



SHIRE OF WOODANILLING



ORDINARY MEETING OF COUNCIL Agenda 20 June 2023

Dear Elected Member

The next Ordinary Meeting of Council of the Shire of Woodanilling will be held on 20 June 2023 in the Council Chambers, 3316 Robinson Road, Woodanilling commencing at 4.00p.m.

**KELLIE BARTLEY
CHIEF EXECUTIVE OFFICER**

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 AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1. DISCLOSURE OF INTEREST

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 1995*.

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".

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

Present:

Cr S Jefferies	Shire President
Cr HR Thomson	Deputy Shire President
Cr P Morrell	
Cr D Douglas	
Cr T Brown	
Cr B Smith	

Officers:

Kellie Bartley	Chief Executive Officer
Sue Dowson	Deputy CEO
Mike Hudson	Executive Manager Infrastructure
Lyn Mills	Executive Assistant to CEO

Apologies:

Observers:

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. PETITIONS / DEPUTATIONS / PRESENTATIONS

6. APPLICATIONS FOR LEAVE OF ABSENCE

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

8. CONFIRMATION OF COUNCIL MEETING MINUTES:

8.1. ORDINARY MEETING OF COUNCIL – 23 MAY 2023

COUNCIL DECISION

That the Minutes of the Ordinary Meeting of Council held 23 May 2023 be confirmed as a true and correct record of proceedings.

9. CONFIRMATION OF OTHER MEETING MINUTES:

9.1. LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING 10 MAY 2023

That the Minutes of the Local Emergency Management Committee Meeting held 10 May 2023 be received by Council.

9.2. GREAT SOUTHERN TREASURES CEO MEETING 26 MAY 2023

That the Minutes of the Great Southern Treasures Meeting held 26 May 2023 be received by Council.

10. REPORTS OF OFFICERS

11. REGULATORY SERVICES

Nil to report.

12. INFRASTRUCTURE SERVICES

Nil to report.

13. CORPORATE SERVICES

13.1. LIST OF ACCOUNTS FOR PAYMENT – 31 MAY 2023

File Reference	ADM0066
Date of Report	9 June 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 May 2023

BRIEF SUMMARY

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

Payment Type	Account Type	Amount \$
Automatic Payment Deductions (Direct Debits & BPay)	Municipal	\$31,341.95
Cheque Payment #	Municipal	\$0.00
EFT Payments #6681 to #6720	Municipal	\$87,831.27
Sub Total	Municipal	\$119,173.22
Payments	Trust	\$0.00
Payments	Reserve	\$0.00
Totals		\$119,173.22

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 \$119,173.22 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 May 2023, as contained within **Attachment 13.1.1**.

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

File Reference	ADM0066
Date of Report	16 June 2023
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	DL Consulting
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 May 2023 (to be distributed under a separate cover)

This item will be distributed prior to the Ordinary Council Meeting to be held on Tuesday 20 June 2023

14. COMMUNITY SERVICES

14.1. APPOINTMENT OF DUAL FIRE CONTROL OFFICERS

File Reference	ADM0066
Date of Report	12 th June 2023
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 – Shire of Wagin – Dual Fire Control Officers

BRIEF SUMMARY

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

BACKGROUND/COMMENT

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

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

Mr W Brockway
Mr I Mc Dougall

A copy of the letter from the Shire of Wagin is provided at **Attachment 14.1.1**.

STATUTORY/LEGAL IMPLICATIONS

As mentioned the appointment of a Dual fire Control Officer for the 2022/23 Bush fire season is undertaken in accordance with Section 38 of the *Bush Fire Act, 195*

POLICY IMPLICATIONS

There are no policies applicable to this proposal.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

THEME 3

Law & Order

OBJECTIVES

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

GOALS

Short Term

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

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

CONSULTATION/COMMUNICATION

There has been no consultation in relation to this matter.

RISK MANAGEMENT

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 appoints under Section 38 of the *Bush Fire Act 1954*, the following Dual Fire Control Officers from the Shire of Wagin:

- Mr Wade Brockway
- Mr Ian McDougall

As authorised officers in the capacity of Dual Fire Control Officers for the 2023/2024 Bush Fire Season.

14.2. ANNUAL REVIEW OF DISABILITY ACCESS AND INCLUSION PLAN 2023

File Reference	ADM0021
Date of Report	15 June 2023
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Sue Dowson
Disclosure of any Interest	The Officer has declared an Impartiality Interest in the preparation of this report in accordance with the provisions of the <i>Local Government Act 1995</i> .
Voting Requirement	Simple Majority
Attachments	ATTACHMENT 14.2.1 – DAIP Progress Report 2022/2023

BRIEF SUMMARY

The purpose of this report is for the Council to accept the Disability Access and Inclusion Plan (DAIP) progress report year ending 30 June 2023.

BACKGROUND/COMMENT

All public authorities in Western Australia are required under the *Disability Services Act 1993* to develop, implement, review and report on their individual DAIP.

The requirements of a DAIP are to ensure that people with a disability can access services, facilities, buildings, employment, complaints processes, services and information provided by public authorities in Western Australia in a way that facilitates increased independence, opportunities and inclusion with in the community.

In accordance with legislation requirements Council adopted the DAIP on 21 February 2017. Under this legislation, the Shire is further required to directly report on the progress of the DAIP and the implementation plan to the Department of Communities by 31 July each year, as well, provide an update to community through its Annual Report.

The Annual Review of the DAIP for the 2022/2023 period that is required to be submitted to the Department of Communities is contained in **Attachment 14.2.1**.

A full review of the DIAP must be undertaken every five years or earlier and the Shire's current plan is overdue and will take place in the 2023/2024 financial year. Other legislation underpinning access and inclusion includes the *Equality Opportunity Act 1984* and the *Commonwealth Disability Discrimination Act 1992 (DDA)*.

The Shire's DAIP progress report ensures increased accessibility and inclusiveness benefits every member of our community, including people with disabilities, their families, carers, disability service providers, young families and our aging community. This includes increased accessibility and inclusiveness to service, facilities, buildings, employment, complaints process, services and information as provided by public authorities in Western Australia in a way that facilities increase independence, opportunities and inclusion within the community.

The Act requires all public authorities to take all practical measures to ensure that its officers, employees, agents and contractors implement the DAIP.

STATUTORY/LEGAL IMPLICATIONS

All public authorities in Western Australia are required under Part 5, Section 27-39C of *The Disability Services Act 1993*, to develop, implement, review and report on the Disability Access and Inclusion Plan.

POLICY IMPLICATIONS

Council currently has a Council Policy 29 – Equal Employment Opportunity that incorporates the values of the DAIP model.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. Achieving the DAIP's outcomes that may require resources or funding. Where additional funds outside of the adopted budget are required, a report to Council will be provided for consideration.

STRATEGIC IMPLICATIONS

THEME 1

Community Well-Being

OBJECTIVES

To ensure that our community is accessible for people with disabilities, their families and carers (Woodanilling Disability Access Inclusion Plan 2010)

STRATEGIES

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

CONSULTATION/COMMUNICATION

The DAIP was adopted by Council February 2017 was due for review in 2022/2023 but is now overdue. The lead up to a review will be conducted throughout the 2023/2024 financial year with relevant staff, community engagement and to be addressed with Elected Members as part of the engagement process.

RISK MANAGEMENT

The risk in relation to this matter has been assessed as “Low” on the basis that if Council does not accept the DAIP’s progress report then it will fail to meet the statutory regulations and requirements for the organisation to meet their requirements to its community.

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. Accepts the review of the Disability Access and Inclusion Plan review for the 2022/2023 year as contained in **Attachment 14.2.1**; and
2. Authorises the Chief Executive Officer to undertake the full review of the Disability Access and Inclusion Plan within the 2023/2024 year.

15. OFFICE OF CEO

15.1. INFORMATION BULLETIN – MAY 2023

File Reference	ADM0105
Date of Report	9 June 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 May 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 – May 2023 (**Attachment 15.1.1**)

Circulars, Media Releases, Newsletters, Letters:

- GGA Water Efficiency Funding
- July 2023 – State Council Agenda
- Carbon Farming Newsletter
- Teder Sundowner 23 May 2023
- Woodanilling Primary School Drone

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 May 2023.

15.2. UPDATED LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS – JUNE 2023

File Reference	ADM0046
Date of Report	9 June 2023
Responsible Officer	Kellie Bartley, Chief Executive Officer
Author of Report	Cindy Pearce, Community Emergency Services Manager
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	Confidential Attachment 15.2.1 – Updated Local Emergency Management Arrangements (Under separate cover) Attachment 15.2.2 – Updated Local Emergency Management Arrangements without contacts for Public purposes only

BRIEF SUMMARY

The purpose of this report is for Council to endorse the review of the Local Emergency Management Arrangements (LEMA) that were presented to the Local Emergency Management Committee (LEMC).

The current Local Emergency Management Arrangements (LEMA) for the Shire of Woodanilling has been updated to include infrastructure that is located on the western edge of the Shire. This update of the Local Emergency Management Arrangements requires endorsement by Council.

The updated LEMA is contained in **Confidential Attachment 15.2.1** and the information has been withheld under Section 5.23 (2) (e) (iii) of the *Local Government Act 1995*. The website version of this document is contained in **Attachment 15.2.2**.

BACKGROUND/COMMENT

The Shire of Woodanilling form part of a joint Local Emergency Management Committee that include the Shires of Katanning and Kent.

The current LEMA has been updated to include significant business infrastructure situated in the west of the shire so emergency service agencies can obtain critical information from this document if an emergency in that area was to occur.

The LEMA is developed in consultation with the Local Emergency Management Committee with its representatives providing advice relating to the Preparedness, Prevention, Response and Recovery (PPRR).

The LEMA is fully reviewed every 5 years to make sure that it meets the requirements of the emergency service agencies when required, the previous endorsement by Council occurred in November 2021.

The LEMA will be forwarded to the District Emergency Management Committee (DEMC) once endorsed by Council, and then presented to the State Emergency Management Committee for endorsement and recording, in the event of a major incident occurring. The appendix of the document houses a “Contact and Resources List” that is a living document which is updated quarterly or as required.

Changes have been made and noted in yellow highlight.

The LEMA will be forwarded to the District Emergency Management Committee (DEMC) once endorsed by Council, and then presented to the State Emergency Management Committee for endorsement and recording, in the event of a major incident occurring. The appendix of the document houses a “Contact and Resources List” that is a living document which is updated quarterly or as required.

STATUTORY/LEGAL IMPLICATIONS

This item is considered in accordance with of the *Emergency Management Act 2005*, the relevant sections are outlined below;

36. *Functions of local government*

It is a function of a local government —

- (a) *subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district; and*

- (b) *to manage recovery following an emergency affecting the community in its district; and*
- (c) *to perform other functions given to the local government under this Act.*

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) *to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and*
- (b) *to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and*
- (c) *to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.*

41. Emergency management arrangements in local government district

- (1) *A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared.*
- (2) *The local emergency management arrangements are to set out —*
 - (a) *the local government's policies for emergency management; and*
 - (b) *the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district; and*
 - (c) *provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b); and*
 - (d) *a description of emergencies that are likely to occur in the local government district; and*
 - (e) *strategies and priorities for emergency management in the local government district; and*
 - (f) *other matters about emergency management in the local government district prescribed by the regulations; and*
 - (g) *other matters about emergency management in the local government district the local government considers appropriate.*
- (3) *Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.*
- (4) *Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.*
- (5) *A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.*

42. Reviewing and renewing local emergency management arrangements

- (1) *A local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.*
- (2) *Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.*

Furthermore, the LEMC is also guided by the Emergency Management Policy.

POLICY IMPLICATIONS

There is currently no policies associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications to this item.

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.

STRATEGIES

Local Emergency Management to ensure preparedness for local emergencies.

CONSULTATION/COMMUNICATION

Consultation has occurred through the Local Emergency Management Committee in the month of May 2023. The CESM had further discussions with the Senior Officers at the Shire.

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 consider the LEMA. The support of this will enhance the requirements that will be required to be undertaken in the event of this plan to be activated.

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council, pursuant to section 42 of the *Emergency Management Act 2005*, endorses the revised Local Emergency Management Arrangements as contained in **Confidential Attachment 15.2.1**.

15.3. NEW COUNCIL POLICY 111 – CARETAKER PERIOD POLICY

File Reference	ADM0115
Date of Report	9 June 2023
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	Attachment 15.3.1 – New Council Policy 111 – Caretaker Period Policy

BRIEF SUMMARY

The purpose of this report is to recommend to Council to adopt a new Council Policy 111 – Caretaker Period Policy in preparation of the 2023 election process and requirements as defined by legislation.

BACKGROUND/COMMENT

The Shire of Woodanilling (the Shire) is committed to ensuring that the local government election process is undertaken in a manner that is transparent, accountable and supports a high standard of integrity and is publicly perceived as such. The policy will guide the conduct of Elected Members and Shire Officers during the caretaker period in the lead up to Election Day.

Restrictions on local government decisions and activities during a caretaker period can prevent actual or perceived advantage or disadvantage to a candidate that may arise from local government decisions, activities or use of public resources.

Following consultation with the Western Australian Electoral Commission (WAEC), through the forthcoming elections, it was noted that the Shire did not have such policy in place. Shire officers have drafted the new Policy based on the research of the local government sector practice and aligned to the provisions of the *Local Government Act 1995*, *Local Government (Elections) Regulations 1997* and *Local Government (Model Code of Conduct) Regulations 2021*.

The new Council Policy 111 – Caretaker Period Policy is contained in **Attachment 15.3.1**.

The officer's recommendation is to support the policy to assist with the 2023 election period 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.*

Furthermore, this policy has provisions under the *Local Government Act 1995*, *Local Government (Elections) Regulations 1997* and *Local Government (Model Code of Conduct) Regulations 2021*.

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 WAEC and the Chief Executive Officer on the matters associated with this item.

RISK MANAGEMENT

The risk has been assessed and identified as “Medium” 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 adopts Council Policy 111 – Caretaker Period Policy as contained in **Attachment 15.3.1**.

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

17. CONFIDENTIAL REPORTS

18. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL

19. CLOSURE OF MEETING