period ending 31 October 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.

14. COMMUNITY SERVICES

14.1.GREAT SOUTHERN DEVELOPMENT COMMISSION WAIVER OF HIRE FEES PAVILION

File Reference	ADM 0022, FH89
Date of Report	16 November 2022
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Sue Dowson, Deputy Chief Executive Officer
Disclosure of any Interest	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> .
Voting Requirement	Simple Majority
Attachments	Attachment 14.1.1 - Hire Form Recreation Facility

BRIEF SUMMARY

The purpose of the Great Southern Development Commission (GSDC) meeting in the Great Southern Shire's is to provide opportunity for stakeholders to meet the GSDC board and discuss the community's aspirations and ideas, these will inform the GSDC's future work in championing the region and connecting people to resources and opportunities.

The application for the event is contained within **ATTACHMENT 14.1.1**.

BACKGROUND/COMMENT

The GSDC will hold their bi-monthly Board Meeting on Thursday 15th December 2022 from 10.30am then invite key stakeholders within the Woodanilling Community for a networking lunch/discussion.

Council has been requested by the GSDC to waiver the hire fees for the meeting. The hire fee for the Recreation Centre exceeds the CEO Delegation limit of \$20 per transaction so this now becomes a decision for Council.

The Officers recommendation is to support the request as it helps networking and establish the Shire's Strategic direction.

STATUTORY/LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

This item relates to Council Policy 32 – Community Financial Assistance Grant Program however this does not apply to this request.

There is a specific delegation that is pertinent to this request to wave fees. This Delegation allows the Chief Executive Officer provisions to waive debt to a maximum amount of \$20 per transaction. In this case it is required that Council authorise the application as this does not meet the criteria.

FINANCIAL IMPLICATIONS

The cost to hire the Pavilion for a day is \$192.50 and there for the Shire will have a loss of income for this particular event if it is supported.

STRATEGIC IMPLICATIONS

Theme 1

Community Facilities

VISION

To ensure access to high quality facilities and services that the community is proud to use and promote

OBJECTIVES

To make our Community a place where people want to come, stay and grow

GOALS

15. OFFICE OF CEO

15.1. INFORMATION BULLETIN – NOVEMBER 2022

File Reference	ADM0105
Date of Report	8 November 2022
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Gen Harvey, Landcare WWLZ (for attached report) Kellie Bartley, Chief Executive Officer
Disclosure of any Interest	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> .
Voting Requirement	Simple Majority
Attachments	Attachment No. 15.1.1 – WWLZ – Information Report for November 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 - November 2022 (**Attachment 15.1.1**)

Circulars, Media Releases, Newsletters, Letters:

- Tidy Towns Finalist 2022
- 4WDL Stakeholder and Communication Framework and Survey
- Training updates with WALGA
- WALGA Best Practice Governance Review
- Special Council Meeting
- Applications open – Round 2 WA Carbon Farming

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	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 accepts the Information Bulletin Report for the month of November 2022.

COUNCIL RESOLUTION OCM 130/11/2022

Moved Cr Thomson

Seconded Cr Smith

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

CARRIED 5/0

15.2. WALGA BEST PRACTICE GOVERNANCE REVIEW

File Reference	ADM0084
Date of Report	1 November 2022
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Kellie Bartley, Chief Executive Officer
Disclosure of any Interest	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> .
Voting Requirement	Simple Majority
Attachments	Attachment 15.2.1 – WALGA Background paper (Under a separate cover) Attachment 15.2.2 – Consultation Paper (Under a separate cover)

BRIEF SUMMARY

This item seeks Council to consider the preferred option on the review of Western Australian Local Government Association (WALGA) governance structure and provide feedback to WALGA on the options.

BACKGROUND/COMMENT

The CEO of WALGA, Mr Nick Sloan, advised of the process that a WALGA Steering Committee had been undertaking as part of the Best Practice Governance Review that had been initiated by WALGA to ensure that its governance model is to ensure consistency and alignment. It also is the opportunity for WALGA's governance model to improve decision making effectiveness whilst ensuring meaningful member representation and participation.

WALGA is undertaking a Best Practice Governance Review to ensure its governance is contemporary, flexible and maximises engagement with members. A summary of the work undertaken to date by the Project's Steering Committee is contained within the Background Paper as contained in Attachment 1.

WALGA is seeking a resolution, no later than 23 December 2022, from each member Council on its preferred model option. There are five model options that could be considered. These are contained in ATTACHMENT 2.

STATUTORY/LEGAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

There are current no Council Policies related to this item.

FINANCIAL IMPLICATIONS

There are currently no financial implications to this item.

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

The WALGA Consultation and Background Paper was distributed for Elected Members to review with further discussions held at Council Briefing Session.

RISK MANAGEMENT

The risk has been assessed and identified as "Low" should the officers recommendation is not supported.

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 considers the options presented in the WALGA Best Practice Governance Review Consultation Paper and informs the CEO of WALGA prior to 23 December 2022 of Council's preferred option for the proposed restructure.

COUNCIL RESOLUTION OCM 131/11/2022

Moved Cr Douglas

Seconded Cr Thomson

That Council considers the options presented in the WALGA Best Practice Governance Review Consultation Paper and informs the CEO of WALGA prior to 23 December 2022 of Council's preferred option for the proposed restructure.

CARRIED 5/0

15.3. GREAT SOUTHERN WALGA ZONE ROADS COMMITTEE – FUNDING REQUEST

File Reference	ADM0084
Date of Report	11 November 2022
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Kellie Bartley, Chief Executive Officer
Disclosure of any Interest	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> .
Voting Requirement	Absolute Majority
Attachments	Nil

BRIEF SUMMARY

This item seeks Council to consider the request from the Great Southern Roads Committee and the Great Southern Zone of WALGA for a financial contribution of \$4,000 to enable the Committee to progress the preparation of a feasibility study for additional road funding for the member Councils.

BACKGROUND/COMMENT

The Deputy Shire President represents Council on the Great Southern Country Zone (GSCZ) of WAGLA and is also a representative on the Wheatbelt Secondary Freight Network Committee and is on the Great Southern Zone Roads Committee, with the support of Cr Dale Douglas. This committee has been working to identify strategic roads within the Zone that could potentially be earmarked for additional road funding in the future.

The Committee's Terms of Reference are as follows:

To investigate the current road infrastructure right across the networks (State, Regional Road Groups roads and other local roads) as to their fit for purpose from a freight task and road safety and efficiency perspective both now and in the next 20 years.

- Reviewing the impact and compliance of AMMS concessional loading on the Local Government Road Network; and
- The compliance and implication of RAV access to the Local Government Road network and effectiveness in the Local Government CA07 conditions.

At the GSCZ meeting held on Friday, 28 October 2022, the above Committee presented the following report to the Zone.

Great Southern Roads Committee Report

A meeting of this committee was held last Friday 21 October in Tambellup. Committee members were on hand with MRWA's Brad Lenton, and the GSDC's Pippa Hepburn along with Juliet Grist online from Rural and Regional Economics.

Juliet Grist presented her involvement with the Wheatbelt Secondary Freight Network (WSFN) detailing how data was collected and made sense of. She fielded questions after her presentation and is available to work for us in the initial stages should we choose to utilize her services and firsthand knowledge of the WSFN.

RDA Great Southern was represented by Andrus Budrikis the Chair and he and RGAGS are supportive of this study and are likely to co-fund a portion of it.

The GSDC was represented by Pippa Hepburn who indicated that they could be involved with working with the group to investigate pathways going forward.

MRWA's Brad Lenton supported the groups objectives and suggested that the list of roads be narrowed down to focus on routes with freight as importance. He suggested that the construction standards used in the Wheatbelt region be mirrored for consistency across boundaries.

He advised that the majority of roads in the great southern are rated RAV7, and that there is a potential to increase in length of vehicles in this classification to 42 m under the PBS.

Priority Roads: It was agreed that this list be reviewed to ensure there are no double ups and that the data collected informs the final list. Mapping will be used also to inform the list.

The following steps to be taken from here:

- Update the list of roads and mapping, the group to agree on the final list
- Collection of data from Shires, up to 5 years of data if available
- Determine who to send the data to
- Request financial contributions/commitment from Shires

To that end a motion was put and carried by the Great Southern Roads Committee.

MOTION

Moved Cr Crosby, seconded Cr Gale that WALGA Great Southern Zone Shires be requested to each make a contribution of \$4,000 to the Great Southern Road Committee as initial seed funding to begin preliminary work for data collection and analysis; and that a formal request be made to Regional Development Australia Great Southern for a contribution of \$10,000.

CARRIED

Therefore, at the GSCZ meeting on Friday, 28 October the following motion was moved and duly carried:

Moved Cr Scott Crosby

Seconded Cr Kevin Gale

That the Great Southern Roads Report be received and the \$4,000 per Zone Local Government funding request be forwarded to all Local Governments for their consideration and that a formal request be made to the Great Southern Development Commission as well as RDA Great Southern.

STATUTORY/LEGAL IMPLICATIONS

As this is unbudgeted expenditure, an Absolute Majority is required as per s6.8 of the *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.

(1a) *In subsection (1) —*

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) *Where expenditure has been incurred by a local government —*

- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

POLICY IMPLICATIONS

There are current no Council Policies related to this item.

FINANCIAL IMPLICATIONS

The \$4,000 contribution, if approved, will be adjusted at the Budget Review in February 2023. However, provisions are held within the consultants or contributions in the Governance general ledgers.

STRATEGIC IMPLICATIONS

Theme 4

Roads & Transport

VISION

To maintain a quality road transport network which is safe and accessible to all users

OBJECTIVES

Road Maintenance – to maintain roads in accordance with Council’s adopted Road Asset Management Plan (Sept 2010)

Road Construction – to construct roads in accordance with Council’s adopted 5 Year Forward Capital Works Plan (Dec 2010)

To identify future transport needs

STRATEGIES

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

Short Term Goals

RT.1 Develop 10 year plan for all Priority 1 roads as per the Road Asset Management Plan

RT.2 Rural intersection program: -Local Black Spot / Grey Spots

RT.3 Develop 10 year Drainage Plan, including culverts, floodways, bridges and open drains

RT.5 Review of Road Asset Management Plans, including road hierarchy

Ongoing

RT.4 Advocacy for Regional & State based transport systems

CONSULTATION/COMMUNICATION

Consultation has been held with Elected Members who represent the Committee and the Chief Executive Officer, along with full discussion held at the GSCZ.

RISK MANAGEMENT

The risk has been assessed and identified as “Low” should the officers recommendation is not supported, however will have an effect on the road assets and financial long term loss to the shire.

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. Commits \$4,000 to the Great Southern Country Zone of WALGA to enable the Great Southern Roads Committee to progress the development of a detailed report to identify strategic routes within the Great Southern Region with the view to securing additional road funding for these roads, and
2. Notes that this financial commitment is dependent upon all other Member Councils of the Great Southern Country Zone of WAGLA contributing to this funding request.

COUNCIL RESOLUTION OCM 132/11/2022

Moved Cr Brown

Seconded Cr Smith

That Council:

- 1) Commits \$4,000 to the Great Southern Country Zone of WALGA to enable the Great Southern Roads Committee to progress the development of a detailed report to identify strategic routes within the Great Southern Region with the view to securing additional road funding for these roads, and
- 2) Notes that this financial commitment is dependent upon all other Member Councils of the Great Southern Country Zone of WAGLA contributing to this funding request.

CARRIED 5/0

16. CONFIDENTIAL REPORTS

Nil to Report

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

Nil to Report

18. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL

18.1.COUNCILLORS AND /OR OFFICERS

Nil to Report

19. CLOSURE OF MEETING

Cr Jefferies thanked everyone for attending and the meeting closed at 4.32pm.

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

.....Presiding Member – Councillor Jefferies

..... Date