



Date: 16 August 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 Tuesday 22 August 2023 to consider and resolve the matters set out in the attached Agenda.

A handwritten signature in blue ink, appearing to be "MG", is written in a cursive style.

**MARK GOODLET
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.

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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 AND APPROVED DEPUTATIONS**
6. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 6.1 **Ordinary Council Meeting – 25 July 2023**

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 25 July 2023 be confirmed as being a true and correct record of proceedings.

- 6.2 **Special Council Meeting – 11 August 2023**

RECOMMENDATION

That the Minutes of the Special Council Meeting held 11 August 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**

11. REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS

11.1 DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

11.1.1 Shire of Waroona Local Heritage Survey 2023	
File Ref:	DB.4 Development and Building Controls, Heritage Listings
Previous Items:	OCM22/04/40
Applicant:	NA
Author and Title:	Rhys Bloxsidge, Senior Infrastructure and Development Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.1.1 - Local Heritage Survey 2023

RECOMMENDATION

That Council:

- 1. endorses the Shire of Waroona Local Heritage Survey 2023 as detailed at Appendix 11.1.1; and**
- 2. forwards the document to the Heritage Council for their records.**

IN BRIEF

- A general review of the Shire's Municipal Heritage Inventory 2001 was commenced in mid-2022.
- The Shire engaged Element to lead the review process. The review had significant input from staff and the Waroona Historical Society.
- The review was funded equally by Council and the Department of Planning, Lands and Heritage.
- The review was carried out in accordance with the Heritage Act 2018 and the Heritage Council's Guidelines for Local Heritage Surveys (the Guidelines).
- The review entailed the preparation of a thematic history of the Shire and the updating of place records from the 2001 document. Five new places were also added to the list of place records.
- Council is requested to endorse the Shire of Waroona Local Heritage Survey 2023.

BACKGROUND

The *Heritage Act 2018* (the Act) requires local governments to identify places of heritage significance in a Local Heritage Survey. The purpose of a Local Heritage Survey is to:

- Identify and record places that are of heritage significance in its district;
- Assist the local government in making and implementing decisions that are in harmony with cultural heritage values;
- Provide a cultural and historical record of its district;
- Provide an accessible public record of places of cultural heritage significance to its district; and
- Assist the local government in preparing a heritage list under its local planning scheme.

A Local Heritage Survey does not necessarily have a direct statutory role in respect of the *Planning and Development Act 2005*. In particular, a Local Heritage Survey should not be used as the basis of decision-making for development proposals. This function is best served by a heritage list adopted under a local planning scheme. Staff are currently reviewing the Shire of Waroona Local Planning Scheme No. 7 and the review of the Local Heritage Survey will inform the Scheme review.

The current Shire of Waroona Municipal Heritage Inventory dates back to 2001. The Guidelines state that timing of a review of a Local Heritage Survey should reflect the rate of change within an area in relation to overall development and population. As an indication, the Guidelines recommend that a review for regional local governments may not be required for 10-15 years and could be carried out in line with reviews of local planning schemes and local planning strategies. With this in mind, it was considered timely to revisit the Shire of Waroona Municipal Heritage Inventory given that the local planning framework is also under review.

REPORT DETAIL

In September 2022, Shire staff notified all owners of places included in the 2001 Inventory of the review and invited comments on the accuracy and information on their respective place. Further, a public call for nominations for new places to be included in the Local Heritage Survey was carried out, which included direct correspondence with the Waroona Historical Society, Waroona Agricultural Society and Laurie Snell. A great response was received and there were a significant number of new places nominated. Given budget constraints, six new places were selected to be investigated and researched. The new places were:

- Waroona Agricultural Showgrounds
- Drakesbrook Weir
- Hamel Railway Shed (fmr)
- Old Swimming Pool
- Olinda
- Waroona Kindergarten (fmr)

Once the research and assessment of each of the existing and new places had been carried out, all owners of places were notified to provide comments on the new place record. There were a small number of responses received during this part of the process and this feedback was used to edit the place records where necessary.

During this time the Thematic History of the Shire was also prepared. The Thematic History was reviewed by the Waroona Historical Society and the final product is included as an appendix to the Local Heritage Survey.

The research and assessment undertaken to prepare both the Local Heritage Survey and Thematic History was consistent with the parameters set out in the Heritage Council's Guidelines and this method has aligned the Local Heritage Survey with other recent surveys carried out by other local governments in Western Australia.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Community
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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	1.5.1 Pursue actions to preserve areas and materials of historical significance

OTHER STRATEGIC LINKS

Nil.

STATUTORY ENVIRONMENT

- *Heritage Act 2018* – the Act requires local governments to identify places of cultural heritage significance in a Local Heritage Survey
- The Western Australian Planning Commission’s State Planning Policy 3.5 relating to heritage conservation requires local governments to identify places of local significance through the compilation and review of inventories in accordance with assessment criteria and other relevant guidelines published by the Heritage Council. The inventory is then to be used to identify places for inclusion in heritage areas and a heritage list under a local planning scheme.

SUSTAINABILITY & RISK CONSIDERATIONS

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

A key factor in attracting population growth, tourist dollars and increased economic activity to the Shire is its distinctive sense of place. This is strongly influenced by the Shire’s heritage amenities and attractions. Managing and enhancing the Shire’s heritage assets is an important factor if the Shire is to capitalise on its growth and economic potential.

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

The Shire’s heritage enriches the character and distinctiveness of the area and helps to create a unique identity and sense of place. Heritage places are also a valuable cultural and educational resource, which provides a tangible link to the past and enhances the community’s cultural identity.

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)

<i>Theme</i>	Environmental - Regulatory compliance, contamination, inadequate processes
<i>Description</i>	Failure to carry out the review would result in a possible breach of the <i>Heritage Act 2018</i> . Further, failure to carry out the review may lead to possible adverse consequences for new places that ought to be included in the Local Heritage Survey that currently are not.

<i>Consequence</i>	4 - Major
<i>Likelihood</i>	2 - Unlikely
<i>Rating</i>	Moderate (4-9)
<i>Controls / Review</i>	Council's endorsement of the Local Heritage Survey will address the risk.
<i>Review Frequency</i>	Annually
<i>Risk Owner</i>	Chief executive officer
<i>Acceptance</i>	Accept - Risk acceptable with adequate controls

CONSULTATION

Community consultation was carried out in accordance with the *Heritage Act 2018* and the Heritage Council's Guidelines for Local Heritage Surveys.

RESOURCE IMPLICATIONS

Financial

The preparation of the Local Heritage Survey was funded by Council and the Department of Planning, Lands and Heritage in a 50/50 co-contribution arrangement.

Workforce

There was significant staff input into the preparation of the Local Heritage Survey.

OPTIONS

Council has the option of:

1. endorsing the Local Heritage Survey in the form detailed at Appendix 11.1.1; or
2. endorsing the Local Heritage Survey in some other form.

CONCLUSION

The Local Heritage Survey aligns with the model set by the Heritage Council and is an up-to-date record and assessment of Waroona's primary places with heritage value. The document is comprehensive and accurate and will pave a way forward for a statutory heritage list to be prepared in conjunction with the Shire's new local planning scheme.

11.2 DIRECTOR CORPORATE & COMMUNITY SERVICES

11.2.1 Listing of Payments for the months of July 2023	
File Ref:	FM.3
Previous Items:	N/A
Applicant:	N/A
Author and Responsible Officer	Senior Finance Officer; Director Corporate & Community Services
Voting Requirements:	Simple Majority
Declaration of Interest:	Nil
Appendices:	11.2.1 - Monthly Creditor Reports – July 2023

RECOMMENDATION

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

Municipal	Cheque	10141 - 10151	\$	107,970.75
	EFT	38941 - 39091	\$	1,393,083.36
Direct wages	01/07/2023 – 31/07/2023 inclusive		\$	210,946.80
Direct Debit	01/07/2023 – 31/07/2023		\$	317,115.31
Trust	Cheque	11270	\$	732,129.16
	EFT		\$	-
	GRAND TOTAL		\$	2,761,245.38

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 July 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)*

<i>Theme</i>	Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge
<i>Description</i>	Non-compliance with the requirements stipulated by the <i>Local Government Act 1995</i>
<i>Consequence</i>	3 - Moderate
<i>Likelihood</i>	2 - Unlikely
<i>Rating</i>	Moderate (4-9)
<i>Controls / Review</i>	Control measures are in place whereby payments are checked and verified by two authorising officers.
<i>Review Frequency</i>	Monthly
<i>Risk Owner</i>	Operational manager
<i>Acceptance</i>	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 July 2023; or
2. not receiving the listing of payments presented for the month of July 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 July 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 Community Sport and Recreation Facility Fund (CSRFF) Small Grant Round 2023/24 – Confirmation of Project Support and Ranking	
File Ref:	GR.5 Government Relations – State Liaison – Department Local Government Sport and Cultural Industries GS.1 Grants and Subsidies – Programs – Federal and State
Previous Items:	Nil
Applicant:	Waroona Football and Netball Club
Author and Responsible Officer	Manager Recreation Services Director Corporate & Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.

RECOMMENDATION

That Council endorses the funding submissions to the Department of Local Government Sport and Cultural Industry 'Community Sport and Recreation Facility Fund' small grant round 2, for the following project:

- Waroona Football and Netball Club Changeroom Renovations.

IN BRIEF

- Council is requested to consider and formally endorse the project to upgrade the Waroona Football Club toilet and shower block.
- The Waroona Football Club has the opportunity to submit a request for grant funding for this project through the Community Sport and Recreation Facility Fund stream.
- The Shire has already shown preliminary support for this project through a successful application of \$24,000 through the Alcoa Sustainability Funds.
- Overall project costs are estimated to be around \$50,000.

BACKGROUND

Council is requested to consider and provide formal endorsement for the project to upgrade the Waroona Football Club toilet and shower block.

The toilets and shower block have not been renovated since construction in 1993 and are dated and in poor condition. In addition to cracks, leaks and damaged areas contributing to health and safety concerns, the look is unsightly and presents poorly to users.

The project identified has been discussed with the Department of Local Government Sport and Cultural Industry (DLGSC) and found to be in line with the DLGSC criteria for possible funding through the 'Community Sport and Recreation Facility Fund' (CSRFF).

REPORT DETAIL

The Waroona Football and Netball Clubs' have identified the ablutions and changerooms to be in need of improvements to cater for the club's future. On football game days, the toilets and shower block at the Waroona Football Club are used by a significant number of players,

members and visitors. Aside from the Football and Netball Club, the clubrooms are opened on the Waroona Show Day, used fortnightly by the Waroona Men’s Darts Club and are available for public hire.

The club was successful in receiving \$24,000 as part of the Alcoa Waroona Sustainability Funds (AWSF) this year. They require an additional estimated \$25,000 from the CSRFF grant scheme to complete the renovations. The renovations will include retiling and fitting out of ablutions, and retiling and refit out of the changeroom area.

The Club, being the lessee of the facility will be required to have written consent and the appropriate planning approval (if needed) from the Lessor (Shire of Waroona), prior to commencing renovations on the facility. Officers responsible for building capital projects and maintenance will be involved throughout this process.

As part of the CSRFF application process, the project must be supported and rated by Council compared to all other applications for this grant round. At this stage, this project is the only proposed project applicable for this round of funding.

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	1.4.2 Support local community, sporting and recreational groups and initiatives

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY & RISK CONSIDERATIONS

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

Social - (Quality of life to community and/or affected landowners)
Supporting this project will improve the amenities of a well-used community facility.

Environment – (Impact on environment’s sustainability)

Policy Implications

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

Theme	Project - Delays to start or completion, variations to scope or budget, insufficient funds
Description	Without Council's support of this project, additional funding will not be granted which may lead to the project not progressing and/or additional funding needed to be sought.
Consequence	3 - Moderate
Likelihood	3 - Possible
Rating	Moderate (4-9)
Controls / Review	Project will be managed by the appropriate Officers to ensure compliance and completion.
Review Frequency	Quarterly
Risk Owner	Project manager
Acceptance	Accept - Risk acceptable with adequate controls

CONSULTATION

The Waroona Football Club has consulted with the Department of Local Governments, Sport and Cultural Industries and they are supportive of this project.

Other Officer consultation: Manager Works & Waste Services, Building Maintenance Coordinator, Manager Community & Communications.

RESOURCE IMPLICATIONS

Financial

\$24,000 has been committed to this project by the Alcoa Waroona Sustainability Fund. Giving formal endorsement of this proposed project will allow for additional funding to be sought.

Workforce

Nil

OPTIONS

Council has the option of:

1. endorsing the funding application for the CSRFF Small Grant Round 2023/24 for the renovations to the Waroona Football changeroom and ablutions; or
2. not endorsing the funding application for the CSRFF Small Grant Round 2023/24 for the renovations to the Waroona Football changerooms and ablutions.

CONCLUSION

The Waroona Football Club has the opportunity to apply for additional funding to complete the upgrade of the toilet and shower block at the Club's leased facility. Council's support is required to submit the application for funding through the Community Sport and Recreation Facility Fund stream. As a well-utilised facility, the upgrade of these amenities will be well received by the community and visitors.

11.2.3 2023 Annual Policy Review	
File Ref:	CM.7
Previous Items:	Nil
Applicant:	Not applicable
Author:	Corporate Planning & Governance Officer
Responsible Officer:	Director Corporate & Governance Services Director Infrastructure & Development Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	Appendix 11.2.3 A – Proposed Policies Appendix 11.2.3 B – Current Policies with tracked changes.

RECOMMENDATION

That Council approves all amendments made to the revised policies as collated and presented in Appendix 11.2.3A.

IN BRIEF

- Several Council policies have been revised and amended as part of the 2023 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 in keeping with the community expectations, current legislation, and circumstances; and
- enable residents to obtain immediate advice on matters covered by Council policy.

The last major Council policy review was carried out in 2021. All policies were reformatted, and some minor amendments made; several policies were also deleted and/or consolidated at this time. Since this time, policy reviews have occurred on an "as required" basis.

A policy review schedule was developed in 2022 with the objective being to ensure that all policies are reviewed at least once every three years. The scheduling of those policies that require an annual or biennial review remains unchanged. However, all policies that included a requirement to review "as required" have been changed to triennially (every three years).

Policies that require a triennial review have been strategically placed into a 3-year rotation to ensure the number of policies to be reviewed each year remains relatively balanced and the

workload to process policy reviews is minimised. Overall, 39 policies are scheduled for review in 2023, 52 in 2024; and 52 in 2025.

At this stage, fifteen policies have been reviewed and amended where required. Council's approval is now requested to update those policy documents, as presented at Appendix 11.2.3 A.

REPORT DETAIL

The following policies have been recently reviewed by officers to ensure that information relating to current practices and legislative requirements remains accurate.

Title	Comments / Amendments made
<i>Corporate and Governance Policies</i>	
CGP001 - Code of Conduct	Minor amendments to text. List of associated documents has been updated.
CGP002 - Elected Members Fees, Allowances and Reimbursements	Minor amendments to text.
CGP003 - Elected Members and Chief Executive Officer Public Statements	Minor amendments to text.
CGP004 - Elected Members Continuing Professional Development	Reviewed without amendment.
CGP005 - Elected Member and Employee Recognition	Reviewed without amendment.
CGP006 - Attendance at Events and Functions	Minor amendments to text.
CGP013 - Risk Management	Minor amendments to text.
CGP014 - Work Health & Safety	Reviewed without amendment.
CGP015 - Contractor Risk and Insurance	Minor amendments to text and added contractor insurance requirements at cl. 3 Statement, paragraphs 4 to 6.
CGP016 – Legislative Compliance	Minor amendments to text.
CGP018 - Temporary Employment or Appointment of a Chief Executive Officer	Content amended and re-formatted to align with WALGA <i>Temporary Employment or Appointment of a Chief Executive Officer</i> policy template.
<i>Finance Policies</i>	
FP003 - Purchase Orders Authority	Minor amendments to correct position titles, and correct purchasing authority for Executive Assistant, Manager Community & Communications and Shire of Murray Ranger Services staff.
FP014 - Financial Hardship	Minor Amendments made to remove specific dates and remove reference to financial hardship due to COVID-19 pandemic.
FP025 - Depreciation of Non-current Assets	Amended to add reason for revaluation under cl. 3. Statement and minor amendments to text.

<i>Infrastructure Policies</i>	
IP012 - Supply of Materials to Residents	Amended to correct Manager Works & Waste Services title and add sand to the list of materials charged for.

All proposed policies are attached as Appendix 11.2.3 A.

All current policies, showing tracked changes, are attached as Appendix 11.2.3 B.

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	N/A

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)

Policies may have an impact on financial and economic processes and decisions, particularly those in the ‘Finance’ category.

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

Nil

Environment – (Impact on environment’s sustainability)

Policies may have an implication to the environment’s sustainability, particularly those in the ‘Infrastructure’ category.

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.

Policies will be reviewed every one, two or three years as per their prescribed review frequency.

Risk Management Implications

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

<i>Theme</i>	Reputation - Public perception, poor customer service, sub standard work, corruption
<i>Description</i>	Failing to regularly review policies may indicate poor governance, and result in non-compliance with legislative requirements and unclear direction to employees.
<i>Consequence</i>	3 - Moderate
<i>Likelihood</i>	3 - Possible
<i>Rating</i>	Moderate (4-9)
<i>Controls / Review</i>	Council's endorsement of the recommendation of this report will mitigate the likelihood of this risk coming into effect.
<i>Review Frequency</i>	Annually
<i>Risk Owner</i>	Chief executive officer
<i>Acceptance</i>	Accept - Risk acceptable with adequate controls

CONSULTATION

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

RESOURCE IMPLICATIONS

Financial

Nil.

Workforce

Not applicable.

OPTIONS

Council has the option of:

1. accepting the officer's proposed amendments to policies presented at Appendix 11.2.3 A; or
2. amending or rejecting the officer's proposed amendments to policies presented at Appendix 11.2.3 A.

CONCLUSION

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

Regular policy reviews enable Council to maintain a process to continually review their policy decisions and to ensure they are in keeping with the community expectations, and current legislative requirements and recommendations.

Currently, several Council policies have been revised and amended as part of the 2023 annual policy review process. Council's approval is required to publish and make publicly available, the amended policy documents.

11.3 CHIEF EXECUTIVE OFFICER

11.3.1 2023 WALGA Annual General Meeting Delegates and Constitution	
File Ref:	GR.22 Government Relations, State Liaison, Western Australian Local Government Association
Previous Items:	OCM22/08/109, OCM22/12/192
Applicant:	N/A
Author and Title:	Mark Goodlet – Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.3.1 A – Email Regarding Notice of WALGA Constitutional Amendments 2023 11.3.1 B – Notice of Proposed Amendments to the Association Constitution

RECOMMENDATION

That Council:

- 1. appoints the Shire President and Deputy Shire President as the Shire of Waroona’s voting delegates at the Western Australian Local Government Association (WALGA) 2023 Annual General Meeting (AGM), with Cr nominated as first proxy and Cr nominated as second proxy; and**
- 2. in relation to the proposed amendment to WALGA’s constitution;**
 - a. supports adoption of a new WALGA Constitution giving effect to an alternative governance model, being the “Proposed New WALGA Constitution” attachment within Appendix 11.3.1 B Notice of Proposed Amendments to the Association Constitution;**
 - b. authorises the Shire of Waroona AGM delegates to vote in favour of the Proposed New WALGA Constitution; and**
 - c. should the AGM not resolve to adopt the Proposed New WALGA Constitution as per item 2.a. above, then Council supports adoption of an amended WALGA Constitution that retains the current governance model, being the “WALGA Constitution – Proposed Amendments Mark-Up” attachment within Appendix 11.3.1 B Notice of Proposed Amendments to the Association Constitution; and**
 - d. authorises the Shire of Waroona AGM delegates to vote in favour of the WALGA Constitution – Proposed Amendments Mark-Up should item 2.a. above not be endorsed by the AGM.**

IN BRIEF

Nominations and proxies are required for the Shire President and Deputy Shire President for the WALGA 2023 Annual General Meeting.

At the WALGA AGM a proposal to adopt a new WALGA Constitution, or to adopt amendments to the current WALGA Constitution, is before the member Councils. Support for the new WALGA Constitution in line with Council’s previous support for Model 1 governance structure, is recommended.

Should this new model not be adopted Council is recommended to adopt the proposed changes to the current WALGA Constitution.

BACKGROUND

The Western Australian Local Government Association (WALGA) has announced that its 2023 Annual General Meeting (AGM) will be held on Monday 18TH September during the 2023 WA Local Government Convention at Crown Perth.

WALGA, along with its member Council's, has been contemplating its governance model and changes to its Constitution. In December 2022, Council resolved to support Model 1, which is a two-tier model with existing zones.

REPORT DETAIL

Delegates

The Shire of Waroona is entitled to be represented by two Voting Delegates at the AGM. Voting Delegates must register their attendance in advance. Refer to Appendix Item 11.3.1 – WALGA AGM Voting Delegate Registration form. Only registered Voting Delegates (or Proxies) are permitted to exercise voting entitlements on behalf of Members. Delegates must be Elected Members or serving officers.

Constitution

WALGA has now provided two Constitutional options for consideration by its member Councils at the 2023 AGM. These are detailed in APP 11.3.1 B - Notice of Proposed Amendments to the Association Constitution.

The first option is a new constitution based on the Model 1 option previously supported by the Shire of Waroona Council. This is also the model recommended by WALGA's organisation. In short, it is a two-tier model retaining the existing Zones. It has 11 Board members, 8 elected from Policy Council, including the Board elected President and up to 3 independent board members. The Policy Council has 24 members plus a President. 5 metropolitan zones and 12 country zones are retained.

The second option is retention of the existing Constitution, but with amendments.

Constitutional Change Process

WALGA's constitution is provided in App. 11.3.1 D WALGA Constitution. Amendment of the Constitution is done as a two-phase process.

29. AMENDMENT TO THE CONSTITUTION

The Constitution of the Association may be altered, added to or repealed by:

- (1) A **resolution at any meeting of the State Council** on the receipt of a special majority of not less than 75% of representatives or by their deputy representatives; and*
- (2) A **resolution at an Annual General Meeting or Special General Meeting** passed by a majority of not less than 75% of delegates or duly authorise a proxy vote to be exercised on their behalf, provided that:*
 - (a) 75% of Ordinary Members who are eligible to vote are present or represented; and*
 - (b) the Chief Executive Officer has given not less than sixty (60) days notice of any proposal to alter, add or repeal the Constitution to all Ordinary Members.*

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

N/A

STATUTORY ENVIRONMENT

WALGA is presently constituted under the Local Government Act 1995 (the Act) s9.58. The present reform of the Act proposes to remove WALGA from the Act and it will need to constitute itself under another appropriate piece of legislation.

Local Government Act 1995

Section 9.58 Constitution of associations of local government

- (1) *The Western Australian Local Government Association (“WALGA”) is constituted as a body corporate with perpetual succession and a common seal.*
- (2) *Proceedings may be taken by or against WALGA in its corporate name.*
- (3) *WALGA has the objects and functions set out in its constitution.*
- (4) *Subject to subsection (5), WALGA may, at any time, amend its constitution and, whenever it does, it is to forthwith —*
 - (a) *give to the Minister; and*
 - (b) *lodge with the Commissioner as defined in the Fair Trading Act 2010 section 6, a copy of the amendment to the constitution.*
- (5) *WALGA is not to change the objects for which it is constituted without the approval of the Minister.*
- (6) *Without limiting the generality of subsection (3), WALGA may —*
 - (a) *of its own motion, make representations and submissions to the Minister on any matter or thing relating to or affecting its members; and*
 - (b) *with the approval of the affected members, arrange contracts of insurance on behalf of all or any of its members for any purpose.*
- (7) *WALGA may do all things necessary or convenient to be done to enable it to achieve its objects and perform its functions.*

SUSTAINABILITY & RISK CONSIDERATIONS

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

Council’s position is best served by a WALGA governance model that provides the best representation, responsiveness, and results for the Shire of Waroona and its businesses.

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

Council's position is best served by a WALGA governance model that provides the best representation, responsiveness, and results for the Shire of Waroona and its community.

Environment – (Impact on environment's sustainability)

Council's position is best served by a WALGA governance model that provides the best representation, responsiveness and results for the Shire of Waroona and its environment.

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	It is in Council's interest as a WALGA member, to have a strong and competent association representing it.
Consequence	3 - Moderate
Likelihood	2 - Unlikely
Rating	Moderate (4-9)
Controls / Review	Council's participation in the AGM voting provides direction to WALGA on the preferred governance arrangement.
Review Frequency	One off
Risk Owner	Council
Acceptance	Accept - Risk is not able to be mitigated by Council, given the matter is for all Councils to determine through constitutional change.

CONSULTATION

A briefing session was held with Councillors on 22 November 2022, at which the WALGA background paper and options were presented and discussed.

The model closest to that preferred for WALGA was Option 1, consisting of an 11-member board, a 25 member policy Council and a Zone structure with 5 metropolitan zones and 12 country zones.

RESOURCE IMPLICATIONS

Financial

Attendance and participation in WALGA is provided for in budgets and is not expected to alter significantly, whichever model is selected.

Workforce

Attendance and participation in WALGA is provided for in the Council and organisation and is not expected to alter significantly, whichever model is selected.

OPTIONS

Council has the option of accepting, modifying rejecting any or all of the constitutional positions proposed. In the interest of reaching a decision consensus voting in favour of the new constitution may secure Council's option preference.

CONCLUSION

Council is requested to nominate voting members including proxies in the lead-up to the WALGA Annual General Meeting to be held during the 2023 WA Local Government Convention.

Supporting the New Constitution will implement a more responsive WALGA.

11.4 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

15.1 Waroona National Australia Bank Branch Closure	
File Ref:	FM.10 FINANCIAL MANAGEMENT – SERVICE PROVIDERS – BANKING SERVICES
Previous Items:	Nil
Applicant:	N/A
Author	Corporate Planning & Governance Officer
Responsible Officer	Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	N/A

RECOMMENDATION

Council:

- 1. recognises the importance of having an operating bank branch open in the town of Waroona, and the benefit of the vitality of the Town and the needs of the community, many of which rely on a walk-in banking service; and
- 2. requests the Chief Executive Officer to:
 - a. reconsider its investments in the National Australia Bank and inform a briefing session about future investment options; and
 - b. inform the National Australia Bank on Council’s position and seek community support in maintaining the presence of the Waroona National Australia Bank branch.

IN BRIEF

- It has become apparent that the National Australia Bank (NAB) is planning to permanently close its Waroona branch.
- The Shire of Waroona is typically home to a higher number of elderly residents and has shown to be a diverse community.
- Having a familiar, local bank branch in Waroona allows all residents to access an essential community service without having to find a means to travel out of town to do their banking.
- Council’s support is recommended in developing a position statement against the permanent closure of NAB bank branch in Waroona.

BACKGROUND

The National Australia Bank (NAB) branch has been operational in Waroona for many years, servicing the whole Shire and surrounding towns and rural area. Many Shire residents bank with NAB, as do some of the larger businesses in town.

Since its opening, the easily accessible NAB branch located on South-West Highway, Waroona has allowed all residents of the Shire's diverse community to access a walk-in banking service.

Recent times have shown that in-person banking is not as essential as it once was, but for rural and regional communities it is still very much required. Local branches generally understand the economic drivers of the local towns, and the services which are required to support the local communities, businesses and major industries.

According to 2021 Bureau of Statistics Census data, the Shire of Waroona contains a higher percentage of unemployed persons and over-65 residents, together with a lower median house income, and a higher percentage of families earning less than \$650 per week – 24%, compared to WA (17.6%).

Traditionally, communities with greater socioeconomic diversity include a higher number of retirees per capita as well as people with limited financial literacy, socioeconomic disadvantages, cultural differences, or a combination of these factors. Having a familiar, local bank branch in Waroona allows all residents to access an essential community service without having to find a means to travel out of town visit their bank.

Like many of the essential services in smaller country towns, it is well-understood that banks are traditionally one of the services that elderly residents prefer to access in-person than an online or telephone banking service. The population of Shire of Waroona's elderly residents is substantially higher than the state's average - compared to the median population age of 38 in Western Australia, the Shire's median age is 48. Similarly, the Shire has a higher-than-average number of residents over the age of 65 - 25%, compared to the average of 16% across the state.

REPORT DETAIL

The Shire of Waroona has recently been made aware that NAB plans to permanently close their Waroona branch. The closure of a bank branch in a small country community such as Waroona prompts concerns for the Shire about the impact on the entire community.

Should Waroona's NAB branch close its doors, residents will be forced to travel out of town for all banking services other than simple cash/cheque deposits or withdrawals. This closure would expect to have the highest impact on those who work locally or have limited ability to travel out of town.

Customers who frequent the local NAB branch include not only residents, but also local small and large businesses, as well as a range of local volunteer school and community groups. In recent months, the Waroona NAB branch has been forced to temporarily close at times due to staff unavailability. If required, NAB customers have been able to utilise the Waroona Post Office for basic banking (deposit and withdrawal) functions. However, where customers need to transfer funds, or enquire on their accounts, and prefer a face-to-face service,

individuals and businesses have had to travel more than half an hour away to complete their banking needs.

Moreover, of concern is the loss of a no fee automatic teller machine, which will no longer be available if the NAB leaves town.

The Waroona Post office would be expected to process all NAB banking withdrawals and deposits to process on top of their regular functions if the Waroona’s NAB branch closed permanently. It is unknown if NAB has considered the impact on the Waroona Post Office, and whether the Post Office has the workforce and capacity to fulfill the community’s daily and weekly banking requirements.

Council’s support is requested for the Chief Executive Officer (CEO) to reconsider its investments in NAB and inform Council at a briefing session about future investment options. The CEO also wishes to inform NAB on Council’s position and seek the community’s support in maintaining the residence of the Waroona NAB bank branch.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Economy
Aspiration	To create a diverse economy base that supports opportunity and employment
Objective	2.2 Develop a locally supported resilient, stable and innovative business community that embraces creativity, resourcefulness and originality
Strategy	2.2.1 Support local businesses, Waroona Business Support Group and initiatives

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Not applicable

SUSTAINABILITY & RISK CONSIDERATIONS

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

A close of the bank could potentially also lead to an “economic domino effect”, particularly in such a small town as Waroona. Residents from Lake Clifton, Preston Beach, Hamel, Yarloop and Coolup may regularly travel into Waroona to do their banking and while they’re in town, shop at other local businesses. If residents are forced to travel to larger urban areas to attend bank branches, the opportunity for subsequent shopping in Waroona is minimised, thereby reducing the income for the town.

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 support the Shire of Waroona community in advocating against the Waroona NAB branch closure, may prevent NAB from considering the effect of its branch's closure on the surrounding community, 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	Monitor - Risk acceptable with adequate control

CONSULTATION

- Australian Bureau of Statistics - Waroona – 2021 Census, All Person QuickStats.

RESOURCE IMPLICATIONS**Financial**

In considering its term investments the Shire will nevertheless seek the best interest rates.

Workforce

Nil

OPTIONS

Council has the option of:

1. accepting the officer's recommendation; or
2. amending or rejecting the recommendation.

CONCLUSION

The Shire of Waroona has recently been made aware that National Australia Bank (NAB) plans to permanently close their Waroona branch. The Shire of Waroona is typically home to a higher number of elderly residents and has shown to be a diverse community. The closure of a bank branch in a small country community such as Waroona prompts concerns for the Shire about the impact on the entire community.

It is recommended that Council provide a position on this decision by NAB and seek community support to have the bank commit to keeping a branch in Waroona Town.

16. MEETING CLOSED TO THE PUBLIC

RECOMMENDATION

That Council proceeds behind closed doors as per Section 5.2.3(2) of the Local Government Act for the purpose of considering Item 16.1 and 16.2.

16.1 Tender – T2023013 Drakesbrook Weir Landscape & Civil Works	
File Ref:	T2023013
Previous Items:	Nil
Applicant:	N/A
Author: and Responsible Officer:	Chief Executive Officer
Declaration of Interest:	N/A
Voting Requirements:	Simple Majority
Appendix Number	N/A

A confidential report has been provided under separate cover.

16.2 Expression of Interest – Lease of Irrigation Offices	
File Ref:	CP.18, CP.36
Previous Items:	Nil
Applicant:	N/A
Author: and Responsible Officer:	Chief Executive Officer
Declaration of Interest:	N/A
Voting Requirements:	Simple Majority
Appendix Number	11.3.2 A – Irrigation Offices Expression of Interest 11.3.2 B – WAATSIC - EOI Letter - CONFIDENTIAL 11.3.2 C – WAATSIC - EOI – CONFIDENTIAL 11.3.2 D – WAM Expression of Interest - Artists and Makers - CONFIDENTIAL 11.3.2 E – EOI Evaluation - CONFIDENTIAL

A confidential report has been provided under separate cover.

17. MEETING OPENED TO THE PUBLIC

RECOMMENDATION

That the meeting resume in public.

18. CLOSURE OF MEETING