



Date: 21 May 2026

To: Shire President
All Councillors

Copy: Directors
Managers
Staff
Members of the Public

ORDINARY COUNCIL MEETING NOTICE AND AGENDA

An Ordinary Council meeting of the Shire of Waroona will be held at the Shire of Waroona Council Chamber at 4.00 pm Tuesday 26 May 2026 to consider and resolve the matters set out in the attached Agenda.

MARK GOODLET
CHIEF EXECUTIVE OFFICER

Please note: all Council meetings are audio recorded and made public
in accordance with r.14J of the *Local Government (Administration) Regulations 1996*.

If you wish to ask a public question, or provide a deputation or submission, please visit
<https://www.waroona.wa.gov.au/council-meetings/>
or contact the Shire on (08) 9733 7800 / warshire@waroona.wa.gov.au



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AGENDA

1. **DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS**
2. **ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
4. **PUBLIC QUESTION TIME**
5. **PETITIONS, APPROVED DEPUTATIONS & SUBMISSIONS**
6. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

6.1 Ordinary Council Meeting – 28 April 2026**OFFICER RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held 28 April 2026 be confirmed as being a true and correct record of proceedings.

7. **ANNOUNCEMENTS BY THE PRESIDING MEMBER**
8. **ANNOUNCEMENTS BY MEMBERS**
9. **DISCLOSURES OF INTEREST**

(Disclosure of interest MUST ALSO be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)

10. **EXTERNAL COMMITTEES, ASSOCIATIONS AND ADVISORY GROUPS**

10.1 Peel Country Zone Meeting – 23 April 2026**OFFICER RECOMMENDATION**

That Council receives and notes the Unconfirmed Minutes of the Peel Country Zone meeting held 23 April 2026 as per Appendix 10.1.

10.2 Local Emergency Management Committee Unconfirmed Minutes – meeting held 12 May 2026**COMMITTEE RECOMMENDATION**

That Council receives and notes the Unconfirmed Minutes of the Local Emergency Management Committee meeting held 12 May 2026 as per Appendix 10.2 A.

[Note that the Appendices to the Unconfirmed Minutes are at Appendix 10.2 B]



11. REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS

11.1 INFRASTRUCTURE SERVICES

11.1.1 Thatcher Street – Street Tree Removal	
File Ref:	PR.7 – Parks and Reserves – Maintenance – Street Trees / Verges
Previous Items:	
Applicant:	N/A
Author and Responsible Officer:	Acting Director Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Numbers:	11.1.1 – Thatcher Street Pete's Treeworx Report

OFFICER RECOMMENDATION

That Council:

1. endorses the removal of fifteen (15) selected Queensland Box trees located on the southern side of Thatcher Street as identified in the report;
2. endorses offset planting of suitable species within the townsite to help maintain the urban copy and streetscape amenity;
3. requests the Shire to engage with directly affected property owners to seek feedback and support for the proposed removals; and
4. considers inclusion of funding for tree removal within the 2026/27 Annual Budget.

IN BRIEF

This report seeks Council endorsement for the removal of fifteen high-impact Queensland Box trees along Thatcher Street to improve safety and reduce ongoing maintenance costs.

BACKGROUND

The Shire undertakes annual powerline pruning of street trees each May in accordance with the Energy Operators (Powers) Act 1979 (Section 54).

Several trees along Thatcher Street have reached a size where they now impact:

- Vehicle sightlines;
- Pedestrian safety; and
- Driveway access

REPORT DETAIL

There are approximately 50 Queensland Box trees located on the southern side of Thatcher Street within the road reserve and under overhead powerlines.

The Shire has received multiple service requests over recent years regarding:

- Obstructed sightlines;
- Root damage to infrastructure; and
- Safety concerns for motorists and pedestrians



Annual powerline pruning is undertaken by qualified arborists and currently forms part of the Parks and Gardens maintenance program, costing approximately \$85,000 per annum, with these trees accounting for \$27,000 (32%) of that cost.

An independent assessment by Pete’s Treeworx identified:

- 15 trees as high impact, due to proximity to crossovers, power poles, and restricted visibility

- Tree 1 - Planted on the verge is the responsibility of the local council.
- Tree 2 - The responsibility of the occupier of Property A
- Tree 3 - The responsibility of the occupier of Property B

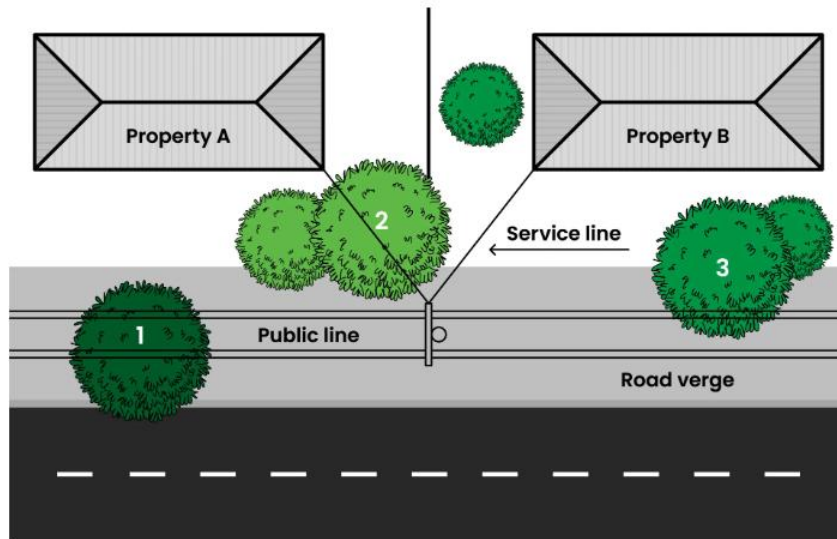


Image 1: Diagram of Responsibilities Western Power website

The removal of the identified high-impact trees will not only address current safety concerns but will also result in a long-term reduction in ongoing maintenance costs, particularly in relation to annual powerline pruning requirements and associated traffic management.

In accordance with the Shire of Waroona Local Planning Policy LPP017 – Tree Retention, Protection and Planting, offset planting will be undertaken to compensate for the removal of the identified trees. Replacement planting will consist of suitable species selected in consideration of location constraints, including proximity to overhead powerlines, road infrastructure, and sightline requirements. The offset planting program will contribute to maintaining the Shire’s urban canopy and streetscape amenity while ensuring long-term sustainability and reduced maintenance impacts.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Built Assets
Aspiration	To build and effectively manage our assets to continually improve our standard of living
Objective	4.2 Manage assets in a consistent and sustainable manner
Strategy	4.1.1 Plan community facilities for current and future generations

OTHER STRATEGIC LINKS

Street Tree Management Plan



STATUTORY ENVIRONMENT

Given the trees are not native to Western Australia and such are planted there is no need to Native Vegetation Clearing Permits.

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

The removal will have an estimated cost impact to Council however the long-term cost saving will allow for additional funding to be allocated to services within public open spaces.

Social - (Quality of life to community and/or affected landowners)

The removal will improve the safety for impacted residents, motorists, and pedestrians.

Environment – (Impact on environment’s sustainability and climate change)

The removal will have little environmental impact.

Policy Implications

IP010 – Street and Reserve Trees

LPP017 - Vegetation

Risk Management Implications

Context / Risk Category	Reputation - Public perception, poor customer service, sub standard work, corruption
Risk	By not removing the selected trees the risk includes the trees blocking the sight line distances for residents existing their properties which could result in an incident involving either motorist or pedestrians.
Consequence	3 - Moderate
Likelihood	3 - Possible
Risk Rating, prior to treatment	Moderate (4-9)
Key Controls / Treatment	Removal of the selected trees will reduce the initial risk. The ongoing annual pruning and monitoring of the street trees will assist in raising future risk prior to them becoming problematic.
Risk Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

- Chief Executive Officer
- Director Customer and Development Services
- Director Community and Corporate Services
- Manager Finance Services
- Manager Development Services
- Community Consultation – Customer Service Requests

Aboriginal Consultation

Nil

RESOURCE IMPLICATIONS

Financial



The initial removal will have a cost impact which will be submitted for inclusion within the 2026/27 financial year budget.

Workforce

Nil

CONCLUSION

The proposed removal of 15 high-impact Queensland Box trees presents a low environmental impact and modest upfront cost, while delivering:

- Improved public safety
- Reduced long-term maintenance costs
- Protection of infrastructure assets
- Improved sightlines for motorists and pedestrians
- Reduced ongoing conflicts with overhead powerlines and associated pruning requirements

The proposed works are considered a practical long-term solution to address ongoing operational, safety, and maintenance concerns within the Thatcher Street road reserve.

In accordance with the Shire of Waroona Local Planning Policy LPP017 – Tree Retention, Protection and Planting, offset planting will be undertaken to offset the removal of the identified trees, with replacement species selected to better suit the location constraints, surrounding infrastructure, and proximity to overhead powerlines. This approach will assist in maintaining the Shire’s urban canopy and streetscape amenity while reducing future maintenance liabilities.



11.2 CUSTOMER & DEVELOPMENT SERVICES



11.3 CORPORATE & COMMUNITY SERVICES

11.3.1 Listing of Payments for the Month of April 2026	
File Ref:	FM.3 – Financial Management – Creditors
Previous Items:	Nil
Applicant:	N/A
Author and Responsible Officer:	Senior Finance Officer; Director Corporate & Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number:	11.3.1 – Monthly Creditors Report – April 2026

OFFICER RECOMMENDATION

That Council receives the following payments made throughout the month of April 2026:

Municipal	Cheque	10499 – 10499	\$	122.58
	EFT	44844 – 45045	\$	843,471.78
Direct wages	01/04/2026 – 30/04/2026 inclusive		\$	285,765.42
Direct Debit	01/04/2026 – 30/04/2026 inclusive		\$	222,406.85
Trust	Cheque		\$	-
	EFT	44946	\$	9,350.00
GRAND TOTAL			\$	1,361,116.63

as per Appendix 11.3.1.

IN BRIEF

The purpose of this report is to present the listing of payments made from the Shire's Municipal and Trust funds throughout the month of April 2026.

BACKGROUND

The attached appendix lists the payments from Council Municipal and Trust funds for the month applicable as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

As per regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following information is required to be presented to Council;

- The Payee's name;
- The amount of the payment;
- The date of the Payment; and
- Sufficient information to identify the transaction.

REPORT DETAIL

As Council has delegated authority to the Chief Executive Officer to execute payments from the municipal fund and the trust fund a list of accounts paid are required to be submitted to Council showing the prescribed information.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Leadership
Aspiration	To embed strong leadership through good governance, effective communication and ensuring value for money
Objective	5.1 A sustainable future through embracing change, applying technological advancement and pursuing efficiencies
Strategy	5.1.1 Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability, and pursue professional development opportunities
Action	

OTHER STRATEGIC LINKS

Nil.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

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

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -*
- (a) the payee's name; and*
 - (b) the amount of the payment; and*
 - (c) the date of the payment; and*
 - (d) sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing –*
- (a) for each account which requires council authorisation in that month*
 - (i) the payee's name; and*
 - (ii) the amount of the payment; and*
 - (iii) sufficient information to identify the transaction; and*
 - (b) the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) recorded in the minutes of that meeting.*

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

Nil.

Social - (Quality of life to community and/or affected landowners)



Nil.

Environment – (Impact on environment’s sustainability and climate change)

Nil.

Policy Implications

Nil.

Risk Management Implications

Context / Risk Category	Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge
Risk	Non-compliance with the requirements stipulated by the <i>Local Government Act 1995</i>
Consequence	3 - Moderate
Likelihood	2 - Unlikely
Risk Rating, prior to treatment	Moderate (4-9)
Key Controls / Treatment	Control measures are in place whereby payments are checked and verified by two authorising officers.
Risk Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

Nil.

Aboriginal Consultation

Nil.

RESOURCE IMPLICATIONS

Financial

Nil.

Workforce

Nil.

CONCLUSION

The listing of payments as per the attached appendix is a true reflection of the expenditure from the Municipal and Trust Fund accounts for the month of April 2026. All expenditure is accordance with the 2025/26 adopted Budget and is presented as prescribed in regulation 13 of the *Local Government (Financial Management) Regulation 1996*.



11.3.2 Statement of Financial Activity for the period ending 30 April 2026	
File Ref:	FM.1 – Financial Management – Creditors
Previous Items:	N/A
Applicant:	N/A
Author and Responsible Officer:	Manager Corporate Services; Director Corporate & Community Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Numbers:	11.3.2 – Statement of Financial Activity for the period ending 30 April 2026

OFFICER RECOMMENDATION

That Council receives the Statement of Financial Activity for the period ending 30 April 2026 as per Appendix 11.3.2.

IN BRIEF

The purpose of this report is to present the financial position of Council as at the reporting date as per requirements of the Local Government Act 1995 and the Local Government (Financial Management) Regulation 1996.

Council is also requested to approve (if any) the budget amendments that are detailed in the Budget Amendments section of this report.

BACKGROUND

The Local Government Act 1995 in conjunction with regulation 34(1) of the Local Government (Financial Management) Regulations 1996 requires a monthly Statement of Financial Activity to be presented to Council detailing the prescribed information within 2 months after the end of the month to which the statement relates.

REPORT DETAIL

The monthly financial report recognises the financial position of the Shire of Waroona at the reporting date and contains the following information;

- (a) Annual budget estimates taking any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c) of the Local Government Act 1995 into account;
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue, and income to the end of the month to which the statements relate;
- (d) The material variance between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

The following information is included in the report;

- Statement of Financial Activity by nature and type
- Statement of Financial Position
- Note 1: Basis of preparation and significant accounting policies
- Note 2: Statement of Financial Activity Information
- Note 3: Explanation of Material Variances
- Note 4 - Graphical Representation - Source Statement of Financial Activity



- Note 5: Cash and Financial Assets
- Note 6: Cash Backed Reserve
- Note 7: Capital Disposals and Acquisitions
- Note 8: Grants, subsidies, and contributions
- Note 9: Receivables
- Note 10: Payables
- Note 11: Rating Information
- Note 12: Information on Borrowings
- Note 13: Budget Amendments
- Note 14: Trust Fund

BUDGET AMENDMENTS

There are no budget amendments proposed for this month.

Please note the statements are accurate at the time of preparation but remain subject to end-of-month processes, additional checks, regulatory updates, and any end-of-year audit adjustments. At times, agenda deadlines require the report to be finalised before all end-of-month procedures are complete. Any subsequent amendments will be processed and reflected in the accumulated balances presented in the following month's statements.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Leadership
Aspiration	To embed strong leadership through good governance, effective communication and ensuring value for money
Objective	5.1 A sustainable future through embracing change, applying technological advancement and pursuing efficiencies
Strategy	5.1.1 Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability, and pursue professional development opportunities

OTHER STRATEGIC LINKS

Shire of Waroona 2025/26 Annual Budget

STATUTORY ENVIRONMENT

Local Government Act 1995

6.4. Financial report

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*

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.*

Local Government (Financial Management) Regulations 1996

34. Financial activity statement required each month (Act s. 6.4)

- (1A) *In this regulation — committed assets means revenue unspent but set aside under the annual budget for a specific purpose.*
- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for the previous month (the relevant month) in the following detail —*
- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the relevant month; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the relevant month; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.*
- (1B) *The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).*
- (1C) *Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- ~~(a)~~
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity must be shown according to nature classification.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

35. Financial position statement required each month



- (1) *A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the previous month) and —*
- (a) *the financial position of the local government as at the last day of the previous financial year; or*
 - (b) *if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.*
- (2) *A statement of financial position must be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the previous month; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

The Statement of Financial Activity provides Council with oversight of the Shire's current financial position and supports informed decision-making in relation to resource allocation. Accurate monthly reporting and timely budget amendments ensure the Shire maintains financial sustainability, meets funding obligations, and can continue delivering services and capital works that contribute positively to the local and regional economy.

Social - (Quality of life to community and/or affected landowners)

Regular financial reporting ensures transparency and accountability to the community, providing assurance that public funds are being managed responsibly. The proposed budget amendments (if any) support community outcomes which collectively enhance the quality of life for residents and visitors.

Environment – (Impact on environment's sustainability and climate change)

There are no direct environmental sustainability or climate change impacts arising from the monthly financial statements. Proposed amendments (if any) may indirectly support improved environmental management outcomes.

Policy Implications

All financial policies from FP001 through to FP037 may have impact on the monthly financial statements.

Risk Management Implications

Context / Risk Category	Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge
Risk	Failure to monitor and report the Shire's financial position accurately and in a timely manner may result in reduced organisational transparency, misinformed decision-making, budget overruns, and non-compliance with statutory reporting requirements.
Consequence	3 - Moderate
Likelihood	2 - Unlikely
Risk Rating, prior to treatment	Moderate (4-9)
Key Controls / Treatment	Key controls include monthly legislative-compliant reporting, regular budget monitoring, strong internal controls, annual audits, and ongoing improvements to financial processes.
Risk Acceptance	Accept - Risk acceptable



CONSULTATION

All Shire of Waroona Officers share responsibility for sound financial management and are expected to operate in accordance with relevant regulations, policies, and procedures relating to budget allocations. Staff are consulted regarding project timing, progress, and status updates to ensure the accuracy of financial reporting. Their input is essential to maintaining reliable and compliant monthly financial statements.

Aboriginal Consultation

Not applicable for this report. The contents relate solely to financial reporting and internal budget adjustments, with no direct impact on Aboriginal stakeholders or cultural matters.

RESOURCE IMPLICATIONS

Financial

The financial implications (if any) are detailed in the Budget Amendments section of this report. Endorsement of the amendments will ensure the Shire's 2025/26 adopted budget accurately reflects current funding allocations, operational requirements, and project commitments. There is no impact on the overall closing position.

Workforce

There are no direct workforce implications arising from the monthly financial statements. However, the preparation of monthly financial reporting continues to place increasing administrative and audit compliance demands on finance staff.

CONCLUSION

The Statement of Financial Activity provides a comprehensive summary of the Shire's financial performance and position for the reporting period, fulfilling statutory obligations under the Local Government Act 1995 and associated regulations. The recommended budget amendments (if any) ensure that the 2025/26 budget remains accurate and reflective of current activities, grant funding, and operational priorities. It is therefore recommended that Council receives the Statement of Financial Activity and endorses (if any) the proposed amendments to the adopted budget.



11.3.3 2026 Annual Policy Review – Part 1	
File Ref:	CM.7 – Corporate Management – Policy – Policy Register – Policy Reviews
Previous Items:	11.3.2 – 2025 Annual Policy Review Part 4 – OCM26/08/124
Applicant:	Not applicable
Author and Responsible Officer:	Senior Governance Officer; Director Corporate & Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Numbers:	11.3.3 – Reviewed policies with tracked changes

OFFICER RECOMMENDATION

That Council approves all amendments made to the revised policies as collated and presented in Appendix 11.3.3.

IN BRIEF

Fourteen (14) council policies have been revised and amended as part of the 2026 annual policy review. Council's approval is required to publish and make the reviewed policies publicly available.

BACKGROUND

The objectives of Council policies are to:

- provide Council with a formal written record of policy decisions;
- provide employees with clear direction to respond to issues and act in accordance with Council's direction;
- enable Council members to adequately handle general enquiries relating to the role of Council;
- enable Council to maintain a process to continually review policy decisions and to ensure they are consistent in keeping with the community expectations, current legislation, and circumstances; and
- enable residents to obtain immediate advice on matters covered by Council policy.

Thirty-four (34) policies are scheduled for review in 2026. In this fourth part, fourteen (14) policies have been reviewed and amended where required, as detailed in the report detail. Council's approval is now requested to update those policy documents, as presented at Appendix 11.3.3.

REPORT DETAIL

The following policies have been recently reviewed by officers and approved by Directors to ensure that information relating to current practices and legislative requirements remains accurate. All of the following policies contain minor suggested amendments which may or may not alter the intent of each policy.

It is recommended that Council approve fourteen policies with / without amendment, as listed below.

Community (C) Policies



CP005 - Donations, Waivers and Sponsorships	Reviewed. Added 'Other Established Annual Donations'
Corporate & Governance (CG) Policies	
CGP014 - Work Health & Safety	Reviewed without amendment
CGP019 - Application of the Shire of Waroona Common Seal	Title changed to <i>Application of the Shire of Waroona Common Seal and Signing of Documents</i> . Added situations approved for application of Common Seal. Replaced Director titles with Acting Chief Executive Officers. Added clauses 3.3 and 3.4.
Finance (F) Policies	
FP003 - Purchase Orders Authority	Reviewed. Added Project Director
FP014 - Financial Hardship	Reviewed with minor amendments to text
FP025 - Depreciation of Non-current Assets	Reviewed with significant amendments to text
Infrastructure (I) Policies	
IP004 - Preston Beach Public Access Ways	Reviewed and re-worded
IP011 - Private Works	Reviewed and additional Statement subclauses added
IP012 - Supply of Materials to Residents	Reviewed with minor amendments. Manager Works & Waste Services changed to Director Infrastructure Services.
IP013 - Subdivision Development	Reviewed with minor amendments
IP014 - Bulk Rubbish Collection	Reviewed with amendments to text. Waste types added to lists of included and excluded items.
IP015 - Drakesbrook Cemetery	Reviewed and re-worded
IP016 - Graffiti Management	Reviewed with minor amendments to text
IP018 - School Bus Routes	Reviewed with minor amendments to text

All current policies, showing tracked changes, are presented as Appendix 11.3.3.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Leadership
Aspiration	To embed strong leadership through good governance, effective communication and ensuring value for money



Objective	5.1 A sustainable future through embracing change, applying technological advancement and pursuing efficiencies
Strategy	5.1.1 Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability, and pursue professional development opportunities

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Policies which are required under statutory legislation, contain a statement providing reference to the relevant legislation.

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

Depending on the context, some policies may have an impact on financial and economic processes and decisions.

Social - (Quality of life to community and/or affected landowners)

Nil.

Environment – (Impact on environment's sustainability and climate change)

Depending on the context, some policies may have an impact on environmental processes and decisions.

Policy Implications

Several policies have been included in this review. See 'Report Detail' for information on policies which are proposed to be amended and/or approved.

Risk Management Implications

Context / Risk Category	Reputation - Public perception, poor customer service, sub standard work, corruption
Risk	Failing to regularly review policies may indicate poor governance, and result in non-compliance with legislative requirements and unclear direction to employees.
Consequence	3 - Moderate
Likelihood	3 - Possible
Risk Rating, prior to treatment	Moderate (4-9)
Key Controls / Treatment	Council's endorsement of the recommendation of this report will mitigate the likelihood of this risk coming into effect.
Risk Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

Policies were reviewed by relevant officers within the functions to which they relate.

Aboriginal Consultation

Nil.



RESOURCE IMPLICATIONS

Financial

Nil.

Workforce

Not applicable.

CONCLUSION

Council policies are live documents that may be amended and take immediate effect at any time throughout the year. They are introduced to provide Council with a formal written record of policy (Council) decisions and provide employees with clear direction to respond to issues and act accordingly.

Fourteen of thirty-four council policies have been revised and amended as part of the 2026 annual policy review process. Council's approval is required to publish and make publicly available; the amended policy documents.



11.3.4 Audit Risk & Improvement Committee (ARIC) Establishment, Terms of Reference, Meetings Fees, and Independent Members	
File Ref:	FM.9 – Financial Management – Audit – Reports
Previous Items:	Nil
Applicant:	Nil
Author and Responsible Officer:	Director Corporate & Community Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Numbers:	11.3.4 – Audit Risk & Improvement Committee Terms of Reference

OFFICER RECOMMENDATION

That Council:

1. endorses the establishment of the Audit Risk & Improvement Committee (ARIC) and disbands the Audit & Finance Committee;
2. adopts the Audit Risk & Improvement Committee Terms of Reference as attached in Appendix 11.3.4;
3. determine that the independent presiding member and the independent Deputy Presiding Members' sitting fees are to be \$450 per meeting, plus all other applicable allowances and reimbursements payable in accordance with section 5.100 of the Local Government Act 1995 and other legislation;
4. appoints all current elected members as committee members;
5. appoints Gavin Treasure as the Independent Presiding Member of the Audit Risk & Improvement Committee for a term commencing immediately and concluding on the day of the next ordinary election;
6. appoints Alan Lamb as the Independent Deputy of the Presiding Member (Proxy) of the Audit Risk & Improvement Committee for a term commencing immediately and concluding on the day of the next ordinary election; and
7. authorise the Chief Executive Officer to finalise and execute the necessary appointment agreements and administrative arrangements associated with the establishment of the Audit Risk & Improvement Committee independent members.

IN BRIEF

The Department of Local Government Industry Regulation and Safety (LGIRS) has introduced significant reforms to local government audit committees through the Local Government Amendment Act 2024 and associated regulations. These reforms require all local governments to transition existing Audit Committees to Audit Risk & Improvement Committees (ARICs) by 30 June 2026.

A key requirement of the reforms is the appointment of an independent Presiding Member and an independent Deputy of the Presiding Member (proxy) to strengthen governance, accountability, risk oversight, and public confidence in local government decision-making.

To support compliance with the new legislative requirements, Council is requested to:



- formally establish the Audit Risk & Improvement Committee;
- adopt the Audit Risk & Improvement Committee’s Terms of Reference;
- determine meeting fees for the independent presiding member; and
- appoint an Independent Presiding Member and an Independent Deputy to the Presiding Member (Proxy).

BACKGROUND

The Local Government Amendment Act 2024 introduced a range of governance reforms aimed at improving transparency, accountability, and financial oversight within local government. These reforms include changes to council and committee meeting transparency requirements and the transition of local government audit committees to Audit Risk & Improvement Committees (ARICs).

Following the commencement of the Local Government Amendment Regulations (No. 4) 2025, all local governments are required to transition to ARICs during a six-month transition period commencing 1 January 2026 and concluding no later than 30 June 2026.

The reforms aim to strengthen local governments’ financial management, governance, risk management, and continuous improvement practices. A key change is the requirement for ARICs to be independently chaired.

Under the amended legislation:

- the Presiding Member must be independent;
- the Deputy of the Presiding Member (Proxy) must also be independent; and
- the Chief Executive Officer and employees cannot be members of the ARIC.

The legislation also provides local governments with the ability to appoint independent members with specialist financial management, audit, governance, and risk expertise to strengthen oversight functions.

REPORT DETAIL

The Shire of Waroona is required to formally transition its existing Audit & Finance Committee to an Audit Risk & Improvement Committee to ensure compliance with the amended legislative framework by 30 June 2026.

The functions of ARIC include:

- receive and review reports related to local government audits under Part 7 of the Act, compliance audits, and reviews under Audit regulation 17;
- make recommendations to the council on actions to be taken in relation to those reports;
- receive and review reports on the appropriateness and effectiveness of the local government’s systems and procedures in relation to financial management, legislative compliance, and risk management, and make recommendations to the council on improvements to those systems and procedures;
- receive and review reports on, and recommend to the Council improvements, and/or implementation of any actions the local government is required to take under the Local Government Act 1995, or has decided to take; and
- perform any function conferred on the ARIC prescribed in the regulations or another written law.

As part of the transition process, revised Terms of Reference have been prepared to align with the amended legislation and regulations.



Councillors were presented with information on the proposed independent members, terms of reference and meeting fees at a number of briefing sessions beginning in February 2026. Discussion guided Officers as to the next steps required to finalise the establishment of the newly formed ARIC.

In accordance with the new requirements, Officers undertook an assessment process for the appointment of independent members. A structured scoring matrix was developed focusing on:

- direct local government experience;
- experience within small to medium regional local governments;
- governance and audit expertise;
- risk management capability; and
- practical considerations including proximity to Waroona and availability.

Council previously requested that informal discussions be undertaken with the highest ranked candidates to further assess governance approach, availability, and suitability for the role.

Following this process, Officers are recommending the appointment of:

Gavin Treasure as the Independent Presiding Member; and
Alan Lamb as the Independent Deputy of the Presiding Member (proxy).

The proposed appointments are considered to provide an appropriate balance of:

- local government operational understanding;
- financial and audit expertise;
- governance capability; and
- practical understanding of regional local government environments.

Meeting Fees

Under section 5.100 of the Local Government Act 1995, local governments may determine sitting fees for independent ARIC members within the limits prescribed by the Salaries and Allowances Tribunal. The current allowable range for Band 1–4 local governments is between \$105 and \$1,215 per meeting.

Given the size and complexity of the Shire of Waroona, Officers recommend a sitting fee of \$450 per meeting, exclusive of superannuation, which is considered reasonable and reflective of:

- the level of expertise required;
- market comparisons across similar regional local governments;
- anticipated meeting frequency; and
- value for money considerations.

Independent members will also be eligible for reimbursement of reasonable travel expenses in accordance with legislative provisions.

Meeting Frequency

While legislation does not prescribe a mandatory number of ARIC meetings annually, industry practice amongst comparable local governments is generally two (2) to four (4) meetings per annum. Additional meetings may be convened where required.



STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Leadership
Aspiration	To embed strong leadership through good governance, effective communication and ensuring value for money
Objective	5.2 Develop a skilled, safe and compliant organisation
Strategy	5.2.2 Promote an organisational culture of safety, best practice and continuous improvement

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT***Local Government Act 1995******Part 5 – Administration – Division 1*****5.1. Term used: committee**

In this Part, unless the contrary intention appears — committee means a committee of a council.

Subdivision 2 — Committees and their meetings**5.8. Establishment of committees**

A local government may establish committees of 3 or more persons to assist the council. * Absolute majority required.*

5.9. Committees, types of

(1) *In this section —*

other person means a person who is not a council member or an employee.

(2) *A committee is to comprise —*

(a) council members only; or

(b) council members and employees; or

(c) council members, employees and other persons; or

(d) council members and other persons; or

(e) employees and other persons; or

(f) other persons only.

5.10. Appointment of committee members

(1) *A committee is to have as its members —*

(a) persons appointed by the local government to be members of the committee (other than those referred to in paragraph (b)); and*

(b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*



5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
- whichever happens first.

5.12. Presiding members and deputies

- (1) The local government must appoint* a member of a committee to be the presiding member of the committee.

* Absolute majority required.

Part 5 – Administration – Division 8**5.100 Fees paid and expenses reimbursed to committee members**

- (1) In this section —

committee member means a person who is a committee member but who is neither a council member nor an employee;

determined means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7BAA.

- (2) A committee member who attends a meeting of the committee is entitled to be paid
- (a) the fee determined for attending a committee meeting; or
 - (b) if the local government has set a fee within the range determined for committee meeting attendance fees — that fee.
- (3) A committee member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
- (a) the fee determined for attending a meeting of that type; or
 - (b) if the local government has set a fee within the range determined for meetings of that type — that fee.
- (4) Subsection (5) applies if a committee member incurs —
- (a) an expense that is of a kind prescribed as being an expense to be reimbursed by all local governments; or
 - (b) an expense —
 - i. that is of a kind prescribed as being an expense which may be approved by any local government for reimbursement by the local government; and
 - ii. which has been approved by the local government for reimbursement.
- (5) The committee member must be reimbursed for the expense —
- (a) if the extent of reimbursement for the expense has been determined — to that extent; or



- (b) *if the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement — to that extent.*
- (6) *If an expense is of a kind that may be approved by a local government for reimbursement, the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (5) if the local government has approved reimbursement of the expense in a particular case.*
- (7) *A local government cannot make any payment to, or reimburse an expense of, a person who is a committee member in that person's capacity as committee member unless the payment or reimbursement is in accordance with this section.*

Part 7 – Audit – Division 1

7.1 Terms Used

audit, risk and improvement committee means an audit, risk and improvement committee established under section 7.1A, subject to section 7.1CB

Division 1A — Audit, risk and improvement committee

7.1A. Establishment of audit, risk and improvement committee

- (1) *A local government must establish a committee of its council under section 5.8 to be called the audit, risk and improvement committee.*
- (2) *The following provisions apply in respect of the membership of the audit, risk and improvement committee —*
- (a) *an employee of the local government is not to be a member;*
 (b) *no member is to be nominated by, or is to be appointed to represent, any employee of the local government;*
 (c) *section 5.10(1)(b) does not apply.*
- (3) *The presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.*
- (4) *Any deputy presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.*

7.1B. Deputy of presiding member or of deputy presiding member

- (1) *The local government must appoint a person under section 5.11A to be a deputy of the presiding member of the audit, risk and improvement committee.*
- (2) *In addition to the requirement of section 5.11A(2)(c), the deputy of the presiding member cannot be a council member of any other local government.*
- (3) *If section 5.14 applies to a meeting of the audit, risk and improvement committee, the committee members present at the meeting must choose the deputy of the presiding member, if present, to preside at the meeting.*
- (4) *If the local government appoints a person under section 5.11A to be a deputy of the deputy presiding member of the audit, risk and improvement committee, in addition to the requirement of section 5.11A(2)(c), the appointed deputy cannot be a council member of any other local government.*

7.1C. Delegation to audit, risk and improvement committee



- (1) *The only powers and duties that the local government may delegate to the audit, risk and improvement committee under section 5.16 are as follows —*
- (a) *any of its powers and duties under this Part;*
 - (b) *any prescribed power or duty.*
- (2) *The provision that may be made by regulations for the purposes of subsection (1)(b) is not limited by the other subject matter of this Part.*
- (3) *The local government's power to delegate to the audit, risk and improvement committee is not limited by section 5.17.*

7.1CA. Decisions of audit, risk and improvement committee

Despite section 5.20, a decision of the audit, risk and improvement committee is to be made by a simple majority.

7.13 Regulations as to audits

- (1) *Regulations may make provision as follows —*
- (ab) *as to the functions of an audit, risk and improvement committee, including in relation to —*
 - (ii) *a local government audit; and*
 - (iii) *an action report; and*
 - (iv) *an audit report; and*
 - (v) *a report on an audit conducted by a local government under this Act or any other written law;*
 - (vi) *and any other matters;*
 - (ae) *as to monitoring action taken in respect of any matters raised in an audit report;*
 - (f) *as to the matters to be addressed in an audit report;*
 - (i) *requiring local governments to carry out, in the prescribed manner and in a form approved by the Inspector, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —*
 - (i) *of a financial nature or not; or*
 - (ii) *under this Act or another written law.*

- (1A) *The provision that may be made by regulations for the purposes of subsection (1)(ab) is not limited by the other subject matter of this Part.*

Local Government (Audit) Regulations 1996

16. Functions of audit, risk and improvement committee

An audit, risk and improvement committee has the following functions —

- (a) *to receive and review reports on, and recommend to the council actions to be taken in relation to —*



- (i) audits under Part 7 of the Act; and
(ii) compliance audits; and
(iii) reviews under regulation 17;
- (b) to otherwise receive and review reports on the appropriateness and effectiveness of, and recommend to the council improvements to, the local government's systems and procedures in relation to —
- (i) financial management; and
(ii) legislative compliance; and
(iii) risk management;
- (c) to receive and review reports on, and recommend to the council improvements to, the implementation of any actions that the local government —
- (i) is required to take under section 7.12A(3); and
(ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
(iii) has otherwise decided to take in response to a report or recommendation referred to in paragraph (a) or (b); and
(iv) has stated it has done or proposes to do in written advice prepared under section 8.6(1)(a) or 8.23(4)(a);
- (d) any other function conferred on the audit, risk and improvement committee under these regulations or another written law.

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

The establishment of an appropriately governed ARIC supports sound financial management, risk oversight, and long-term financial sustainability.

Social - (Quality of life to community and/or affected landowners)

The reforms strengthen transparency, accountability, and public confidence in local government governance practices.

Environment – (Impact on environment's sustainability and climate change)

Nil direct environmental implications identified.

Policy Implications

Nil direct policy implications

Risk Management Implications

Context / Risk Category	Reputation - Public perception, poor customer service, sub standard work, corruption
Risk	Failure to establish a compliant ARIC structure within legislative timeframes may result in non-compliance with the Local Government Act 1995 and associated regulations.
Consequence	3 - Moderate
Likelihood	3 - Possible
Risk Rating, prior to treatment	Moderate (4-9)



Key Controls / Treatment	Establishment of appropriate Terms of Reference, appointment of independent members and establishment of compliant governance arrangements.
Risk Acceptance	Accept - Risk acceptable

CONSULTATION

- Elected Members
- Chief Executive Officer
- Department of Local Government, Sport and Cultural Industries reform information
- WALGA guidance materials
- Informal discussions with shortlisted ARIC candidates

Aboriginal Consultation

N/A.

RESOURCE IMPLICATIONS

Financial

The proposed annual financial impact will depend on the number of meetings conducted annually. Based on two to four ordinary meetings per annum and the proposed sitting fee of \$450 per meeting, the estimated annual cost is approximately \$900 - \$1,800 plus any approved travel reimbursement costs and superannuation expenses.

Workforce

Administration support will be required for meeting coordination, agenda preparation, and governance reporting requirements.

CONCLUSION

The Local Government Amendment Act 2024 introduces significant governance reforms requiring the establishment of independently chaired Audit Risk & Improvement Committees by 30 June 2026.

The proposed Terms of Reference, sitting fee structure and independent appointments will ensure the Shire of Waroona meets its legislative obligations while strengthening governance, risk oversight, and continuous improvement practices within the organisation.



11.3.5 Shire of Waroona Fencing Amendment Local Law 2026	
File Ref:	LE.6 - Laws And Enforcement - Local Laws - Fences
Previous Items:	Item 11.2.9 25 February 2025 OCM25/02/012 Item 11.3.5 24 February 2026 OCM26/05/015
Applicant:	N/A
Author and Responsible Officer:	Senior Governance Officer; Director Infrastructure & Development Services; and Director Corporate & Community Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Number	11.3.5 A – Shire of Waroona Fencing Local Law 2026 11.3.5 B – Proposed Shire of Waroona Fencing Amendment Local Law 2026

OFFICER RECOMMENDATION

That Council:

1. in respect of the *Shire of Waroona Fencing Local Law 2026*, resolves to undertake to the Joint Standing Committee on Delegated Legislation that it will:
 - a. within 6 months, amend the local law as follows:
 - i. in the clause 1.5 definition of ‘AS 3700:2018 Masonry Structures’, replace the name ‘Standards Association of Australia’ with ‘Standards Australia’;
 - ii. in clause 2.2(1), delete the phrase ‘Unless by agreement between the owners of adjoining lots,’ and amend clauses 2.2(2) and (3) consequentially;
 - iii. in clause 2.10(2)(a), prescribe the applicable Australian Standards or Australian/New Zealand Standards;
 - iv. in clause 3.1(4), replace the reference to ‘subclause (1)’ with ‘subclause (2)’;
 - v. in clause 3.2(5), replace the reference to ‘subclause (1)(a)’ with ‘subclause (2)(a)’; and
 - vi. make all consequential amendments arising from the above amendments;
 - b. not enforce the Local Law to the contrary before it is amended in accordance with undertaking a.;
 - c. ensure that a copy of these undertakings accompanies the local law wherever it is made publicly available by the Shire, whether in hard copy or electronic form; and
 - d. advise on its website how the public can access (free of charge) Australian Standards and Australian/New Zealand Standards adopted by this local law;
2. approves for the Shire President to provide a written undertaking to the Joint Standing Committee;
3. approves the making of the proposed Shire of Waroona Fencing Amendment Local Law 2026 (Fencing Amendment Local Law), as detailed at Appendix 11.3.5 B, in accordance with section 3.12 of the *Local Government Act 1995*;



4. requests the Presiding Member to give notice to this meeting in accordance with section 3.12(2) of the *Local Government Act 1995* of the purpose and effect of the proposed Shire of Waroona Fencing Amendment Local Law 2026, that being:
 - a. The purpose of the local law is to correct errors in the Shire of Waroona Fencing Local Law 2026; and
 - b. The effect of making the proposed local law is that the Shire of Waroona Fencing Local Law 2026 is clearer to understand, apply and enforce;
5. in accordance with sections 3.12(3)(a) and (b) of the *Local Government Act 1995*, approves for the Chief Executive Officer to –
 - a. undertake local advertising, and arrange for the display of public notices relating to the proposed local law that invite public submission for a minimum of 6 weeks;
 - b. make copies of the proposed local law available to the general public;
 - c. forward a copy of the proposed local law to the Departmental CEO - Director General of the Department of Local Government, Industry Regulation & Safety; and
 - d. prepare a further report on the proposed local law for Council consideration after the closing date for submissions.

IN BRIEF

- In February 2026, Council resolved to make the *Shire of Waroona Fencing Local Law 2026*. The Fencing Local Law became operative on 20 March 2026.
- Following the gazettal of the Fencing Local Law, the Joint Standing Committee on Delegated Legislation (Committee) highlighted several matters within the Fencing Local Law and has sought a written undertaking from the Shire President that the matters will be addressed.
- It is recommended that Council authorise the Shire President to provide the requested undertaking, and the Chief Executive Officer to commence the process to make the proposed *Shire of Waroona Fencing Amendment Local Law 2026* to rectify the highlighted issues with the principal local law.

BACKGROUND

At its meeting on 24 February 2026, Council resolved to make the Shire of Waroona Fencing Local Law 2026 (Fencing Local Law). This was gazetted on 6 March 2026 and became operative 14 days after the gazettal date. A copy of the Fencing Local Law is attached at **Appendix 11.3.5 A**.

Once a local law is gazetted, it is referred to the Joint Standing Committee on Delegated Legislation (Committee). The Committee considers whether a newly gazetted local law:

- (a) is within power;
- (b) has no unintended effect on any person's existing rights or interests;
- (c) provides an effective mechanism for the review of administrative decisions; and
- (d) contains only matter that is appropriate for subsidiary legislation.



Where the Committee finds that a local law is inconsistent with one or more of these matters, it will seek a written undertaking from the local government to amend or repeal the local law.

Where a local government does not comply with the Committee's request for an undertaking, the Committee may resolve to report to the Parliament recommending the disallowance of the local law in the Legislative Council. A disallowed local law will cease to have effect from the date on which it is disallowed.

REPORT DETAIL

On 12 May 2026, the Committee wrote to the Shire President, Cr Walmsley, advising of the following matters which have been identified following the Committee's review of the Fencing Local Law:

- **Clause 1.5 – amend AS 3700:2018 Masonry Structures definition to correct reference to Standards Australia**

Under Definitions and interpretation, clause 1.5(1), the full name of Standards Australia, 'Standards Association of Australia' has been used within the definition of AS 3700:2018 *Masonry Structures*. As this association is known as 'Standards Australia', this reference should be updated to read "Standards Australia".

- **Clause 2.2(1) – Inconsistency with the *Dividing Fences Act 1961***

The Committee has advised that clause 2.2(1) is invalid and unenforceable because it allows adjoining landowners to agree to fencing arrangements that do not comply with the minimum requirements for a "sufficient fence" prescribed by the local law, which is inconsistent with section 5 of the *Dividing Fences Act 1961*. As a result, the clause exceeds what is permitted under the Act and therefore the clause cannot legally operate as drafted.

As a result, the following amendments should be made –

- Remove the words 'Unless by agreement between the owners of adjoining lots', so that clause 2.2(1) commences by stating: 'A person must -'; and
- Remove subclauses 2.2(2) and (3) as they directly relate to an agreement between owners of adjoining properties in relation to dividing fences.

- **Clause 2.10(2)(a) – Standards not prescribed**

Australian standards applying to electric fence installations have not been prescribed within the Fencing Local Law. Additionally, clause 2.10(2)(a) refers to "any applicable AS/NZS" however AS/NZS has not been included in the local law's definitions provided under clause 1.5.

To correct these findings, the following amendments should be made:

- Amend clause 2.10(2)(a) to replace "comply with any applicable AS/NZS" with "comply with AS/NZS 3016:2002 Electrical installations - Electric security fences"; and
- Add a definition of AS/NZS 3016:2002 *Electrical installations - Electric security fences* to clause 1.5 Definitions and interpretation, which reads:



“AS/NZS 3016:2002 Electrical installations - Electric security fences means the Australian Standard for Electrical installations – Electric security fences, as amended from time to time, published by Standards Australia;”

- **Local law drafting errors – cross-references to subclauses**

1. Clause 3.1(4) – the cross-reference to subclause (1) should be corrected to read ‘subclause (2)’.
2. Clause 3.2(5) - the cross-reference to subclause (1)(a) should be corrected to read ‘subclause (2)(a)’.

- **Standards to be made available to the public free of charge**

The Committee has noted that the Fencing Local Law contains reference to particular standards - AS 3700:2018 Masonry Structures, and has suggested that the Shire publish advice of how residents can access this standard free of charge.

Upon gazette of the Fencing Local Law, a statement was published on the Shire’s website stating:

“Australian Standards referenced in any of the local laws can be accessed at the Shire of Waroona Administration Office, 52 Hesse Street, Waroona during open hours.”

This matter has been addressed through publication of advice on the Shire’s website about how the public can access the relevant standard free of charge.

To implement the required amendments, a Shire of Waroona Fencing Amendment Local Law 2026 is formally required to be made in accordance with s.3.12 of the *Local Government Act 1995*. A copy of the proposed amendment local law is presented in **Appendix 11.3.5 B**.

It is recommended that Council make the requested undertaking to the Committee in full and resolve to make a Shire of Waroona Fencing Amendment Local Law 2026.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Leadership
Aspiration	To embed strong leadership through good governance, effective communication and ensuring value for money
Objective	5.1 A sustainable future through embracing change, applying technological advancement and pursuing efficiencies
Strategy	5.1.1 Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability, and pursue professional development opportunities

OTHER STRATEGIC LINKS

Shire of Waroona Corporate Business Plan 2025-2029

Action 5.1.1.2 – Review all local laws

STATUTORY ENVIRONMENT



Procedure for Making Local Laws

Section 3.12 of the *Local Government Act 1995* refers to the procedure for making local laws.

Council may make local laws in accordance with Part 3 of the *Act* and in so doing, all local laws are then to be reviewed within fifteen years of their commencement date, in accordance with s.3.16 of the *Act*.

The process of adopting or amending a local law is set out in section 3.12 of the *Act* and is summarised in Table 1 below with further information provided following the table.

Table 1 - Timeline for making local law.

Task	LGA Section	Effective/Scheduled Date
Report to Council for approval to advertise proposed new Local Laws. <i>(President to give notice of the purpose and effect to the meeting of the proposed local law).</i>	3.12(2)	Tuesday, 26 May 2026
Give local public notice and make copies available to the general public.	3.12(3)(a)	Tuesday, 9 June 2026
Give copy of the proposed local law and the notice to the Minister for Local Government, and any other relevant Minister.	3.12(3)(b)	Wednesday, 10 June 2026
Closing date for submissions to be received (not less than 6 weeks).	3.12(4)	Friday, 24 July 2026 <i>(45 days)</i>
Consider submissions and report back to Council to determine whether to make a Local Law (absolute majority required).	3.12(4)	Tuesday, 25 August 2026
Publish Local Laws in Government Gazette and give copy to the Minister for Local Government	3.12(5)	Tuesday, 8 September 2026
Give local public notice advising that the new laws have been made, the title, and make copies available to the general public.	3.12(6)	Tuesday, 15 September 2026
Prepare explanatory memorandum and submit with copy of the new Local Laws to Parliamentary Joint Standing Committee on Delegated Legislation.	3.12(6)	Tuesday, 22 September 2026

Local Government Act 1995

s.3.12 Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.



- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) Subject to subsection (3A), the local government is to —
- (a) give local public notice stating that —
- (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
- and
- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to —
- (i) the Departmental CEO; and
 - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;
- and
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3A) The local government may, at the council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification —
- (a) a model local law; or
 - (b) a model local law except certain provisions that the local government determines, at the council meeting referred to in subsection (2), are not relevant to the local government and the district.
- (3B) In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.
- (3C) If the local government determines to proceed under this subsection, the local government must —
- (a) publish a notice on the local government’s official website stating that —
- (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 3 weeks after the notice is published;



and

- (b) as soon as the notice is published, give a copy of the notice to —
 - (i) the Departmental CEO; and
 - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.
- * *Absolute majority required.*
- (5) After making a local law, the local government must —
- (a) publish the local law in the Gazette; and
 - (b) give a copy of the local law to —
 - (i) the Departmental CEO; and
 - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made — the chief executive officer of that other department.
- (6) After the local law has been published in the Gazette the local government is to give notice in the required way —
- (a) stating the title of the local law; and
 - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government’s official website and that copies of the local law may be inspected at or obtained from the local government’s office.
- (6A) For the purposes of subsection (6), the required way for giving a notice is as follows —
- (a) if the local government proceeded under subsection (3) — by local public notice;
 - (b) if the local government proceeded under subsection (3C) — by notice published on the local government’s official website.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Local Government (Functions and General) Regulations 1996

r.3 Prescribed manner of giving notice of purpose and effect of proposed local law

For the purpose of section 3.12 of the *Act*, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that —



- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

Nil

Social - (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment’s sustainability and climate change)

The Fencing Local Law will continue to promote the protection of native fauna and flora by setting out construction specifications, preventing damage to nature reserves by containing livestock and domestic animals, reducing spread of diseases by limiting access to natural bushland, and encouraging sustainable land use.

Policy Implications

Nil

Risk Management Implications

Theme / Risk Category	Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge
Risk	<ul style="list-style-type: none"> • Failure to adhere to the Committee’s request to provide an undertaking to correct the Fencing Local Law within 6 months may result in the Committee resolving to report to the Parliament recommending the disallowance of the Shire of Waroona Fencing Local Law 2026 in the Legislative Council. • Non-compliance with the local law-making requirements stipulated by the <i>Local Government Act 1995</i>.
Consequence	3 - Moderate
Likelihood	2 - Unlikely
Risk Rating, prior to treatment	Moderate (4-9)
Key Controls / Treatment	Provide an undertaking to the Committee and fulfil all terms of the undertaking and Committee’s recommendations within 6 months.
Risk Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

- The Shire President will provide an undertaking to the Committee, committing to fulfil all terms of the undertaking.
- The Shire will advertise Council’s intent to make the Shire of Waroona Fencing Amendment Local Law 2026 via local public notice, inviting public submissions for a minimum period of 6 weeks.
- Departmental CEO (Director General) of the Department of Local Government, Sport & Cultural Industries.

Aboriginal Consultation



Nil

RESOURCE IMPLICATIONS

Financial

The cost of making the proposed local law which includes re-advertising and gazettal is approximately \$300. Funds will be made available in the 2026/2027 budget for this cost.

Workforce

Nil

CONCLUSION

Following the gazettal of Shire of Waroona Fencing Local Law 2026, the Joint Standing Committee on Delegated Legislation (Committee) identified several matters within the local law requiring amendment and has sought a written undertaking from the Shire President that these matters will be addressed in full. Accordingly, it is recommended that Council authorise the Shire President to provide the undertaking to the Committee, and the Chief Executive Officer to commence the process of making the Shire of Waroona Fencing Amendment Local Law 2026 to rectify the identified issues within the principal local law.



11.4 CHIEF EXECUTIVE OFFICER

11.4.1 Subdivision and Development of Lot 43 Eastcott St, Waroona	
File Ref:	A3738 – 1 (Lot 43) Eastcott Street
Previous Items:	OCM25/09/145 – CEO KPIs OCM26/02/019 – Subdivision and Development of Lot 43 Eastcott St, Waroona
Applicant:	Shire of Waroona
Author and Responsible Officer:	Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Numbers:	11.4.1 A – Lot 43 Eastcott St Waroona Feasibility Report 11.4.1 B – Lot 43 Eastcott St Waroona Business Plan 11.4.1 C – CONFIDENTIAL: Consultation Response.

OFFICER RECOMMENDATION

That Council, in relation to No. 1 (Lot 43) Eastcott Street, Waroona:

1. in accordance with section 3.59 (5) of the Local Government Act 1995, determines to proceed with the major land transaction as per Appendix 11.4.1 B;
2. authorises the Chief Executive Officer (CEO) to prepare and lodge a subdivision application and proceed to subdivision clearances;
3. amend the 2025/2026 budget as follows:
 - a. reduce GL account 100920 – Strategic Planning by \$35,000
 - b. increase GL account 117140 – Capital Infrastructure by \$35,000
4. agrees to consider provision for a loan of up to \$ 612,000 in the 2026/27 budget deliberations; and
5. requests the CEO to seek further direction from Council in relation to development of housing on the lot once the subdivision application has been approved.

IN BRIEF

The Shire of Waroona has freehold ownership of the property at lot 43 Eastcott St, Waroona. The property is suitable for residential subdivision for up to seven additional houses, two being freehold and five being strata. In addition there is an existing tenanted house on the property which brings the total to a potential eight lots.

At the February 2026 ordinary Council meeting Council resolved to advertise a proposal to commence a major land transaction with submissions on the business plan to be provided back to Council for its consideration.

It is recommended that Council resolve to proceed to subdivision stage of Lot 43 Eastcott St, Waroona.



BACKGROUND

Land Tenure

Lot 43 Eastcott St, Waroona is owned freehold by the Shire of Waroona. As such it is not Crown land and the Shire therefore is able to do anything lawful in respect to this lot, including selling, subdividing, or building on the land, subject to normal approval processes.

The land is an unusual L shape, with an area = 4,102m² and contains an existing fenced house on the lot which yields rental income to the Shire.



Figure 1 - Aerial view of lot 43 Eastcott St, Waroona

Proposed Lot Layout

Two lot layouts were considered, with the first being shown in figure 2. below. Under this configuration the lots sizes were approximately:

- Lot 1 (strata) 350 m2
- Lots 2 to 5 (strata) 334m2 each
- Existing house 858 m2
- Lots 6 & 7 (freehold) 400 m2 each
- Public Open Space (south end) 478 m2





Figure 2. Optional Lot Configuration

The business plan also contemplated a slightly different layout as per figure 3 below, with one less lot. This was in lieu of detailed survey which was to be carried out to inform the final lot configuration. As a result the preferred layout, shown below was drafted, which rationalised lots 6 & 7 (from figure 2) into one lot due to the imposition of the significant trees in this part of the lot.

Under this configuration the lots sizes are:

- Lot 1 (strata) 350 m² (excluding common area driveway)
- Lots 2 to 5 (strata) 334m² each (excluding common area driveway)
- Lot 6 Existing house 742.6 m²
- Lot 7 (freehold) 400 m² each
- Lot 8 Public Open Space (south end) 478 m²



Figure 3. Preferred Lot Configuration

Business Plan

A Feasibility and Business Plan Report was prepared for the subject property, which is provided in Appendix 11.4.1 A. This was required as it proposed a land transaction which reaches a financial threshold as a major land transaction as determined under the Local Government Act 1995. Refer to the Statutory Environment section of this report for details.

The business plan has now been advertised for the required 60 days. Responses are considered in the Consultation section of this report.

REPORT DETAIL

Seven Scenarios for the land were assessed in the Business Plan.

Scenario						
1	2	3	4	5	6	7
Do nothing (rent existing house)	Sell full property as is	Subdivide & sell, retain existing house	Subdivide & sell full property	Subdivide, build, and sell full property	Subdivide, build, and sell, retain existing property	Subdivide, build, rent full property

It is recommended that Council proceed with the Business Plan, but does so in a staged approval manner with the initial approval being to proceed with subdivision of the lot. In doing so, scenarios 3 to 7 remain as viable options.

This staged approach moves the project forward but allows Council to intervene and do with the separate lots as it wishes, either retaining them as is, selling them unbuilt, building and then selling or building and renting. This presents a low-risk approach to the major land undertaking as Council can liquidate lots if the need arises.

Project Timeline

The project timeline for subdivision purposes is -

- Council determines whether to proceed with the major land transaction at the May 2026 ordinary meeting of Council once the consultation is complete. Project initiation phase is complete with this report.
- Subdivision Planning phase will run until February 2027. In this phase approvals are lodged, design is carried out, utilities applications are done and the construction tender prepared.
- Subdivision construction from March 2027 until December 2027.
- House construction will run from January 2028 until May 2029.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Built Assets
Aspiration	To build and effectively manage our assets to continually improve our standard of living
Objective	2.1 Develop an economy that is focused on growth, knowledge and innovation, and infrastructure, and protects prime agricultural land
Strategy	4.2.1 Plan and effect appropriate maintenance, renewal, replacement and disposal of assets



OTHER STRATEGIC LINKS

At the December 2025 ordinary Council meeting, Council resolved the following key performance indicators for the CEO:

Investigate rates equity and income options.

As an income option, investigate the feasibility of subdividing and developing the Council owned blocks on Eastcott Street to generate revenue for the shire. This includes necessary approvals, developing a project plan, financial details and presenting a recommendation to Council.

Feasibility/Business Case - February 2026 Council meeting with a recommendation.

Submission of subdivision application - May 2026.

STATUTORY ENVIRONMENT

Local Government Act 1995, section 6.20 Power to borrow.

A local government can borrow to undertake its functions and exercise its powers. Where that borrowing has not been included in the annual budget one month's notice must be provided and the resolution to borrow must be by absolute majority.

Borrowing for subdivision purposes would be required in the 2026/27 financial year. Hence, it is recommended that Council consider borrowing funds in its budget deliberations.

Local Government Act 1995, section 6.21 Restrictions on borrowing.

Credit or financial accommodation is only to be secured by giving security over the general funds of the local government. The Treasurer may give direction to a local government with respect to the exercise of its power to borrow.

Local Government Act 1995, section 3.59. Commercial enterprises by local governments

Land transaction means an agreement, or several agreements for a common purpose, under which a local government is to —

- (a) acquire or dispose of an interest in land; or
- (b) develop land;

Major land transaction means a land transaction other than an exempt land transaction if the total value of —

- (a) the consideration under the transaction; and
- (b) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed for the purposes of this definition...

(2) Before it ... enters into a major land transaction; or (c) enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

- (a) its expected effect on the provision of facilities and services by the local government; and



- (b) *its expected effect on other persons providing facilities and services in the district; and*
 - (c) *its expected financial effect on the local government; and*
 - (d) *its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and*
 - (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
 - (f) *any other matter prescribed for the purposes of this subsection.*
- (5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*

Local Government (Functions and General) Regulations 1996, Regulation 8A. Amount prescribed for major land transactions; exempt land transactions prescribed

Reg 8A.(2) states that a major land transaction is the lesser of \$2,000,000 or 10% of previous year's operating expenditure (10% of \$11,886,452 = \$1,188,645).

The development of the subject property is a "land transaction" and also a "major land transaction," as the development price is more than \$1,188,645. A business case was therefore prepared and advertised.

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

Development of lot 43 Eastcott Street, Waroona will potentially bring six new houses to the town and may provide key worker accommodation.

Development of the property will value add to existing freehold land owned by the Shire on behalf of the community. In the medium term this will increase the net wealth of the Shire through generation of rental income and capital growth of land.

Social - (Quality of life to community and/or affected landowners)

Increasing housing stock in Waroona townsite brings more people to town and amplifies social opportunities for the community.

Environment – (Impact on environment's sustainability and climate change)

The development is proposed for a site that is largely cleared and suitable for housing. It is already serviced by power, water, and communications. Waroona townsite is within a "sewer sensitive area" meaning that the property cannot be subdivided into less than 1,000m² lots except where the property can be connected to scheme sewer. This protects groundwater from septic leaching. Fortunately, this property is connected to scheme sewer, meaning it reduces the groundwater pollution potential, and can be subdivided into lots smaller than 1,000m².

The freehold lot to be developed on the south end of the property contain large trees. The option for two freehold residential lots at the east end of the property was considered, however this has been reduced to one less lot due to the presence of significant trees.

At the scale of this development the impact on climate change is indeterminate.

Policy Implications



Full development of the subject property will require Council to take out a loan of up to \$4,073,000 to develop the properties. In relation to debt Council has the policy Debt Service Coverage Ratio - [FP032-Debt-Service-Coverage-Ratio.pdf \(waroona.wa.gov.au\)](https://www.waroona.wa.gov.au/FP032-Debt-Service-Coverage-Ratio.pdf)

As a baseline for Shire's ability to service loans an assessment of the Shire's Debt Service Coverage Ratio as of 2024/25 has been calculated. The Shire's Debt Service Coverage Ratio stands at 13.07, well above the benchmark score of 2.0. The Shire's Financial Health Index (FHI) score is 100/100, indicating the Shire is in a sound financial position.

Three loan scenarios are assessed below:

- Scenarios 3 & 4 (subdivision only) \$ 612,000
- Scenario 7 (subdivide, build, rent) without grant support \$ 4,073,000
- Scenario 7 with grant support \$ 2,810,370

The Shire's Loan Size, Capacity, and impact on rates is modelled below for each preferred Scenario.

In addition to debt servicing an assessment of the relative impact on rates is provided, based on 1% rates being approximately \$65,000. Waroona's Debt Service Coverage Ratio remains above 2.0 in all loan options, even factoring in the more conservative approach with includes the repayment of the principal component of the loan, meaning the Shire still has solid debt service capacity.

Risk Management Implications

Context / Risk Category	Financial - Projects going over budget, legal costs, insurance claims, overpayments, misuse of resources
Risk	Adverse Impact on Financial Sustainability of the Shire of Waroona given the scale of the financial commitment.
Consequence	4 - Major
Likelihood	3 - Possible
Risk Rating, prior to treatment	High (10-19)
Key Controls / Treatment	Engagement of professionals with subdivision and house development skills and experience.
Risk Acceptance	Monitor - Risk acceptable with adequate control

A significant risk mitigation exists for the development of the property in that once subdivided, or once built, the Shire can exercise an option to sell either land only in the case of subdivision being completed, or land and house lots once constructed. This has the benefit of reducing loan burden to the Shire at any time.

It is only during the build periods with contracts let, that project delays can impose extra financial costs on the Shire.

The Appendix 11.4.1 A report provides sensitivity assessment in relation to worst and best outcomes.

CONSULTATION

One month's public consultation is required under the Local Government Act 1995, s 3.59 should Council resolve to move forward with this proposal. The Shire's business plan was



made available for this purpose. In addition to the notice requirements under the Act the Shire wrote to the adjacent properties to seek their input.

A phone query was made by a homeowner adjacent to the subject lot. The person was concerned that the lot would be for social or affordable housing. It was indicated that this was not the intention of Council.

One written response (Appendix 11.4.1 C) was received which raised the following key concerns:

1. Impact on adjacent community facilities
2. Traffic, access and parking
3. Neighbourhood character and built form
4. Consultation timeframes and transparency

In summary the following response was provided.

1. Impact of Subdivision Works on Adjacent Community Facilities

- If Council decides to proceed with the proposal there will be construction activity. During the subdivision stage this relates to provision of utilities, driveways, earthworks for the lots, drainage and some retaining walls.
- Developers, including the Shire, have an obligation under environmental health legislation to ensure development sites do not cause significant amenity impacts on nearby properties by way of dust and noise and this will be dealt with in the construction contracts and monitored during construction.

2. Traffic, Access and Parking

- Whilst the land is zoned 'Community and Civic' under the local planning scheme, this does not preclude residential development and it is planned that the lots will be sized and marketed for residential purposes rather than community or civic purposes.
- Residential uses generate much lower traffic movements than community and civic uses. Residential land uses averages 6 movements per day per lot.
- Eastcott Street and Henning Street are well below maximum traffic volumes for the nature of these roads and are constructed to a suitable urban standard to accommodate the increase in traffic movements.
- The additional traffic increase is not expected to cause a significant traffic or safety issue for the area.
- All dwellings are required to provide parking on site commensurate to the size of any future dwelling.
- Given the above factors, the traffic, access and parking issues will have minimal impact on the CRC's parking demand, pedestrian safety, and access during events.

3. Neighbourhood Character and Built Form

- Housing design will be determined at the housing development stage. It will be designed and built to the Residential Design Codes of WA ensure dwellings meet suitable standards and community expectations.
- Dwelling height, setbacks, appearance, parking, fencing, landscaping and visual privacy are all elements that are included in the Residential Design Codes.
- Variations to the Residential Design Codes are often referred to affected landowners before applications for dwellings are determined.

4. Consultation Timeframes and Transparency



- I can confirm that the public submission request meets all of the requirements of the Local Government Act 1995.
- For a plain language rationale of the proposal the report to Council is available to the public at the following link, item 11.4.1 - <https://www.waroona.wa.gov.au/council-meetings/ordinary-council-meeting/february-ordinary-council-meeting/145/documents/minutes-and-appendices-ocm-february-2026.pdf>
- The report notes that Council is seeking income opportunities for this land, which is otherwise unused. This use will of course preclude other uses in this specific location, however, the present use of lot 42 Henning Street, has been accommodated in the subdivision layout, particularly, where the existing raised garden beds intrude into Lot 43 Eastcott St. A portion of this lot will remain undeveloped and as such will provide for future opportunities.
- A report will be presented to Council at its ordinary meeting at 4pm on 26th May 2026, to consider the business plan and submissions received. The Agenda will be available on the Shire's website ahead of the meeting at the link - <https://www.waroona.wa.gov.au/council-meetings/ordinary-council-meeting/may-ordinary-council-meeting/148>, should you wish to peruse the report item. You are also welcome to attend the meeting and ask questions or present a deputation.

Aboriginal Consultation

Lot 43 Eastcott St, Waroona is within Aboriginal Heritage Lodged Place 3309. The Department of Planning Lands and Heritage has led a survey project in consultation with Gnaala Karla Boodja Corporation representatives to identify the location of any Aboriginal heritage within Waroona Town and have produced a report on this matter. This report is now with the Gnaala Karla Boodja Corporation before final release.

The report will clarify whether section 16 or 18 approvals are required under the Aboriginal Heritage Act 1972. If they are required this may add approximately six to nine months to the project timeline. The financial impact of this is unknown at this time.

RESOURCE IMPLICATIONS

Financial

Model Inputs and Analysis

Treasury WA have undertaken the modelling for this proposal using the inputs provided by the Shire (Appendix 11.4.1 A). The subdivision cost estimate, project management costs have been developed in-house with data from the various approval entities and utilities providers for their application and works costs. House build costs were derived from the Rawlinson's estimating guide, with further local knowledge on house build costs provided from a local Waroona real estate firm. They also provided house rent and sale price information. WA Treasury will also provide loan borrowings information for this proposal.

Rates Impact

A useful measure for how much the loan will cost to repay is to provide the amount by which rates would need to rise to service the loan. The rates impact for the three scenarios is:

- | | |
|---|-------|
| • Scenario 3 & 4 (subdivision only) | 1.13% |
| • Scenario 7 (subdivide, build, rent) without grant support | |
| ○ Without net rental income | 6.83% |
| ○ With net rental income | 3.81% |
| • Scenario 7 (subdivide, build, rent) with grant support | |
| ○ Without net rental income | 4.71% |



- With net rental income 1.70%

In the case of Scenario 7, particularly during the project build period the Shire will need to rationalize its operating and capital expenditure to support the higher cost of servicing the loan.

Opportunity Cost

It is noted that taking this loan reduces the Shire's capacity for other projects or delays their implementation, due to prioritizing loan funding to this project. This includes projects relating to the Town Revitalisation Strategy, the Sport and Recreation Plan, the Trails project and other new capital works. Grant funding of these projects nevertheless remains an option, though with less capacity for the Shire to contribute.

Scenario Assessments

Scenarios 1 and 2 are particularly useful as baseline information and show what happens should the Shire either maintain the status quo or yield an immediate by selling the property as it presently stands.

As shown Scenarios 3, 4 & 7 warrant consideration in the business plan as having either reasonable net present value or total net wealth.

Workforce

This project would engage the services of suitably qualified project management, design, and construction professionals in accordance with the Shire's procurement policy.

CONCLUSION

The analysis undertaken for the development of lot 43 Eastcott St, Waroona has taken a broad approach to assess not only the costs and benefits of development in various scenarios, but also the impact of continuing on the same path (Scenario 1), which is to rent out the existing house on a large, underutilised residential lot.

The analysis in the business case provides positive outcomes financially for the Shire.

Once subdivided or with houses built the Shire may elect to sell any of the properties under their own title, providing the Shire with the ability to mitigate financial risk.

It is recommended that a subdivision application be lodged and the development of the lot proceed to subdivision clearances stage, that Council fund this element now and consider borrowings in the next budget, with the matter to return to Council once the subdivision application is approved.



11.5 ITEMS FOR INFORMATION



12. **BUSINESS LEFT OVER FROM A PREVIOUS MEETING**
13. **ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
14. **NOTICE OF MOTIONS FOR CONSIDERATION AT A FOLLOWING MEETING**
15. **NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING**
16. **MEETING CLOSED TO THE PUBLIC**

OFFICER RECOMMENDATION

That Council proceeds behind closed doors as per Section 5.23(4) of the *Local Government Act 1995* for the purpose of considering Items 16.1.

STOP & START AUDIO RECORDING

16.1 Confidential – Chief Executive Officer Contract of Employment	
File Ref:	HR.1 – Human Resources – Recruitment
Previous Items:	SCM 21/10/150
Applicant:	N/A
Author and Responsible Officer:	Director Customer & Development Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute majority
Appendix Numbers:	16.1 A – Confidential 16.1 B – Confidential

OFFICER RECOMMENDATION

That Council:

1. notes the Chief Executive Officer's request for a further contract term of three (3) years; and
2. determines one of the following (delete whichever is not applicable):

Option 1 – Reappointment

In relation to the employment contract tabled a Confidential Appendix 16.1, Council;

- a. agrees to extend the appointment of Mr Mark Goodlet as Chief Executive Officer for a period of three (3) years, commencing on 1 November 2026;
- b. approves the Total Benefits Package, within the applicable Salaries and Allowances Tribunal Band 3 determination;



- c. approves the amended employment contract based on the WALGA Chief Executive Officer Contract Template;
- d. authorises the application of the Common Seal of the Shire of Waroona to the employment contract; and
- e. authorises the Shire President to execute the employment contract on behalf of the Shire of Waroona.

or

Option 2 – Recruitment

- a. declines to reappoint the Chief Executive Officer; and
- b. requests the Chief Executive Officer (or delegate) to initiate a recruitment and selection process for the position of Chief Executive Officer in accordance with Section 5.36 and Section 5.39 of the Local Government Act 1995 and the CEO Model Standards prescribed under the Local Government (Administration) Regulations 1996.

A report was provided under confidentiality.

17. MEETING OPENED TO THE PUBLIC

OFFICER RECOMMENDATION

That the meeting resume in public.

STOP & START AUDIO RECORDING

18. CLOSURE OF MEETING

