



SHIRE OF WOODANILLING

ORDINARY MEETING OF COUNCIL Confirmed Minutes 18 April 2023

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

CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	2
1.1. <i>DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY</i>	2
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	2
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4. PUBLIC QUESTION TIME	2
5. PETITIONS / DEPUTATIONS / PRESENTATIONS	3
6. APPLICATIONS FOR LEAVE OF ABSENCE	3
7. ANNOUNCEMENTS BY SHIRE PRESIDENT AND/OR DEPUTY PRESIDENT WITHOUT DISCUSSION	3
8. CONFIRMATION OF COUNCIL MEETING MINUTES:	3
8.1. <i>ORDINARY MEETING OF COUNCIL HELD – 21/03/2023</i>	3
9. CONFIRMATION OF OTHER MEETING MINUTES:	3
9.1. <i>AUDIT COMMITTEE MEETING HELD – 21/03/23</i>	3
9.2. <i>ANNUAL ELECTORS MEETING HELD – 21/03/2023</i>	3
9.3. <i>BUSHFIRE ADVISORY COMMITTEE MEETING AGM HELD – 28 MARCH 2023</i>	4
9.4. <i>BUSHFIRE ADVISORY COMMITTEE MEETING HELD – 28 MARCH 2023</i>	4
10. REPORTS OF OFFICERS	5
11. REGULATORY SERVICES	5
12. INFRASTRUCTURE SERVICES	5
12.1. <i>REVIEW OF POLICY 31 – FENCE LINE CLEARING WITHIN ROAD RESERVES</i>	5
13. CORPORATE SERVICES	8
13.1. <i>LIST OF ACCOUNTS FOR PAYMENT – 31 MARCH 2023</i>	8
13.2. <i>STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2023</i>	11
14. COMMUNITY SERVICES	13
14.1. <i>ENDORSEMENT OF FIRE BREAK NOTICE AND BUSH FIRE INFORMATION 2023/2024 AND APPOINTMENT OF OFFICER BEARERS</i>	13
14.2. <i>SHIRE OF WOODANILLING BUSH FIRE OPERATING PROCEDURES</i>	19
15. OFFICE OF CEO	22
15.1. <i>INFORMATION BULLETIN – MARCH 2023</i>	22
16. CONFIDENTIAL REPORTS	24
17. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	24
18. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL	24
19. CLOSURE OF MEETING	24

ORDINARY MEETING OF COUNCIL MINUTES

Minutes of the Ordinary Council meeting of the Shire of Woodanilling held Tuesday 18 April 2023 in the Council Chambers, 3316 Robinson Road, Woodanilling.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President Councillor Stephen Jefferies opened the meeting at 4.00pm and thanked everyone for attending.

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 to disclose.

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
Mike Hudson	Executive Manager Infrastructure

Apologies:

Cr Morrell

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

Cr Peter Morrell has requested a leave of absence (as per **attachment 6.1**) for the Ordinary Council Meeting 18th April 2023, due to work commitments.

Cr Bev Smith has requested a leave of absence for the Ordinary Council Meeting 23rd May 2023 due to medical reasons.

COUNCIL RESOLUTION OCM 184/04/2023

Moved Cr Brown

Seconded Cr Thomson

That Council approves:

1. Cr Peter Morrell be granted leave of absence for the Ordinary Council Meeting 18th April 2023 due to work commitments.
2. Cr Bev Smith be granted leave of absence for the Ordinary Council Meeting 23rd May 2023 due to medical reasons.

CARRIED 5/0

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

8. CONFIRMATION OF COUNCIL MEETING MINUTES:

8.1. ORDINARY MEETING OF COUNCIL HELD – 21/03/2023

COUNCIL DECISION

That the Minutes of the Ordinary Meeting of Council held 21 March 2023 be confirmed as a true and correct record of proceedings without amendment.

COUNCIL RESOLUTION OCM 185/04/2023

Moved Cr Brown

Seconded Cr Smith

That the Minutes of the Ordinary Meeting of Council held 21 March 2023 be confirmed as a true and correct record of proceedings without amendment.

CARRIED 5/0

9. CONFIRMATION OF OTHER MEETING MINUTES:

9.1. AUDIT COMMITTEE MEETING HELD – 21/03/23

That the Minutes of the Audit Committee Meeting held 21 March 2023 be received by Council.

COUNCIL RESOLUTION OCM 186/04/2023

Moved Cr Douglas

Seconded Cr Smith

That the Minutes of the Audit Committee Meeting held 21 March 2023 be received by Council.

CARRIED 5/0

9.2. ANNUAL ELECTORS MEETING HELD – 21/03/2023

That the Minutes of the Annual Electors Meeting held 21 March 2023 be received by Council.

COUNCIL RESOLUTION OCM 187/04/2023

Moved Cr Smith

Seconded Cr Brown

That the Minutes of the Annual Electors Meeting held 21 March 2023 be received by Council.

CARRIED 5/0

9.3. BUSHFIRE ADVISORY COMMITTEE MEETING AGM HELD – 28 MARCH 2023

That the Minutes of the Bushfire Advisory Committee Meeting AGM held 28 March 2023 be received by Council.

COUNCIL RESOLUTION OCM 188/04/2023

Moved Cr Smith

Seconded Cr Douglas

That the Minutes of the Bushfire Advisory Committee Meeting AGM held 28 March 2023 be received by Council.

CARRIED 5/0

9.4. BUSHFIRE ADVISORY COMMITTEE MEETING HELD – 28 MARCH 2023

That the Minutes of the Bushfire Advisory Committee Meeting held 28 March 2023 be received by Council.

COUNCIL RESOLUTION OCM 189/04/2023

Moved Cr Thomson

Seconded Cr Brown

That the meeting of the Bushfire Advisory Committee held 28 March 2023 be received by Council.

CARRIED 5/0

COUNCIL RESOLUTION OCM 190/04/2023

Moved Cr Douglas

Seconded Cr Thomson

That the Bush Fire Advisory Committee recommends to Council that the Shire of Woodanilling apply for a High Season Light Tanker during the 23/24 fire season.

CARRIED 5/0

10. REPORTS OF OFFICERS

Nil to Report.

11. REGULATORY SERVICES

Nil to Report.

12. INFRASTRUCTURE SERVICES

12.1. REVIEW OF POLICY 31 – FENCE LINE CLEARING WITHIN ROAD RESERVES

File Reference	ADM0319
Date of Report	23 January 2023
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author/s of Report	Mike Hudson, Executive Manager Infrastructure 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 Simple
Attachments	Attachment 12.1.1 – Current Council Policy 31 – Fence Line Clearing within Road Reserves Attachment 12.1.2 – Draft Council Policy 31 – Fence Line Clearing within Road Reserves

BRIEF SUMMARY

The purpose of this report is to recommend to Council to adopt the review of the current Council Policy 31 – Fence Line Clearing within Road Reserves so that it reflects current practice with regards to the clearing within Road Reserves.

BACKGROUND/COMMENT

Shire Officers have commenced the review of the policies to be presented to Council over the next 12 months. The review will identify to revoke, review or endorse Business Operating Procedures due to their administrative nature.

There is no formal requirement for Council to review the Policy Manual, however it is one of the principal roles of Council under Section 2.7 of the *Local Government Act 1995* which is to determine the Policies of the Local Government and as such they should be regularly reviewed by Council.

Regular review of the Shire's Policies is required to ensure their continued relevance and applicability. The review uses a range of methods to establish whether a policy works in practice and to determine the merit, or value of any improvements which can be made.

Fence Line Clearing within Road Reserves

The current Council Policy 31 – Fence Line Clearing within Road Reserves requires to be updated significantly and updated to the current requirements set by legislation along with the best practice processes aligned to the functions of the Shire's current processes and procedures.

Council Policy 31 – Fence Line Clearing within Road Reserves can be reviewed in **attachment 12.1.1** and the new version is contained within **attachment 12.1.2**. The original sections of the current policy are noted in red.

The officer's recommendation is to support the review of the changes in the policy as detailed.

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.*

POLICY IMPLICATIONS

The policy has been detailed in the item that is being presented.

FINANCIAL IMPLICATIONS

There are no financial implications associated with 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 consultation process has occurred with Senior Officers on the matters associated with this item.

RISK MANAGEMENT

The risk has been assessed and identified as "Low" should the officers recommendation is 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

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Adopts the revised Council Policy – 31 Fence Line Clearing within Road Reserves as contained in **attachment 12.1.2** effective from 18 April 2023.

COUNCIL RESOLUTION OCM 191/04/2023

Moved Cr Douglas

Seconded Cr Brown

That Council:

- 1) Adopts the revised Council Policy – 31 Fence Line Clearing within Road Reserves as contained in **attachment 12.1.2** effective from 18 April 2023.

CARRIED 5/0

13. CORPORATE SERVICES

13.1.LIST OF ACCOUNTS FOR PAYMENT – 31 MARCH 2023

File Reference	ADM0066
Date of Report	6 April 2023
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Brooke Dellacqua, Finance 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 13.1.1 – List of Accounts for Payment – 31 March 2023

BRIEF SUMMARY

The purpose of this report is to present to Council the list of accounts paid, for the month ending 31 March 2023, 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 March 2023

Payment Type	Account Type	Amount \$
Automatic Payment Deductions (Direct Debits & BPay)	Municipal	\$22,793.71
Cheque Payment #15371	Municipal	\$200.00
EFT Payments #6559 to #6597	Municipal	\$90,925.38
Sub Total	Municipal	\$113,919.09
Payments	Trust	\$0.00
Payments	Reserve	\$0.00
Totals		\$113,919.09

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 \$113,919.09 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 March 2023, as contained within **ATTACHMENT 13.1.1**.

COUNCIL RESOLUTION OCM 192/04/2023

Moved Cr Thomson

Seconded Cr Smith

That Council accepts the list of accounts, totalling \$113,919.09 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 March 2023, as contained within **ATTACHMENT 13.1.1**.

CARRIED 5/0

13.2.STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2023

File Reference	ADM0066
Date of Report	12 April 2023
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Cherie Delmage, Senior Finance 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 13.2.1 – Monthly Financial Report 31 March 2023 (under a separate cover)

BRIEF SUMMARY

The Statement of Financial Activity for period ending 31 March 2023 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 February and 28 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
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 receives the monthly statement of Financial Activity for the period of 31 March 2023, 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 OCM 193/04/2023

Moved Cr Smith

Seconded Cr Thomson

That Council receives the monthly statement of Financial Activity for the period of 31 March 2023, 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

COUNCIL RESOLUTION OCM 194/04/2023

Moved Cr Douglas **Seconded Cr Smith**

That the Shire President, Cr Jefferies, requested in accordance with the *Local Government Act 1995*, and relevant regulations to suspend the meeting to allow for discussion on the matter prior to the voting on this item.

CARRIED 5/0

The meeting was suspended at 4.23pm

COUNCIL RESOLUTION OCM 195/04/2023

Moved Cr Thomson **Seconded Cr Douglas**

The Shire President, Cr Jefferies, requested in accordance with the *Local Government Act 1995* and relevant regulations to resume with the meeting in the formal capacity.

CARRIED 5/0

The meeting resumed at 4.32pm.

14.1.ENDORSEMENT OF FIRE BREAK NOTICE AND BUSH FIRE INFORMATION 2023/2024 AND APPOINTMENT OF OFFICER BEARERS

File Reference	ADM0038
Date of Report	6 April 2023
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author/s of Report	Gillian French, Special Projects Officer 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 14.1.1 –Fire Break Notice & Bush Fire Information 2022/2023 AMENDED ATTACHMENT 14.1.2 –Fire Break Notice & Bush Fire Information 2023/2024

BRIEF SUMMARY

The purpose of this report is to endorse the Shire’s annual Fire Break Notice and Bush Fire Information 2023/2024 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.

BACKGROUND/COMMENT

The Shire publishes a Fire Break Notice and Bush Fire Information brochure annually in accordance with the *Bush Fires Act 1954*. The notice requires land owner/occupiers within the Shire to take specific action to prevent the outbreak and spread of bush fires within the district. This notice is issued under the authority of the Shire of Woodanilling Chief Executive Officer, as delegated under delegation instrument 21 - Variations to Firebreak Orders.

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 brochure will also be updated to provide current and consistent information.

The Fire Break Notice and Bush Fire Information 2023/2024 are contained in **AMENDED ATTACHMENT 14.1.2**.

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 Council Policies applicable to this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report as the printing of the Firebreak Notice is included within the Shire's annual budget.

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 was discussed at the Bush Fire Advisory Committee Meeting held 28 March 2023, and the following amendments were noted:

The Election of Office Bearers effective from 1 July 2023 are as follows:

Bushfire Executives

Chief Bush Fire Control Officer	Evan Hall
Deputy Chief Bush Fire Control Officer	Gradyn Wilcox
Senior Fire Control Officer 1	Lachlan Patterson
Senior Fire Control Officer 2	Jason Cronin
Fire Weather Officer	Jason Cronin
Deputy Fire Weather Officer	Gradyn Wilcox

Bush Fire Control Officers

Beaufort/Kenmare	Bindi Murray
Boyerine/Westwood	Greg Doak
Central	David Coleman
Cartmeticup	Wayne Shackley
Glencoe	Braden Crosby

Harvest Ban Committee

Chief Bush Fire Control Officer	Evan Hall
Deputy Chief Bush Fire Control Officer	Gradyn Wilcox
Senior Fire Control Officer 1	Lachlan Patterson
Senior Fire Control Officer 2	Jason Cronin
Beaufort/Kenmare	Ray Kowald
Boyerine/Westwood	Greg Doak
Central	Ian Garstone
Cartmeticup	Wayne Shackley
Glencoe	Braden Crosby

Clover Burning

Clover Burning Officer	Evan Hall
Clover Burning Officer	Kellie Bartley (Chief Executive Officer)

ROAC

Delegates to ROAC	CBFCO Evan Hall plus 1
Secretary	Shire of Woodanilling

In addition to the above changes, the following was recommended to be added to the Fire Break Notice:

Moved Bindi Murray Seconded Greg Doak

That BFAC recommends to Council:

1. **To support the Restricted and Prohibited Burning Periods for each year for all stubble related operations (seeding operations exempt) e.g. stubble crunching; and**
2. **That landholders/residents/contractors will require a mobile fire unit to be on site.**

CARRIED

The Fire Break Notice and Bush Fire Information 2023/24 has been amended to reflect these changes.

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 and Fuel Hazard Reduction Notice, 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 Brochure 2023/24 as contained within **Attachment 14.1.2** in effect without amendment;
2. Authorises the Chief Executive Officer to arrange advertisement of the Notice within the *Government Gazette* and the local newspaper; and
3. Supports the appointment of the following persons by delegated authority for the 2023/2024 Fire Season effective 1st July 2023:

Bushfire Executives

<i>Chief Bush Fire Control Officer</i>	<i>Evan Hall</i>
<i>Deputy Chief Bush Fire Control Officer</i>	<i>Grady Wilcox</i>
<i>Senior Fire Control Officer 1</i>	<i>Lachlan Patterson</i>
<i>Senior Fire Control Officer 2</i>	<i>Jason Cronin</i>
<i>Fire Weather Officer</i>	<i>Jason Cronin</i>
<i>Deputy Fire Weather Officer</i>	<i>Grady Wilcox</i>

Bush Fire Control Officers

<i>Beaufort/Kenmare</i>	<i>Bindi Murray</i>
<i>Boyerine/Westwood</i>	<i>Greg Doak</i>
<i>Central</i>	<i>David Coleman</i>
<i>Cartmeticup</i>	<i>Wayne Shackley</i>
<i>Glencoe</i>	<i>Braden Crosby</i>

Harvest Ban Committee

<i>Chief Bush Fire Control Officer</i>	<i>Evan Hall</i>
<i>Deputy Chief Bush Fire Control Officer</i>	<i>Grady Wilcox</i>
<i>Senior Fire Control Officer 1</i>	<i>Lachlan Patterson</i>

Senior Fire Control Officer 2

Jason Cronin

Beaufort/Kenmare

Ray Kowald

Boyerine/Westwood

Greg Doak

Central

Ian Garstone

Cartmeticup

Wayne Shackley

Glencoe

Braden Crosby

Clover Burning

Clover Burning Officer

Evan Hall

Clover Burning Officer

Kellie Bartley (Chief Executive Officer)

ROAC

Delegates to ROAC

CBFCO Evan Hall plus 1

Secretary

Shire of Woodanilling

COUNCIL RESOLUTION OCM 196/04/2023

Moved Cr Douglas

Seconded Cr Smith

That Council:

Recommends the Chief Executive Officer endorses the Shire's Fire Break Notice and Bush Fire Information Brochure 2023/24 as contained within amended **AMENDED** Attachment 14.1.2 in effect without amendment;

- 1) Authorises the Chief Executive Officer to arrange advertisement of the Notice within the Government Gazette and the local newspaper; and
- 2) Supports the appointment of the following persons by delegated authority for the 2023/2024 Fire Season effective 1st July 2023:

Bushfire Executives

Chief Bush Fire Control Officer

Evan Hall

Deputy Chief Bush Fire Control Officer

Gradyn Wilcox

Senior Fire Control Officer 1

Lachlan Patterson

Senior Fire Control Officer 2

Jason Cronin

Fire Weather Officer

Jason Cronin

Deputy Fire Weather Officer

Gradyn Wilcox

Bush Fire Control Officers

Beaufort/Kenmare

Bindi Murray

Boyerine/Westwood

Greg Doak

Central

David Coleman

Cartmeticup

Wayne Shackley

Glencoe

Braden Crosby

Harvest Ban Committee

Chief Bush Fire Control Officer

Evan Hall

Deputy Chief Bush Fire Control Officer

Gradyn Wilcox

Senior Fire Control Officer 1

Lachlan Patterson

Senior Fire Control Officer 2

Jason Cronin

Beaufort/Kenmare

Ray Kowald

Boyerine/Westwood

Greg Doak

Central

Ian Garstone

Cartmeticup

Wayne Shackley

Glencoe

Braden Crosby

Clover Burning

Clover Burning Officer
Clover Burning Officer
ROAC
Delegates to ROAC
Secretary

Evan Hall
Kellie Bartley (Chief Executive Officer)

CBFCO Evan Hall plus 1
Shire of Woodanilling

CARRIED 5/0

REASON – Correction of wording for stubble crunching in the fire break notice.

14.2.SHIRE OF WOODANILLING BUSH FIRE OPERATING PROCEDURES

File Reference	ADM0038
Date of Report	15 March 2023
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 14.2.1– Shire of Woodanilling Bushfire Operating Procedures Attachment 14.2.2– Bushfire Operating Procedures (Under a separate cover)

BRIEF SUMMARY

The purpose of this report is to request that Council endorse the Brigade Operating Procedures for the management of Bush Fire Brigades throughout the Shire of Woodanilling.

BACKGROUND/COMMENT

As a result of new *Work Health and Safety Act 2020*, changes to the Department of Fire and Emergency Services training modules and a review of how the document performs in an operational sense. These procedures have been endorsed by BFAC to adhere to the new *Work Health and Safety Act 2020*.

The Shire of Woodanilling Bush Fire Operating Procedures outlines the working structure of Bush Fire Brigades and can be reviewed by Council and/or the Bush Fire Advisory Committee at any time. The procedures set normal operational and strategic procedures for administration and maintenance of Bush Fire Brigades for the Shire.

Currently the Shire has a Bush Fire Brigade Local Law that does not provide any guidance for the management of the Bush Fire Brigades in the Shire of Woodanilling. A new local law will be drafted for the strategic management of all personnel within the Shire of Woodanilling Bush Fire Brigades over the coming months.

Preparing and considering Brigade Operating Procedures in advance of this local law coming into effect, will enable brigades the opportunity to familiarise themselves with the procedures and the expectations associated with them. It will, for the first time, provide an element of consistency across all of the Shire's brigades that will ultimately assist in a robust framework that continues to build the capabilities of the brigades.

The Brigade Operating Procedures seek to unify and provide a consistent management framework, which reflects a contemporary set of processes and procedures, and which provides effective guidance in the management of brigades and their professional volunteers.

The endorsement of the Brigade operating procedures for all Shire of Woodanilling Bush Fire Brigades will allow for sound management through specialized documented processes enhancing consistency across all brigades. Adopting these in advance of the local law being finalised will also enable brigades the opportunity to familiarise themselves with the procedures and the expectations associated with them.

A copy of the Bushfire Operating Procedures as contained in **ATTACHMENT 14.2.1**.

STATUTORY/LEGAL IMPLICATIONS

Section 62 of the *Bush Fire Act 1954*

62. *Local government may make local laws*

(1) *A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 for and in relation to —*

- (a) *the appointment, employment, payment, dismissal and duties of bush fire control officers; and*
 - (b) *the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and*
 - (c) *any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.*
- (2) *Where a regulation made by the Governor under this Act is inconsistent with or repugnant to a local law previously made by a local government under subsection (1) and still in force, the regulation prevails and the local law to the extent by which it is inconsistent with or repugnant to the regulation is deemed to be repealed.*

POLICY IMPLICATIONS

There are no policies relating to this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

Theme 3

Law & Order

VISION

- Within the scope and ability of the Council, provide a safe and crime free community

OBJECTIVES

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

STRATEGIES

- By the development of a Crime Prevention Plan through consultation and information sharing with the community and relevant authorities

CONSULTATION/COMMUNICATION

Whilst no public consultation was undertaken, the changes have been reviewed and developed through the Bush Fire Advisory Committee. The formulation of the procedures has been undertaken in a consultative manner, with the Community Emergency Services Manager working collaboratively with the Deputy Chief Executive Officer, Chief Bush Fire Control Officer, Captains and Deputies to gain input and understanding of the set of procedures.

The procedures have been reviewed by the Shire of Woodanilling’s Bush Fire Advisory Committee at their meeting held 28 March 2023.

RISK MANAGEMENT

Risk implications associated with this item are considered to be Moderate, but Officers conditions are in place to minimise any risk associated with approval.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Endorses the Bushfire Brigade Operating Procedures as contained in **ATTACHMENT 14.2.1**; and
2. Authorises the Chief Executive Officer to distribute the Bushfire Brigade Operating Procedures to existing brigade members and new brigade members at their induction.

COUNCIL RESOLUTION OCM 197/04/2023

Moved Cr Douglas

Seconded Cr Brown

That Council:

- 1) Endorses the Bushfire Brigade Operating Procedures as contained in **ATTACHMENT 14.2.1**; and
- 2) Authorises the Chief Executive Officer to distribute the Bushfire Brigade Operating Procedures to existing brigade members and new brigade members at their induction.

CARRIED 5/0

15. OFFICE OF CEO

15.1. INFORMATION BULLETIN – MARCH 2023

File Reference	ADM0105
Date of Report	10 April 2023
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 March 2023

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 - March 2023 (**Attachment XX**)

Circulars, Media Releases, Newsletters, Letters:

- Western Power – rural supply allocation
- 2023/2024 Annual Budget submissions – Community and Councillors
- FEED365 Future Sheep field day

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 March 2023.

COUNCIL RESOLUTION OCM 198/04/2023

Moved Cr Douglas

Seconded Cr Smith

That Council accepts the Information Bulletin Report for the month of March 2023.

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

Nil to Report.

19. CLOSURE OF MEETING

Cr Stephen Jefferies thanked everyone for attending today and closed the meeting at 4.39pm.

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

..... Presiding Member – Councillor Stephen Jefferies

..... Date