Date: **18 April 2023**

To: **Shire President**
All Councillors

Copy: Directors
Managers
Staff

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 Wednesday 26 April 2023 to consider and resolve the matters set out in the attached Agenda.

KAREN OBORN
ACTING CHIEF EXECUTIVE OFFICER

PUBLIC QUESTION TIME

1. The order of business allows for a Public Question time at the beginning of the Meeting.

2. If you wish to ask a Question about an Agenda Item before it is considered then it is recommended to be made at the Public Question Time at Item 4 on the Agenda Notice Paper in accordance with Council's Procedures and Guidelines for Public Question Time.

3. The visual or vocal recording of Council meeting proceedings is expressly prohibited unless the prior approval of the Council has been given.

TABLE OF CONTENTS

1. DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS 4

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE....4

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE....4

4. PUBLIC QUESTION TIME....4

5. PETITIONS AND APPROVED DEPUTATIONS....4

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS....4

6.1 Ordinary Council Meeting – 28 March 2023 4

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER....4

8. ANNOUNCEMENTS BY MEMBERS....4

9. DISCLOSURES OF INTEREST....4

10. RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES....4

10.1 Alcoa Waroona Sustainability Fund Advisory Committee – Meeting held 30 March 2023.... 4

11. REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS....5

11.1 DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES.... 5

11.1.1 Asset Management Strategy revision.... 5

11.2 DIRECTOR CORPORATE & COMMUNITY SERVICES 9

11.2.1 Listing of Payments for the months of March 2023 9

11.2.2 Monthly Statement of Financial Activity for the period ending 31 March 2023 ... 12

11.2.3 2023 Waroona Show Firework Event Notice.... 15

11.2.4 Lease Agreement for Portion of Reserve 8746 South Western Highway, Waroona – Waroona Football Club Incorporated.... 19

11.2.5 User Agreement for 120 South Western Highway, Waroona – Harvey River Restoration Taskforce Incorporated, Peel Harvey Biosecurity Group Incorporated, and Peel Harvey Catchment Council Incorporated.... 23

11.4 ITEMS FOR INFORMATION 28

11.4.1 Report on 2023 Local Government Professionals Finance Conference.... 28

12. BUSINESS LEFT OVER FROM A PREVIOUS MEETING....32

13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN....32

14. NOTICE OF MOTIONS FOR CONSIDERATION AT A FOLLOWING MEETING 32

15. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING....32

16. CLOSURE OF MEETING....32

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 AND APPROVED DEPUTATIONS

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Council Meeting – 28 March 2023

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 28 March 2023 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. RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES

10.1 Alcoa Waroona Sustainability Fund Advisory Committee – Meeting held 30 March 2023

RECOMMENDATION

That Council:

1. **receives the Minutes of the Alcoa Waroona Sustainability Fund Advisory Committee Meeting held 30 March 2023 as appended; and**

2. **approves the $550,000 fund recommendation of the Alcoa Waroona Sustainability Fund Committee.**

11. REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS

11.1 DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

11.1.1 Asset Management Strategy revision	
File Ref:	CP.1
Previous Items:	
Applicant:	Shire of Waroona
Author(s) and Title:	Karen Oborn, Director Infrastructure and Development Services.
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.1.1 A – Asset Management Strategy 2022-2032 11.1.1 B – Asset Management Plan 2022-2032 11.1.1 C – Asset Management Framework Guidelines 11.1.1 D – Asset Management Framework

RECOMMENDATION

That Council adopts the revised 'Asset Management Strategy 2022-2032'.

IN BRIEF

Local Governments in Western Australia are required to have an Asset Management Strategy, as a part of their Integrated Planning and Reporting framework.

The structure and criteria required, has been established in the Department of Local Government, Sport and Cultural Industries Asset Management guidelines (appendix 11.1.1 C). The guidelines outline defined naming and content conventions. To align and comply with these requirements, the former Asset Management Plan 2022-2032 (appendix 11.1.1 B), has been renamed as the Asset Management Strategy 2022-2032 (appendix 11.1.1 A).

Other minor updates have been made to this Strategy, please refer to appendix 11.1.1 A.

BACKGROUND

Local Governments in Western Australia are required to have an Asset Management Strategy. The structure and criteria needed is established in the Department of Local Government, Sport and Cultural Industries guidelines. The guidelines contain defined naming and content conventions. To align and comply with these requirements the former Asset Management Plan 2022-2032, has been renamed to Asset Management Strategy 2022-2032. Other minor updates have also been made to this Strategy.

The departmental guidelines outline how an Asset Management Strategy provides an overview of how the local government's asset portfolio and the need for it to:

- Meet the service delivery needs of its communities into the future.
- Enable the local government's Asset Management Policy to be achieved.
- Ensure that asset management is established as part of the local government's plan for the future.

The Strategy also prioritises and articulates the delivery of community service needs through the development of Asset Management Plans for each major asset class.

The Integrated Planning and Reporting guidelines, contain a document hierarchy which has the Asset Management Strategy informing the Asset Management Plans. As shown in figure 1 below:

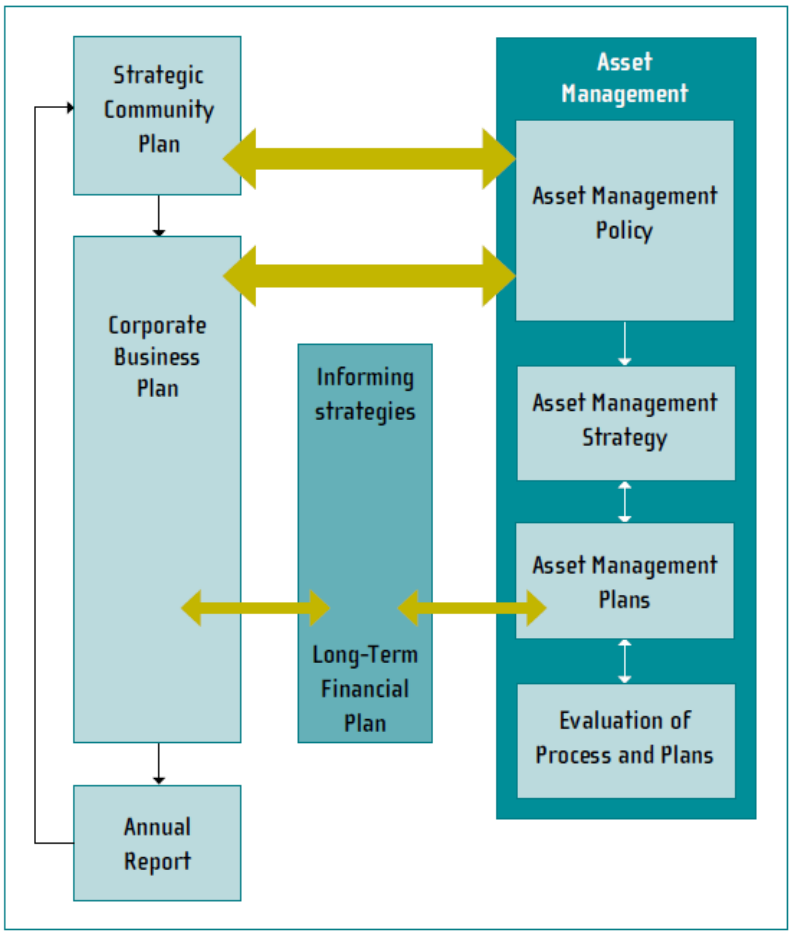

Figure 1: Elements of the Integrated Planning & Reporting Framework. Source: Department of Local Government, Sport & Cultural Industries.

These requirements have been incorporated into the Shire of Waroona's revised Asset Management Framework. Which includes annual and long- term work programs, please refer to attachment D.

REPORT DETAIL

Currently, the Asset management document containing the strategic criteria stated in the Department of Local Government, Sport and Cultural Industries guidelines, is referred to as a 'plan'. Further the Asset documents meeting the criteria for 'plans' are referred to as 'strategies. This is the result of a historic practice which aligned the components of the Asset Management framework, with the Public Engineering sector practices.

Whilst there is nothing inherently erroneous about this practice, it does result in difficulties for Local Government practitioners required to comply with departmental guidelines and align with departmental reporting requirements. Consequently, as part of the revision process, the former Asset Management Plan 2022-2032, has been renamed as Asset Management Strategy 2022-2032.

Other minor updates have also been made to the Asset management Strategy, in attachment A, as follows:

- The addition of the CEO's message: Page 7
- The inclusion of Figure 1: Elements of the Integrated Planning & Reporting Framework. Source: Department of Local Government, Sport & Cultural Industries: Page 9
- Updated details about staff portfolios and directorate Services Areas: Pages 12 & 14
- Expanded contents and renaming of the Asset Management Plans (formerly referred to as strategies): Page 17
- An updated Asset Valuation Summary: Page 18
- The explanation under Strategy Format, now refers to the Department of Local Government, Sport & Cultural Industries guidelines: Page 19
- Financial Projections have been added. These figures have been based on 2022/2023 budget figures and have an estimated annual CPI of 5% compounding, added to them. However, these figures may vary significant in the future: Page 43
- Extra text which defines of difference between the Asset Management Strategy and Asset Management Plans: Pages 47 & 48

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Built Assets
Aspiration	To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning
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

Shire of Waroona's Integrated Planning and Reporting (IP&R) Framework.

STATUTORY ENVIRONMENT

Shire of Waroona Local Planning Scheme No 7(LPS7)

SUSTAINABILITY & RISK CONSIDERATIONS

Economic - *(Impact on the Economy of the Shire and Region)*
IP&R which includes Asset Management, supports the economic outcomes desired by the community.

Social - *(Quality of life to community and/or affected landowners)*
IP&R which includes Asset Management, supports social outcomes appropriate for our community, and meets the purpose and needs of multiple users.

Environment – *(Impact on environment's sustainability)*
IP&R which includes Asset Management, supports the environmental conservation outcomes desired by the community.

Policy Implications
The Asset Management Strategy informs the Shire of Waroona's Integrated Planning and Reporting (IP&R) Framework.

Risk Management Implications
(Please refer to the Shire of Waroona Risk Framework when reviewing this section)

Theme	Financial - Projects going over budget, legal costs, insurance claims, overpayments, misuse of resources
Description	The Asset Management Strategy prioritises and articulates the delivery of community service needs through the development of Asset Management Plans for each major asset class.
Consequence	3 - Moderate
Likelihood	3 - Possible
Rating	Moderate (4-9)
Controls / Review	Council endorsement of the recommendation of this report
Review Frequency	Annually
Risk Owner	Director
Acceptance	Monitor - Risk acceptable with adequate control

CONSULTATION

- Mark Goodlet, Chief Executive Officer
- Brad Oborn, Manager of Works and Waste Services
- Ashleigh Nuttall, Director Corporate and Community Services

RESOURCE IMPLICATIONS

Financial
Nil

Workforce
Nil

OPTIONS

Council has the option of:

1. accepting the officer recommendations to endorse the proposed actions;

2. modifying the officer recommendations to endorse the proposed actions; or

3. rejecting the officer recommendations to endorse the proposed actions.

CONCLUSION

Local Governments in Western Australia are required to have an Asset Management Strategy. The structure and criteria required is established in the Department of Local Government, Sport and Cultural Industries guidelines. To align and comply with these requirements, the former Asset Management Plan 2022-2032, has been renamed to Asset Management Strategy 2022-2032. Other minor updates have been made to this Strategy.
These modifications are needed to mitigate the issues arising from the historic practice of aligning the components of the Asset Management framework to the Public Engineering sectors practices. Which has resulted in difficulties for Local Government practitioners, required to comply with departmental guidelines and align with departmental reporting requirements.

11.2 DIRECTOR CORPORATE & COMMUNITY SERVICES

11.2.1 Listing of Payments for the months of March 2023	
File Ref:	FM.3
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Kathy Simpson, Senior Finance Officer
Voting Requirements:	Simple Majority
Declaration of Interest:	Nil
Appendix Number	11.2.1 - Monthly Creditor Reports – March 2023

RECOMMENDATION

That Council receives the following payments made throughout the month of March 2023;

Municipal	**Cheque**	**10093 – 010107**	**$35,500.87**
	EFT	**38150 – 38353**	**$953,147.95**
Direct wages	**01/03/2023 – 31/03/2023 inclusive**		**$212,035.60**
Direct Debit	**01/03/2023 – 31/03/2023**		**$169,311.44**
Trust	**Cheque – Nil**		**$ -**
	EFT – Nil		**$ -**
GRAND TOTAL			**$1,369,995.86**

as per Appendix 11.2.1.

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 March 2023.

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

As per Regulation 13 of the Local Government (Financial Management) Regulations 1996 the following is required;

(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)*
Nil

Policy Implications
Nil

Risk Management Implications
(Please refer to the Shire of Waroona Risk Framework when reviewing this section)

Theme	Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge
Description	Non-compliance with the requirements stipulated by the *Local Government Act 1995*
Consequence	3 - Moderate
Likelihood	2 - Unlikely
Rating	Moderate (4-9)
Controls / Review	Control measures are in place whereby payments are checked and verified by two authorising officers.
Review Frequency	Monthly
Risk Owner	Operational manager
Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial
Nil

Workforce
Nil

OPTIONS

Council has the option of:

1. receiving the listing of payments presented for the month of March 2023; or

2. not receiving the listing of payments presented for the month of March 2023.

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 March 2023. All expenditure is accordance with the 2022/23 adopted budget and is presented as per the prescription within regulation 13 of the Local Government (Financial Management) Regulation 1996.

11.2.2 Monthly Statement of Financial Activity for the period ending 31 March 2023	
File Ref:	FM.1
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Kirsty Ferraro, Manager Corporate Services
Voting Requirements:	Simple Majority
Declaration of Interest:	Nil
Appendix Number	11.2.2 – Monthly Agenda Report 22-23 March 2023

RECOMMENDATION

That Council receives the Monthly Statement of Financial Activity for the period ending 28 March 2023, as per Appendix 11.2.2.

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.

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 Council at the reporting date and contains the following information;

a) Annual budget estimates taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c) of the Local Government Act 1995;
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 the 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 Programme
- Statement of Financial Activity by Nature and Type, and
- Statement of Financial Position
- Note 1 – Significant Accounting Policies
- Note 2 – Graphical Representation
- Note 3 – Net Current Funding Position
- Note 4 – Cash and Investments
- Note 5 – Major Variances
- Note 6 – Budget Amendments
- Note 7 – Receivables

- Note 8 – Grants & Contributions
- Note 10 – Capital Disposals and Acquisitions
- Note 11 – Significant Capital Projects
- Note 12 – Trust
- Note 13 - Borrowings

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

Shire of Waroona 2022/23 Annual Budget

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Section 34

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)*
Nil

Policy Implications
All financial policies from Policy FIN002 through to Policy FIN035

Risk Management Implications
(Please refer to the Shire of Waroona Risk Framework when reviewing this section)

Theme	Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge
Description	Non-compliance with the requirements stipulated by the *Local Government Act 1995*
Consequence	3 - Moderate
Likelihood	2 - Unlikely
Rating	Moderate (4-9)
Controls / Review	Monthly scheduled review of statements.

Review Frequency	Monthly
Risk Owner	Operational manager
Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial
Nil

Workforce
Nil

OPTIONS

Council has the option of:

1. receiving the monthly financial statements; or

2. not receiving the monthly financial statements.

CONCLUSION

That Council receives the monthly financial statements prepared in accordance with the Local Government Act 6.4 and Local Government (Financial Management) Regulations 1996 section 34.

11.2.3 2023 Waroona Show Firework Event Notice	
File Ref:	RC.18
Previous Items:	Nil
Applicant:	Waroona Agricultural Society on behalf of Cardile International Fireworks Pty Ltd
Author and Title:	Kate Pisconeri, Corporate Planning & Governance Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.2.3 – Fireworks Event Notice

RECOMMENDATION

That Council:

1. **approves for the Waroona Agricultural Society to arrange a fireworks event at the Waroona Agricultural Show, on 7 October 2023; and**

2. **approves for the Chief Executive Officer to sign the fireworks event notice, as at Appendix 11.2.3, in accordance with the requirements of s.148(2) and (6) of the *Dangerous Goods Safety (Explosives) Regulations 2007*.**

IN BRIEF

- The Waroona Agricultural Society wish to arrange a fireworks event to conclude the 2023 Waroona Agricultural Show on 7 October 2023.
- Approval is required by the Shire of Waroona for submission of a fireworks event notice.

BACKGROUND

The Waroona Agricultural Society (WAG) wishes to arrange a fireworks event to occur at 8pm on show day to mark the end of their annual Waroona Show event on 7 October 2023. To arrange the fireworks event, WAG has engaged a licenced fireworks contractor – Robert Cardile, of Cardile International Fireworks Pty Ltd, Contractor Licence number EFC0000028.

In accordance with section 148 of the *Dangerous Goods Safety (Explosives) Regulations 2007* and the Department of Mines, Industry Regulation and Safety, the holder of a fireworks contractor licence must sign a fireworks event notice and give it to the Commissioner of Police, the Fire and Emergency Services Commissioner and the local government of the district in which the event will occur, i.e., Shire of Waroona.

On receiving a fireworks event notice, the Shire may provide the licence holder a written response that either -

(a) agrees to the proposed event;
(b) objects to it unless certain conditions specified in the response are met; or
(c) objects to it on the grounds that the local government considers the event -
  (i) is not in the public interest; or
  (ii) will cause danger to the public or unintended damage to any property or to the environment.

REPORT DETAIL

The Waroona Agricultural Society have submitted a fireworks event notice to the Shire. This form has been submitted on behalf of the licenced fireworks contractor conducting the fireworks event to mark the end of the 2023 Waroona Show on 7 October at the town oval.

The fireworks event notice is a pre-requisite for a fireworks event permit, which is required for the fireworks event to occur.

Council's approval is required for the Chief Executive Officer to sign the fireworks event notice on behalf of the Local Government.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Community
Aspiration	To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning
Objective	1.5 Value, protect and celebrate our rich history and culture
Strategy	1.5.2 Foster arts and culture throughout the Shire
Action	Nil

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Dangerous Goods Safety (Explosives) Regulations 2007

s. 138 Fireworks, licences authorising use of

(1) A person does not have to hold a licence to use a sparkler if it is an authorised explosive.
(2) Unless subregulation (1) applies, a person who uses a firework that is an authorised explosive must —
(a) if the firework is used at a fireworks event —
(i) hold a fireworks event permit that authorises the use of the firework; or (ii) hold a fireworks operator licence and be an employee of a person who holds a fireworks event permit that authorises the use of the firework; or
(iii) be supervised by the holder of such a permit or licence that authorises the use of the firework, at the time and place and in the circumstances; or

148. Fireworks event permits, preliminary matters

(1) Only the holder of a fireworks contractor licence can apply for a fireworks event permit.

(2) Before the holder of a fireworks contractor licence can apply for a fireworks event permit, the holder must sign a fireworks event notice and give it to the following —
(a) the Commissioner of Police;
(b) the FES Commissioner;
(c) the local government of the district in which the event will occur.

(3) The fireworks event notice must be in an approved form and contain this information —
(a) the details of the fireworks contractor licence held;
(b) the date and time when the event will begin;
(c) the expected duration of the event;
(d) where the event will occur;

(e) the details of any public risk insurance policy for the event.

(6) On receiving a fireworks event notice, a local government may give the holder a written response that —

(a) agrees to the proposed event; or

(b) objects to it unless certain conditions specified in the response are met; or

(c) objects to it on the grounds that the local government considers the event —

(i) is not in the public interest; or

(ii) will cause danger to the public or unintended damage to any property or to the environment.

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)*
Nil.

Policy Implications
Nil.

Risk Management Implications
(Please refer to the Shire of Waroona Risk Framework when reviewing this section)

Theme	Reputation - Public perception, poor customer service, sub standard work, corruption
Description	Failing to approve the fireworks event notice would result in the cancellation of a significant community celebration event, commonly known as the Waroona Show grand finale, potentially leading to poor community perception of the Shire.
Consequence	2 - Minor
Likelihood	4 - Likely
Rating	Moderate (4-9)
Controls / Review	Council's endorsement of the recommendation of this report will mitigate the likelihood of this risk coming into effect.
Review Frequency	Semi-annually
Risk Owner	Chief executive officer
Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial
Nil.

Workforce
Nil.

OPTIONS

Council has the option of:

1. accepting the officer's recommendation to approve the fireworks event notice, or

2. amending or rejecting the recommendation.

CONCLUSION

Approval is required from the Shire of Waroona via a fireworks event notice for the Waroona Agricultural Society to plan a renowned fireworks event to mark the end of the Waroona Show, on 7 October 2023.

11.2.4 Lease Agreement for Portion of Reserve 8746 South Western Highway, Waroona – Waroona Football Club Incorporated	
File Ref:	LD21, RC.21
Previous Items:	Nil
Applicant:	Waroona Football Club Incorporated
Author and Title:	Kate Pisconeri, Corporate Planning & Governance Officer
Declaration of Interest:	Nil.
Voting Requirements:	Absolute Majority
Appendix Number	11.2.4 – Proposed Lease Agreement for Waroona Football Club

RECOMMENDATION

That Council:

1. **enters into the proposed Lease Agreement with Waroona Football Club Incorporated, for the lease of the identified premises on portion of Reserve 8746 South Western Highway, Waroona, as per Appendix 11.2.4;**

2. **authorises the application of the Shire of Waroona Common Seal to the Lease Agreement; and**

3. **authorises the Shire President and Chief Executive Officer to sign and execute all matters relating to the Lease Agreement.**

IN BRIEF

Council is requested to consider entering the proposed Lease Agreement with Waroona Football Club Incorporated, for the lease of the identified premises, as per Appendix 11.2.4.

BACKGROUND

Waroona Football Club is an incorporated Association registered with the Department of Mines, Industry Regulation and Safety as of 3 June 1999 (Reference A1007741C) under the *Incorporated Associations Act 2015*.

The current lease expires on 30 April 2022. All Shire-managed lease agreements are in the process of being reviewed and will progressively be transferred to the new lease agreement template as they expire as per Waroona Football Club Incorporated's new lease template, Appendix 11.2.4. This review is being carried out to ensure that conditions are consistent and fair across all leased council facilities and that all facilities are used and managed effectively.

REPORT DETAIL

The proposed Lease Agreement between Shire of Waroona and Waroona Football Club Incorporated has the key components:

- The whole of the Premises as identified, together with all buildings, structures, alterations, additions and improvements completed during the Term, is identified and outlined in red in **Annexure 1** of the Lease Agreement.
- Lease is for five years commencing on 1 May 2023 and expiring on 30 April 2028.
- Rent is currently $165 including GST per year (subject to CPI increases) payable annually in advance.

It is recommended that rent of one hundred and sixty-five dollars ($165) including GST is charged for the Waroona Football Club Incorporated. This group continues to operate as a not-for-profit sporting club, allowing both adults and children to enjoy the social and health benefits from playing a team sport within their local community. The club relies on seasonal fundraising, grants, and minor takings from the hire of their facility as a source of income.

This rent amount aligns with the current rent of comparative not-for-profit organisations being the Waroona Creative Arts Centre and Preston Beach Golf Club.

It is important to note that in addition to their annual rent, the football club are charged an annual oval usage fee of approximately $3300 to use the adjacent Waroona town football oval during the March-to-September football season. This usage charge contributes to costs associated with oval watering and maintenance, use of oval lighting, and use of team huts and temporary oval fencing.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Community
Aspiration	To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning
Objective	1.4 Encourage an active and healthy community with an improved quality of life
Strategy	1.4.5 Support and enhance health services in Waroona
Action	Nil

Focus Area	Our Built Assets
Aspiration	To build and effectively manage our assets to continually improve our standard of living
Objective	4.1 Public spaces and infrastructure that are accessible and appropriate for our community, and meet the purpose and needs of multiple users
Strategy	4.1.1 Plan community facilities for current and future generations
Action	Nil

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	Nil

OTHER STRATEGIC LINKS

Nil.

STATUTORY ENVIRONMENT

Nil.

SUSTAINABILITY & RISK CONSIDERATIONS

Economic *- (Impact on the Economy of the Shire and Region)*
The lease of the identified land and premises will provide an income of $165 including GST (subject to CPI) over the five years.

Social *- (Quality of life to community and/or affected landowners)*
The lease will continue to provide a purpose-built facility for the Waroona Football Club to meet and enable both adults and children to enjoy the social and health benefits from playing football, a team sport, within their local community.

Environment *– (Impact on environment's sustainability)*
The lease outlines the requirement of the Lessee's maintenance of the environment.

Policy Implications
Nil.

Risk Management Implications
(Please refer to the Shire of Waroona Risk Framework when reviewing this section)

Theme	Reputation - Public perception, poor customer service, sub standard work, corruption
Description	Failing to continue a formal lease agreement may result in the collapse of the Waroona Football Club and all associated activities if the group cannot find a similar facility to enjoy their sport, impacting the reputation of the Shire to cater for a significant sporting club within its community.
Consequence	3 - Moderate
Likelihood	3 - Possible
Rating	Moderate (4-9)
Controls / Review	Council's endorsement of the recommendation of this report will mitigate the likelihood of this risk coming into effect.
Review Frequency	Annually
Risk Owner	Director
Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

Lease prepared in consultation with Waroona Football Club Incorporated as current lessees.

RESOURCE IMPLICATIONS

Financial
Nil.

Workforce
Nil.

OPTIONS

Council has the option of:

1. accepting the officer's recommendation; or

2. amending or rejecting the officer's recommendation.

CONCLUSION

This Lease is an opportunity for the Shire to continue to support and provide a facility for the Waroona Football Club, a significant community sporting group, allowing both adults and children to enjoy the social and health benefits from playing a team sport within their local community.

11.2.5 User Agreement for 120 South Western Highway, Waroona – Harvey River Restoration Taskforce Incorporated, Peel Harvey Biosecurity Group Incorporated, and Peel Harvey Catchment Council Incorporated.	
File Ref:	LD238
Previous Items:	27 October 2020 Item 11.4.2 24 August 2021 Item 11.4.3
Applicant:	Nil
Author and Title:	Kate Pisconeri, Corporate Planning & Governance Officer
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendix Number	11.2.5 – Proposed User Agreement

RECOMMENDATION

That Council:

1. **enters into the proposed User Agreement with Harvey River Restoration Taskforce Incorporated, Peel Harvey Biosecurity Group Incorporated, and Peel Harvey Catchment Council Incorporated, as per Appendix 11.2.5; and**

2. **authorises the Shire President and Chief Executive Officer to sign and execute all matters relating to the User Agreement.**

IN BRIEF

Council is requested to consider entering the proposed User Agreement with Harvey River Restoration Taskforce Incorporated, Peel Harvey Biosecurity Group Incorporated, and Peel Harvey Catchment Council Incorporated, for the use of the identified Agreed Areas located at 120 South Western Highway, Waroona, as per the Schedule of **Appendix 11.2.5**.

BACKGROUND

Reserve 46872 - 120 South Western Highway, Waroona - is currently vested to the Department of Primary Industries and Regional Development (DPIRD). On this property is a large office building, a large hardstand area, and multiple sheds.

Following previous advertising to rent out the premises after DPIRD had initially vacated, the Shire expressed its interest in leasing the land. As part of that consultation, DPIRD confirmed that they no longer required the property and were supportive of allowing the Management (Vesting) Order to be transferred to the Shire of Waroona.

At its Ordinary Council Meeting held 27 October 2020, Council resolved the following:

COUNCIL RESOLUTION
OCM20/10/184
Moved: Cr Mason
Seconded: Cr Purcell

That:

1. Council supports an Expression of Interest to have vested to the Shire the old Department of Agriculture buildings and sheds, located at 120 South Western Highway, Waroona.

2. Council seeks feedback from all potential users of the buildings and sheds and includes this information in the EOI.
3. Council delegates to and authorises the Chief Executive Officer to submit an EOI for 120 South West Highway to be vested to the Shire of Waroona.
4. Before an EOI is submitted, a building condition report is undertaken and that the report meets the satisfaction of the Chief Executive Officer.

CARRIED BY ABSOLUTE MAJORITY 8/0

In November 2020, The Shire submitted an Expression of Interest to DPIRD to lease the office complex and sheds (Site) located at 120 South Western Highway, Waroona, with a long-term plan to apply for the transfer of the Management Order.

At the Ordinary Council Meeting held 24 August 2021, Council resolved to enter into a lease agreement with "Western Australian Agriculture Authority" (DPIRD) whilst the Management Order transfer process was investigated, as below:

COUNCIL RESOLUTION
OCM21/08/127
Moved: Cr Odorisio
Seconded: Cr Vitale

That Council:

1. Enter the proposed Lease Agreement with Western Australian Agriculture Authority (WAAA) for the lease of the identified premises on Lot 419 (No. 120) South Western Highway, Waroona, as per Appendix 11.4.3;
2. Authorise the application of the Shire of Waroona Common Seal to the Lease Agreement;
3. Authorise the Shire President and Chief Executive Officer to sign and execute all matters relating to the Lease Agreement;
4. Delegate Authority to the Shire President and Chief Executive Officer to negotiate, sign and execute all matters relating to the sub-lease of the property to local environmental groups; and
5. Authorise the application of the Shire of Waroona Common Seal to the Sub-lease Agreement.

CARRIED BY ABSOLUTE MAJORITY 7/0

A five-year lease agreement was signed by 'Western Australian Agricultural Society' (Lessor) and the Shire of Waroona (Lessee), effective 1 October 2021. The lease agreement included permission for the Shire to sub-lease the premises to local NRM groups.

Council's ultimate preference was to apply for the transfer of Management Order (vesting) with the intention to establish an environmental-agricultural hub for Waroona-based environmental and conservation groups servicing the Region. The site is ideally located in the centre of Waroona and activation of this property aligns with the Waroona Town Centre Revitalisation Strategy.

REPORT DETAIL

Local Natural Resource Management (NRM) groups, being Harvey River Restoration Taskforce, Peel Harvey Biosecurity Group, and Peel Harvey Catchment Council are currently located in the former 'Irrigation House' building at 93 South Western Highway. These groups have outgrown the existing space and would like to expand their organisations and service

offerings. At the same time, plans are in place to refurbish Irrigation House to repurpose and activate the building as a Community Hub as part of the overall community precinct project.

Staff and Volunteers of these groups have expressed their preference to use the offices at 120 South Western Highway, Waroona as a working base; a place for meetings, workshops, and training; and as an educational space for the community. The sheds and transportable building can be used to store equipment, tools, consumables, and multiple trailers and vehicles, chemicals and biological controls – all belonging to the NRM groups for their work in the region. Given the frequency in which trailers, equipment and vehicles are required for the various NRM works programs, the hardstand areas within the Site enable ideal access for safe parking, reversing and manoeuvring.

Peel Biosecurity Group has recently contacted the Shire requesting permission to commence using the sheds to store their equipment which must be relocated out of the existing Irrigation House storage shed for development of the Waroona Community Precinct. As a result, a Shed User Agreement is proposed, as per **Appendix 11.2.5.** Item 1 of the Schedule outlines the allocated sheds and hardstand areas that have been agreed to by each of the NRM groups.

The Application for transfer of the Management Order over 120 South Western highway has commenced and as of 17 March 2023, the transfer is in its final stages of processing with Landgate.

With a Management Order in place, the Shire will be able to enter into a full lease agreement with the three NRM groups for the lease of all facilities, including the sheds, hardstand area and full use of the office building.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Community
Aspiration	To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning
Objective	1.1 Create a connected, safe and cohesive community with a strong sense of community pride
Strategy	1.1.1 Develop an identity for the Shire and the communities it comprises
Action	Nil

Focus Area	Our Built Assets
Aspiration	To build and effectively manage our assets to continually improve our standard of living
Objective	4.1 Public spaces and infrastructure that are accessible and appropriate for our community, and meet the purpose and needs of multiple users
Strategy	4.1.1 Plan community facilities for current and future generations
Action	Nil

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	Nil

OTHER STRATEGIC LINKS

Nil.

STATUTORY ENVIRONMENT

Nil.

SUSTAINABILITY & RISK CONSIDERATIONS

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

Social *- (Quality of life to community and/or affected landowners)*
Provision of an area where the community and surrounding landowners can gather to attend and participate in NRM-coordinated environmental workshops and topical information sessions.

Environment *– (Impact on environment's sustainability)*
The shed user agreement allows natural resource management groups to build an environmental hub within the community. The environmental hub will enable additional workshops and environmental-focused community events by providing a functional outdoor meeting and workshop space.

Policy Implications
Nil.

Risk Management Implications
(Please refer to the Shire of Waroona Risk Framework when reviewing this section)

Theme	Reputation - Public perception, poor customer service, sub standard work, corruption
Description	Failing to initiate the establishment of an outdoor storage and work area for local NRM groups, as they are required to evacuate their stored equipment from Irrigation House premises, may result in poor customer service and public perception. The Shire's reputation to cater for three significant and active environmental working groups and volunteers within its community, could also be impacted.
Consequence	2 - Minor
Likelihood	3 - Possible
Rating	Moderate (4-9)
Controls / Review	Council's endorsement of the recommendation of this report will mitigate the likelihood of this risk coming into effect.
Review Frequency	Semi-annually

Risk Owner	Director
Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

Agreement prepared in consultation with Harvey River Restoration Taskforce, Peel Harvey Biosecurity Group, and Peel Harvey Catchment Council as potential lessees.

RESOURCE IMPLICATIONS

Financial
Nil.

Workforce
Nil.

OPTIONS

Council has the option of:

1. accepting the Officer's recommendation; or

2. amending or rejecting the Officer's recommendation.

CONCLUSION

This User Agreement is an opportunity for the Shire to continue to support three significant Natural Resource Management groups who operate within the region. This agreement will satisfy the groups' urgent equipment storage requirements until a Management Order is obtained over the property and a full lease agreement can be established.

11.4 ITEMS FOR INFORMATION

11.4.1 Report on 2023 Local Government Professionals Finance Conference	
File Ref:	FM.11
Previous Items:	Nil
Applicant:	N/A
Author and Title:	Kirsty Ferraro, Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	Nil

RECOMMENDATION

That Council notes the information on the 2023 Local Government Professionals Finance Conference held in Perth on 22-23 March 2023.

IN BRIEF

Members of the Shire of Waroona executive team with finance portfolios, attended the 2023 Local Government Professionals Finance Conference held in Perth on 22nd and 23rd March 2023. The conference presents an opportunity for officers to receive updates on changes and challenges experienced within the sector while also providing networking opportunities with other industry professionals and trade partners.

BACKGROUND

Local Government Professionals Australia WA is the peak representative body for local government professionals in Western Australia. Established in 1936, representing member associations in each state and territory, LG Pro represents over 5,000 members nationally, with over 800 members in Western Australia. The Local Government Professionals Finance conference is delivered by the Finance Professionals Network, of which, our Director Corporate and Community Services, Ashleigh Nuttall, is the vice-chair. The network is responsible for guiding professional development opportunities for members, reviewing finance related issues that impact on local government and the broader industry, promoting high standards of propriety and probity among members and communicating to members issues of interest. Below is a summary of some of the conference highlights.

REPORT DETAIL

1. Speaker: Brett Archibald – Lost at Sea

Brett's incredible story of survival in the stormy Sumatra Straits was an inspirational start to conference proceedings. While on a surfing trip in Indonesia with a group of childhood friends, Brett fell overboard, unconscious, from a charter boat in the middle of a stormy night in the Indian ocean. Stung by a Portuguese Man of War jellyfish, bitten by small fish, attacked by seagulls, and hit by a shark, he survived the ordeal swimming alone for 28.5 hours in the Mentawai Straits. Brett's determination and will to survive, along with some heroes from Perth, saved his life. This story reminds you of the sheer and incredible power of the brain, thinking and attitude in shaping your own outcomes.

2. *Alternative Revenue Streams*

Presented by Chris Adams, CEO of Tamala Park Regional Council, Colin Cameron, CEO, City of Subiaco and Paul Martin, CEO, Shire of Serpentine Jarrahdale this session covered strategies to address growing concerns on cost shifting and exit strategies for local governments who have been left to maintain assets and services developed with State and Federal grants, helping to avoid worsening operating deficit scenarios and to lessen the resulting burdens on your community. While rates remain the backbone of local government revenue, there are opportunities for local government to diversify revenue streams. This includes ensuring rating tasks are managed to their best advantage, to adopting entrepreneurial approaches to developing additional own source revenue streams, the session discussed ways to compliment, or offset, rating efforts. This session encouraged ways for local government officers to think innovatively and strategically and be a leader who manages risk while exploring new and creative ways of solving financial challenges.

3. Speaker: Anthony Archie, Local Government Finance Professionals of Queensland - Accounting for Infrastructure damaged by severe weather events

Significant weather events, including natural disasters, are becoming increasingly common, and the impact on local government infrastructure and assets is significant. This presentation detailed the need to consider infrastructure and asset damage when preparing annual financial statements and in adjusting valuations and the measures that can be taken to assess asset valuation implications of infrastructure or asset damage caused by significant events.

4. Speaker: Craig Valli – Cyber-secure: LGA as a small-scale critical infrastructure

Global, National and local level issues and threats are impacting Western Australian local governments, their constituents, and the overall Commonwealth. Professor Craig Valli discussed the hardware, software, and wetware (people) best practices to produce more cyber resilient outcomes and maturity for local government in today's internet-connected economy, helping us understand and manage cyber security risks.

5. Speaker: Liam Pepper, Director Global Commodities and Trade, Commonwealth Bank of Australia – Carbon Footprint

Efficient and transparent carbon markers are a critical policy tool for confronting climate change. Liam detailed how CBA clients are using Australian Carbon Credit Units (ACCUs) to supplement sustainable efforts and help achieve net zero goals. Liam presented information on how carbon markets work and their contribution to addressing climate change outlining the increasing demand for carbon credits and what lies ahead for the carbon markets.

6. Speaker: Jordana Borensztajn – Next generation communication – connecting, communicating and collaborating together in this brand-new world

From the unique position of a millennial, Jordana Borensztajn breaks down the qualities and traits that differentiate baby boomers, Gen X, Gen Y (Millennials), and Gen Z. Over the last 2.5 years workplaces have changed and we have collectively experienced more evolution that thought possible. Jordana gives insight into how gaining a deeper understanding of all generational differences and strengths helps create dynamic and thriving relationships which will transform the way we collaborate, connect. Jordana shares action steps to help managers decode, motivate and engage younger employees.

7. *Speaker: Jonathon Pain – Balances of World Power*

Balances of world power are shifting, with influences from Russia, China, Iran and North Korea impacting markets and minds. Jonathon explains how relationships between democracy and autocracy will shape the geopolitical landscape over the next decade and what this means for the global economy, Western Australia, and Australia, and how should we best prepare for this new geopolitical reality.

8. Portraits of Leadership – How did I get here?

A panel including Tony Nottle, CEO, City of Busselton, Nicole O'Neill, Director Community Engagement, City of Kalamunda, Bill Parker, CEO, City of Nedlands and Virginia Miltrup, CEO, City of Karratha, told stories of their unique journeys to senior leadership in local government. The panels personal stories on where they are, the steps that they took, the sacrifices, support, motivation and opportunities were extremely motivational and inspiring for conference attendees looking to progress their careers in the sector.

9. Office of the Auditor General – Local government audits

The Office of the Auditor General presented an update on the 2021/22 audit process. With a slight improvement on the previous year, the OAG are investigating ways to make the audit process more efficient and cost effective for local government. Particularly interesting was the Auditor General's comment that smaller rural shires audits were performing extremely well within the sector overall.

10. Speaker: Russell Barnes – Director, Local Government Services, Moore Australia

Russell poses the question, does your current rating structure meet the principles of rating and align with Council's strategic objectives? This session examined common issues with rating structures along with recent rating trends and how to navigate a change to your local government's rating structure. Russell worked through some case studies of local governments who have taken the journey to reform their rating structures in recent years.

11. Speaker: Glenn Nordsvan, Consultant, AccWest – How good internal financial reports can help management make good decisions

While the community is informed through statutory reporting, leadership teams are informed through internal financial reporting. The session discussed the significance of internal management reporting to provide leadership teams with the information required to make key decisions and identify areas of risk that are lacking controls.

12. Department of Local Government, Sport and Cultural Industries

The DLGSC provided delegates with an overview of key issues currently affecting the WA Local Government sector and provided guidance on what local governments can expect over the next 12 months.

Networking

The conference provided multiple opportunities for delegates to network with other industry professionals and trade partners.

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

CONSULTATION

Mark Goodlet, Chief Executive Officer

RESOURCE IMPLICATIONS

Financial

Attendance at the conference is part of employees' contracts of employment.

Workforce

Two days conference attendance.

OPTIONS

For Council noting only.

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. CLOSURE OF MEETING