



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**Tuesday 26 October 2021**  
(Held in the Council Chambers)

## **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 .....	5
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE.....	5
3.	OATH OR AFFIRMATION OF ALLEGIANCE AND DECLARATION OF OFFICE TO BE TAKEN BY ELECTED COUNCILLORS .....	5
4.	ELECTION OF SHIRE PRESIDENT .....	5
5.	SWEARING IN OF SHIRE PRESIDENT.....	6
6.	ELECTION OF DEPUTY SHIRE PRESIDENT .....	6
7.	SWEARING IN OF DEPUTY SHIRE PRESIDENT .....	6
8.	SEATING ALLOCATION FOR COUNCILLORS .....	6
9.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	6
10.	PUBLIC QUESTION TIME .....	6
11.	PETITIONS AND APPROVED DEPUTATIONS.....	7
12.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	7
	12.1 Ordinary Council Meeting – 28 September 2021 .....	7
	12.2 Special Council Meeting – 12 October 2021 .....	7
13.	ANNOUNCEMENTS BY THE PRESIDING MEMBER .....	7
14.	ANNOUNCEMENTS BY MEMBERS.....	7
15.	DISCLOSURES OF INTEREST .....	7
16.	RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES.....	7
17.	ELECTION OF COMMITTEE MEMBERS AND REPRESENTATIVES .....	8
18.	REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS.....	12
	18.1 DIRECTOR INFRASTRUCTURE SERVICES.....	12
	18.2 DIRECTOR PLANNING & SUSTAINABILITY .....	13
	18.2.1 Adoption of Preston Beach Foreshore Management Plan .....	13
	18.3 DIRECTOR CORPORATE SERVICES .....	21
	18.3.1 Listing of Payments for the Month of September 2021 .....	21
	18.3.2 Monthly Statement of Financial Activity for the Period 1 July 2021 to 30 September 2021 .....	24
	18.3.3 Peel Harvey Catchment Council – Call for Local Government Nominations.....	27
	18.3.4 Policy HRP015 – Alcohol and Drugs in the Workplace .....	30
	18.3.5 Disposal of Lot 6 (No. 13) Mitchell Avenue, Waroona .....	33
	18.4 DIRECTOR PLACE, COMMUNITY & ECONOMIC DEVELOPMENT .....	36
	18.5 CHIEF EXECUTIVE OFFICER .....	37
	18.5.1 Peel Development Commission Board Nominations .....	37
	18.5.2 Policy Proposal – Superannuation for Elected Members .....	39
	18.6 ITEMS FOR INFORMATION .....	42
	18.6.1 Outstanding Council Resolutions Report (35/1) – Attached at Appendix 18.6.1 ...	42
	18.6.2 - Corporate Business Plan – Progress Report – Q4 .....	42
19.	BUSINESS LEFT OVER FROM A PREVIOUS MEETING.....	42
20.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	42
21.	NOTICE OF MOTIONS FOR CONSIDERATION AT A FOLLOWING MEETING .....	42
22.	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING.....	42
23.	MEETING CLOSED TO THE PUBLIC.....	43

23.1	Confidential Item – Request for Quote 2021/22-10 Supply and Delivery of a Combination 6-Wheeler Tip Truck with Plant Trailer and the Trade of Existing 6 Wheeler.....	43
23.2	Confidential Item – CEO Recruitment & Selection – Endorsement of new CEO and Employment Contract .....	44
24.	CLOSURE OF MEETING.....	45

## 1. DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Acting Chief Executive Officer declared the meeting open at 4.00pm and welcomed Councillors, Staff and members of the public present.

## 2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

### RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Mike Walmsley	Councillor
Cr Naomi Purcell	Councillor
Cr Laurie Snell	Councillor
Cr John Mason	Councillor
Cr Dion Pisconeri	Councillor
Cr Ryan Woodbury	Councillor
Cr Vince Vitale	Councillor
Cr Karen Odorisio	Councillor
Miss Ashleigh Nuttall	Acting Chief Executive Officer
Mr Patrick Steinbacher	Director Infrastructure Services
Mr Rod Peake	Director Planning & Sustainability
Mrs Liz Storr	Director Place, Community & Economic Development
Mrs Kirsty Ferraro	Manager Corporate Services
Mr Brad Vitale	Corporate Compliance Officer
Ms Merrin Kirk	Executive Assistant
Mr Tom Lerner	Shire of Murray Coordinator Environment Services

### APOLOGIES

Nil.

### LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil.

There were 3 members of the public present at the commencement of the meeting.

## 3. OATH OR AFFIRMATION OF ALLEGIANCE AND DECLARATION OF OFFICE TO BE TAKEN BY ELECTED COUNCILLORS

Mr John Salerian JP officiated the Oath or Affirmation of Allegiance and Declaration of Office for the elected Councillors in the following order:

i.	Cr Elect John Michael Scott Walmsley	Four Year Term
ii.	Cr Elect Naomi Grace Purcell	Four Year Term
iii.	Cr Elect Dion Joseph Pisconeri	Four Year Term
iv.	Cr Elect Ryan Scott Woodbury	Four Year Term

## 4. ELECTION OF SHIRE PRESIDENT

File Ref: 35/1  
 Author and Title: Dean Unsworth, Chief Executive Officer

The Acting Chief Executive Officer read aloud the nominations for the position of Shire President for the period 2021-2023.

Four written nominations were received for Cr Michael Walmsley

As there was only one nomination for the position of Shire President the Acting Chief Executive Officer declared Cr Michael Walmsley elected as Shire President of the Council for the ensuing 2 years.

#### **5. SWEARING IN OF SHIRE PRESIDENT**

Mr John Salerian JP officiated the Oath or Affirmation of Allegiance and Declaration of Office of Shire President for the period 2021-2023.

The newly elected Shire President assumed the Chair as presiding member, the time being 4.10 pm.

#### **6. ELECTION OF DEPUTY SHIRE PRESIDENT**

The Presiding Member read aloud the nominations for the position of Deputy Shire President for the period 2021-2023.

Two written nomination were received for Cr Naomi Purcell

As there was only one nomination for the position of Deputy Shire President the Presiding Member declared Cr Naomi Purcell elected as Deputy Shire President of the Council for the period 2021-2023.

#### **7. SWEARING IN OF DEPUTY SHIRE PRESIDENT**

Mr John Salerian JP officiated the Oath or Affirmation of Allegiance and Declaration of Office of Deputy Shire President for the period 2021-2023.

#### **8. SEATING ALLOCATION FOR COUNCILLORS**

A ballot was undertaken for seat allocation and the results were as follows (Seating Clockwise from the Shire President)

Cr Laurie Snell  
Cr Vince Vitale  
Cr Karen Odorisio  
Cr Dion Pisconeri  
Cr Naomi Purcell  
Cr Ryan Woodbury  
Cr John Mason

#### **9. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

#### **10. PUBLIC QUESTION TIME**

Nil.

**11. PETITIONS AND APPROVED DEPUTATIONS**

Nil.

**12. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****12.1 Ordinary Council Meeting – 28 September 2021****COUNCIL RESOLUTION****OCM21/10/152****Moved: Cr Mason****Seconded: Cr Snell**

**That the Minutes of the Ordinary Council Meeting held 28 September 2021 be confirmed as being a true and correct record of proceedings.**

**CARRIED 8/0****12.2 Special Council Meeting – 12 October 2021****COUNCIL RESOLUTION****OCM21/10/153****Moved: Cr Purcell****Seconded: Cr Odorisio**

**That the Minutes of the Special Council Meeting held 12 October 2021 be confirmed as being a true and correct record of proceedings.**

**CARRIED 8/0****13. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Nil.

**14. ANNOUNCEMENTS BY MEMBERS**

Nil.

**15. 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.)

Cr Vitale declared an interest affecting impartiality in item 18.3.3, as the reporting officer is a family member.

Cr Vitale declared an interest affecting impartiality in item 18.3.5, as the reporting officer is a family member

**16. RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES**

Nil.

**17. ELECTION OF COMMITTEE MEMBERS AND REPRESENTATIVES**Council Standing Committees (Members only)

- a. Finance & Audit Committee  
(All Councillors)

Meeting requirements: Meets 3-4 times per year, Feb, July, Dec and additional in April/May if needed.

**COUNCIL RESOLUTION****OCM21/10/154****Moved: Cr Snell****Seconded: Cr Odorisio****That all Councillors are elected to the Finance and Audit Committee.****CARRIED 8/0**Other Council Committees/Groups

- a. Recreation Advisory Committee  
4 Councillors & 2 Community Representatives

Meeting requirements: As required (generally in evening)

**COUNCIL RESOLUTION****OCM21/10/155****Moved: Cr Woodbury****Seconded: Cr Snell****That Councillors Odorisio, Vitale, Purcell and Pisconeri are elected to the Recreation Advisory Committee.****CARRIED 8/0**

- b. Small Grants & Awards Committee  
(4 Councillors)

Meeting requirements: As required (usually 2 meetings per year)

**COUNCIL RESOLUTION****OCM21/10/156****Moved: Cr Mason****Seconded: Cr Pisconeri****That Councillors Woodbury, Purcell, Odorisio and Vitale are elected to the Small Grants and Awards Committee.****CARRIED 8/0**

- c. Waroona Visitor Centre Working Group  
(3 Councillors supported by the Director Place, Community & Economic Development and Visitor Centre Manager)

**COUNCIL RESOLUTION****OCM21/10/157****Moved: Cr Woodbury**



**Seconded: Cr Vitale**

**That Councillors Purcell, Snell and Pisconeri are elected to the Waroona Visitor Centre Working Group.**

**CARRIED 8/0**

**The appointment of Representatives and delegates to the Advisory Committees; Committees and Progress Associations; Local Organisations; Regional Bodies/Committees; and Special Purpose Committees and Groups for the 2021-2023 period:**

Advisory Committee Representatives

- a. Bush Fire Advisory Committee  
(1 Councillor) Meets as required (2 meetings per year)
- b. Local Emergency Management Committee  
(1 Councillor, EMC) Meets quarterly at 3 pm)

Committees and Progress Association Representatives

- a. Preston Beach Progress Association  
(1 Councillor) Meets once a month.
- b. Lake Clifton/Herron Residents Association  
(1 Councillor) Meets once a month.

Delegates to Local Organisations

- a. Wagerup Community Consultative Network  
(2 Councillors)

Delegates to Regional Bodies/Committees

- a. Peel Zone – Western Australian Local Government Association  
(2 Councillors – Shire President & Deputy Shire President)
- b. Regional Road (Sub) Group (South West)  
(1 Councillor & 1 proxy) Meets 3 times per year evenly spaced, Monday mornings at 9.30 am at Shire of Dardanup, Eaton.
- c. COASTSWAP  
(1 Councillor) & TP. Meets as required (generally 2 meetings per year)
- d. Regional Joint Development Assessment Panel  
(2 Councillors and 2 alternate delegates) *(requires training – previously Cr Dew & Scott)* Meets as required.

Special Purpose Committees and Groups

- a. Waroona Interagency Committee  
(1 Councillor) Meets Bi-monthly, Tuesdays/Wed 11am to 1pm
- b. Harvey River Task Force  
(1 Councillor)

- c. Alcoa Waroona Sustainability Fund  
(2 Councillors)

**COUNCIL RESOLUTION**

**OCM21/10/158**

**Moved: Cr Purcell**

**Seconded: Cr Odorisio**

**That Council accept the appointment of Representatives and Delegates to the Advisory Committees; Committees and Progress Associations; Local Organisations; Regional Bodies/Committees; and Special Purpose Committees and Groups for the 2021-2023 period:**

**Advisory Committee Representatives**

- a. **Bush Fire Advisory Committee**  
**Cr Walmsley**
- b. **Local Emergency Management Committee**  
**Cr Walmsley and EMC**

**Committees and Progress Association Representatives**

- a. **Preston Beach Progress Association**  
**Cr Woodbury**
- b. **Lake Clifton/Herron Progress & Sports Association**  
**Cr Woodbury**

**Delegates to Local Organisations**

- a. **Wagerup Community Consultative Network**  
**Cr Odorisio and Cr Snell**

**Delegates to Regional Bodies/Committees**

- a. **Peel Zone – Western Australian Local Government Association**  
**Cr Walmsley and Cr Purcell**
- b. **Regional Road (Sub) Group (South West)**  
**Cr Mason (Cr Purcell proxy)**
- c. **COASTSWAP**  
**Nil**
- d. **Regional Joint Development Assessment Panel**  
**Cr Walmsley and Cr Purcell (Cr Mason & Cr Snell alternatives)**

**Special Purpose Committees and Groups**

- a. **Waroona Interagency Committee**  
**Cr Purcell**
- b. **Harvey River Task Force**  
**Cr Snell**

- c. **Alcoa Waroona Sustainability Fund  
Cr Walmsley and Cr Purcell**

**Liaison to other Committees/Organisations**

- a. **Coolup Land Conservation District Committee  
Cr Snell**
- b. **Peel Mosquito Management Group  
Cr Snell**
- c. **Waroona Historical Society  
Cr Odorisio**
- d. **Long Term Residue Management Committee  
Cr Walmsley**
- e. **Peel Trails Group  
Cr Pisconeri**
- f. **Peron Naturaliste Partnership  
Cr Walmsley (Cr Mason proxy)**
- g. **Alcoa Wagerup Environmental Improvement Plan Stakeholder  
Reference Group  
Director Planning & Sustainability**
- h. **Willowdale Mine Environmental Improvement Plan Stakeholder  
Reference Group.  
Director Planning & Sustainability**
- i. **Peel Biosecurity Group  
Cr Snell**

**CARRIED 8/0**

**18. REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS**

**18.1 DIRECTOR INFRASTRUCTURE SERVICES**

A confidential item will be considered under item 23.1

**18.2 DIRECTOR PLANNING & SUSTAINABILITY**

<b>18.2.1 Adoption of Preston Beach Foreshore Management Plan</b>	
<b>File Ref:</b>	168/1
<b>Previous Items:</b>	Item 9.3.3 13 Sep 2019 OCM 19/09/103
<b>Applicant:</b>	Shire of Waroona
<b>Author and Title:</b>	Tom Lerner, Coordinator Environmental Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number</b>	18.2.1 – Foreshore Management Plan

**COUNCIL RESOLUTION****OCM21/10/159****Moved: Cr Vitale****Seconded: Cr Mason****That Council:**

- 1. adopts the Preston Beach Foreshore Management Plan, prepared by Water Technology and dated 31 August 2021 as set out in Appendix 18.2.1;**
- 2. thanks the members of the Preston Beach Foreshore Management Plan Review Steering Committee for their contribution towards this plan; and**
- 3. publishes notice of the newly adopted plan in a newspaper circulating within the Shire.**

**CARRIED 8/0****IN BRIEF**

- The current Foreshore Management Plan for Preston Beach was adopted in 2002 and is due for review.
- Grant funding was sourced from the Department of Planning Lands and Heritage under its Coastal Management Plan Assistance Program, a Steering Group established, and in mid-2020 specialist consultants, Water Technology, were engaged to undertake the review.
- The Management Plan review has since been completed in close consultation with the community and key stakeholders, has received unanimous support of the Steering Group and is now ready to be considered for adoption by Council.

**BACKGROUND**

In 2001, the Preston Beach Progress Association, in conjunction with the Shire of Waroona, commissioned Coastwise Coastal Planning and Management to prepare a Foreshore Management Plan for the Waroona Coastline. A number of the recommendations have been implemented since this time and the plan is now due for review.

In July 2019 the Shire was awarded a grant of \$30,000 from the Department of Planning Lands and Heritage under its Coastal Management Plan Assistance Program and in September 2019 Council endorsed a Steering Committee to oversee the preparation of a new Foreshore Management Plan. Specialist consultants, Water Technology, were subsequently appointed in May 2020 to prepare the Foreshore Management Plan.

**REPORT DETAIL**

The study area for the Foreshore Management Plan (Plan) is the entire, approximate 15 kilometre coastline of the Shire of Waroona, from the high water mark to the eastern extent of the abutting coastal reserves.

The aim of the Plan is to set a 10-year strategy for the coordinated management of the coastal foreshore. The Plan seeks to identify coastal management issues, pressures, risks, and opportunities as well as actions required to address these issues in a strategic and integrated manner.

A suite of objectives were developed for the Plan to ensure that the outcomes are consistent with the principles of ecologically sustainable development for the social, cultural, and economic well-being of the Shire's coastline. The objectives of the Plan are:

- to identify existing and potential future risks from coastal hazards;
- to protect and enhance the integrity and resilience of the environmental values of the study area for current and future generations;
- to support the social and cultural values of the foreshore and maintain public access and recreational amenity;
- to acknowledge Aboriginal peoples' spiritual connection to the study area and to protect local indigenous cultural heritage;
- to recognise the Shire's coast as a vital economic resource for the region; and
- to maintain meaningful engagement with the community, to support public participation in coastal management and planning, and to foster greater public awareness, education and understanding of coastal processes and management actions.

The Scope of Work for the development of the FMP comprised the following key elements:

- a site inspection, and liaison with the Shire staff and project stakeholders;
- review of the existing 2002 Foreshore Management Plan;
- preparation of a summary of the strategic context for the Plan, including the prevailing coastal processes (tides, waves, winds, and sediment transport pathways), ecological processes (local flora and fauna) and recreational usage;
- assessment of the recreational amenity and community uses, identifying issues such as access, public safety and projected future usage associated with local and regional population change;
- an overview of existing coastal land use and tenure;
- development of a Plan that provides a staged program of management actions for the foreshore for the next 10 years; and
- consultation with the local community and project stakeholders throughout the preparation of the new Plan, consistent with a Stakeholder Engagement Strategy.

The Plan has been prepared in accordance with the State Coastal Planning Policy (State Planning Policy 2.6) and supporting guidelines. It specifically establishes a management framework that will enable the coastal foreshore reserve to be managed in a sustainable manner providing access and amenity to local residents and the wider local community.

A full copy of the Plan is included at **Appendix 18.2.1**. It includes some 16 recommendation actions for implementation over the next 10 years. These actions are found in Table 6.1 of the Plan which is partly included below (the full table includes recommended timeframes and indicative costs):

#	Recommended Management Actions
1	Continue to provide beach access for vehicles to the north and south of the swimming beach and prohibit vehicle access to the swimming beach.
2	Continue to restrict access to the foredune. Current policies of education, monitoring by Volunteer and Shire Rangers, demarcation of access tracks and pedestrian paths and foredune brushing should continue to ensure informal access into the vegetated foredune is minimised as much as possible to protect the condition of the foredunes and vegetation.
3	Continue brushing of foredunes with donated green waste but provide advice on what green waste is suitable for foredune brushing and welcome at the green waste disposal area and what is considered weeds and is prohibited to be deposited.
4	<p>Continue to undertake and support programs for the eradication of weeds and the rehabilitation and revegetation within the foreshore reserves. Appropriate local species should be used.</p> <ul style="list-style-type: none"> <li>▪ Works near the car park could be enhanced by descriptive signage to provide education and tell the story of the natural flora and fauna for the various locations.</li> <li>▪ Input from DBCA, Peel Harvey Catchment Council and the Peel Harvey Biosecurity Group should be sought for vegetation condition inspection, the eradication of weeds, and rehabilitation and revegetation activities.</li> </ul>
5	Continue coastal monitoring activities to characterise the behaviour of the coastline in the study area. This background information will be valuable in the event of severe storm damage (where beach surveys should be undertaken ASAP after such an event) or for future coastal planning and development applications to ensure sustainable management of the coast into the future. Collaborative efforts such as these being undertaken with the PNP are appropriate for the Shire, given the coast is largely undeveloped and contains no coastal erosion hotspots.
6	Pursue grant funding opportunities from state and federal government to assist with the implementation of these recommendations.
7	<p>Review options to permanently demarcate swimming beach from 4WDing and fishing beaches either side. Options to consider include:</p> <ul style="list-style-type: none"> <li>▪ Installing large steel piles, driven into sand, or placed in drilled holes if there is limestone bedrock (understood to be present near 0.0 mAHD on parts of the swimming beach.</li> <li>▪ Another option is “jettable” smaller steel posts which are installed by pumping large volumes of water down them to fluidise the sand.</li> <li>▪ A possible innovative design could include the provision of beach shade attached to the piles, or able to be temporarily attached for school/summer holidays.</li> </ul>

8	<p>Undertake networking with other local governments and organisations to review the management strategy/approach to improve relationships and education of people 4WDing on beach. Possible items to include are:</p> <ul style="list-style-type: none"> <li>▪ Liaison with local and state 4WD clubs such as the Peel 4x4 Club and the Four-Wheel Drive Club of WA. It may be possible to plan educational events/showcases with clubs in combination with Shire Rangers, PBPA and Volunteer Rangers, local police and emergency services.</li> <li>▪ Share the challenges faced and collaborate with the Peron-Naturaliste Partnership as a regional coastal network and groups like Track Care WA who are experienced with these issues.</li> <li>▪ Seek support and collaboration with the Peel Harvey Catchment Council as the regional NRM group to establish a site-specific Code Off-road educational brochure.</li> <li>▪ Coordinate the approach with the PBPA and Volunteer Rangers</li> <li>▪ Consider installation of an air compressor at the beach car park to make tyre reinflation easier – maybe a token fee could be charged to provide an income stream to support education of beach users. Need to consider potential for vandalism.</li> <li>▪ Continue Volunteer Ranger program.</li> </ul>
9a	<p>Provide universal access to the sandy beach. Options include:</p> <ul style="list-style-type: none"> <li>▪ Prepare appropriate design (with detailed capital and maintenance cost estimates) of a universal access to sandy beach area via a path which traverses the current pedestrian beach access to the 2030 erosion hazard line - to reduce vulnerability to storm erosion. Options may consider having a universal access decline ramp at the western end; the path material could be boardwalk, but it is likely concrete will be more cost-effective. The design should include for the seasonal provision of beach matting from the western end of the path onto the sandy beach, and/or appropriate access and landing for a free-hire option of a wheelchair suitable for use on the beach. It is likely that the matting, the transition from matting to path, and possibly the western end of the path may experience erosion damage and require higher levels of maintenance – these issues will be considered in the design process. This option is proposed following consultation with Shire staff, and would make use of the Shire’s currently available \$100K State funding for the provision of universal access to the beach</li> <li>▪ Investigate the feasibility of providing universal beach access via the purchase of a beach wheelchair which the PBPA could take custodianship of and provide as a free hire service (possibly one or more days a week in summer months, or over school holidays). Beach access matting could be considered also to be put out on a temporary basis by the PBPA, Volunteer Rangers or other volunteers. This would also make use of the funding, however, represents a cheaper option that could potentially allow for funding to also be spent on the lookout.</li> </ul>
9b	<p>Ocean-view lookout – This recommendation seeks to provide more convenient access for the community to view the ocean horizon and sunsets. Options include:</p> <ul style="list-style-type: none"> <li>▪ Prepare preliminary design (with detailed capital and maintenance cost estimates) to provide a lookout on foredune near car park to provide a destination for community members and visitors to appreciate the ocean vista and sunset views. Options can include the provision of universal access via an appropriate ramp. Detailed survey of foredune area would be required. Concrete may be suitable, and cheaper, for some components rather than a raised boardwalk style construction. This option acknowledges the feedback received on the draft FMP preferring it to the alternative location in the point below but it is noted that the number of respondents was small. This option is likely to require appropriate handrails, fencing and revegetation of the surrounding foredune.</li> <li>▪ Investigate upgrading the existing lookout on the north side of Mitchell Road (approximately 250m east of the beach car park) to provide a destination for community members and visitors to appreciate the ocean vista and sunset views. Consider providing universal access and appropriate car-parking nearby on</li> </ul>



	Mitchell Road. As a minimum the lookout should be refurbished as a destination point for people walking from town.
10	Undertake a more detailed feasibility study of several sites around town for the future establishment of a caravan park. Consider coastal hazard risk areas, weather exposure, vehicle access, requirement for pedestrian beach access, land tenure, land zoning, provision of services, design life, economic forecasts of different business models and scale of operation.
11	Aboriginal Heritage - The sensitivity of connections, sites and cultural values should be explored through reference to local traditional owners. Consultation with local elders should be prioritised in the process to explore those cultural values and connections along the coast that are not yet registered. Subsequently, appropriate methods of recognition, celebration and acknowledgement and implementation should also be explored with local elders.
12	<p>Consider refurbishment options for the ablution block, car park and foreshore amenities.</p> <ul style="list-style-type: none"> <li>▪ Potential upgrades for the ablution block should address current maintenance and upkeep issues and allow for improved infrastructure for use by patrons of the 24hr RV free stay area. A small campers kitchen area suitable for washing dishes could be provided. Refurbishment works could be undertaken in short-term or planned to coincidewith scheduled maintenance.</li> <li>▪ Car park layout modifications – consider improvements to allow for a turnaround loop for larger RV's/buses andcaravan/camper trailer combinations.</li> <li>▪ Refurbishment of car park and ablution block will need to consider the feasibility of the establishment of a caravan park in the Town. If a caravan park was established close to the car park area, facilities may be shared or replaced by new ones at the caravan park and the 24hr RV free stay area could be shut down. Alternatively, if a caravan park is established elsewhere in town, facilities would still be required at the car park, but could be planned to complement those at the caravan park.</li> </ul>
13	Review the signage provided at the car park and vehicle and pedestrian access points. Remove/replace outdated signage and install new signage as required. Focus should be on education of beach users with regard to the local natural environment and its protection (e.g., best practice four-wheel drive usage on the beach). The combined effect of the signs should be to enhance the experience of the users and the condition of the foreshore environment, without detracting significantly from the visual landscape.
14	A review of feral animal management should be undertaken in conjunction with input from DBCA.
15	The foreshore amenities are generally of a good standard. To maintain or improve this standard to 2030 however, it will be important to undertake maintenance and refurbishment of the facilities as required every few years. Ongoing collaboration with the PBPA regarding these facilities and their renewal is recommended. Government grant funding for upgrades and additions should be sought.
16	Should any future development progress for the north or south end of town, appropriate planning should be undertaken to incorporate the construction of additional pedestrian beach access point(s).

The Plan should be reviewed in 10 years' time unless significant coastal erosion or inundation in line with a 100-year event or similar; changes to the overarching planning framework; or drastic changes to the coastline occur within the 10-year period.

**STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN**

<b>Focus Area</b>	Our Environment
<b>Aspiration</b>	To build and effectively manage our assets to continually improve our standard of living
<b>Objective</b>	3.1 Protect and enhance our natural assets, waterways, bushland and biodiversity
<b>Strategy</b>	3.1.2 Develop future plans and strategies to protect and enhance Preston Beach and the Yalgorup National Park

**OTHER STRATEGIC LINKS**

Nil.

**STATUTORY ENVIRONMENT**

State Planning Policy 2.6 – Coastal Planning

**SUSTAINABILITY & RISK CONSIDERATIONS**

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

It is not expected that this plan would lead to a greater financial cost to the wider community.

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

The actions listed in the Plan will lead to greater use and enjoyment of the coastal area in a managed way.

*Environment – (Impact on environment’s sustainability)*

Adoption of the Plan will help to provide a coherent framework for specific protection of a key local environmental asset. The actions within the Plan will lead to greater appreciation of the reserve and its environmental values which will in turn have a positive feedback effect on its long-term viability.

*Policy Implications*

The Plan will result in stronger access management which may also require compliance and enforcement. It is anticipated that with increased awareness and education will increase the level of self-management.

*Risk Management Implications*

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

Overall, it is considered that the adoption of this Plan is low risk as it merely provides a framework for the future management of the foreshore reserve.

<i>Theme</i>	Environmental - Regulatory compliance, contamination, inadequate processes
<i>Description</i>	Should the Council not adopt the Plan there is a risk of unmanaged further degradation to the coastal environmental assets.
<i>Consequence</i>	3 - Moderate
<i>Likelihood</i>	3 - Possible
<i>Rating</i>	Moderate (4-9)

## **CONSULTATION**

The review process was overseen by a Steering Group that included former Councillor Dew and six community representatives.

A Community and Stakeholder Engagement Plan was prepared to guide community engagement throughout the project (Appendix B of the Plan).

A community survey was open between 20 November 2020 to 22 January 2021 and on Thursday 3 December 2020, a community workshop was held at the Preston Beach Community Centre. These engagement initiatives were undertaken to understand community values and their perceptions of the key coastal issues. 67 surveys were received and the community workshop was attended by some 33 people.

On Saturday 17 July 2021 following the preparation of the draft Plan a community drop-in session was held at the Preston Beach Community Centre where community members were able to review the draft Plan and ask questions. This session was attended by approximately 30 people. A feedback survey was also available for several weeks to obtain feedback on the draft Plan, with six submissions being received.

Key Stakeholders the Peron Naturalise Partnership, Peel-Harvey Catchment Council, the Department of Biodiversity, Conservation and Attractions, the Department of Planning Lands and Heritage, the Shire of Harvey and the City of Mandurah were consulted during the preparation of the Plan.

A summary of the feedback received during the engagement exercises is included in section 4.2 of the Plan. The final version of the Plan was presented to the Steering Group in early October 2021 and received unanimous support.

## **RESOURCE IMPLICATIONS**

### *Financial*

A \$55,000 budget was allocated for the project, including a \$30,000 grant under the Department of Planning Lands and Heritage Coastal Management Plan Assistance Program with the remaining \$25,000 being Council funding.

Implementation of some of the recommendation will require significant funding. The adoption of the plan does not commit Council to funding any specific action in the Plan, however it will put the Shire in a stronger position when leveraging funds from external bodies. Seed funding could be sought from Council which would lead to better opportunities in seeking grants. There are several funding programs run by the State Government linked to coastal management.

### *Workforce*

Preparation of the Plan has been undertaken within existing Shire resource levels. Adoption of the Plan does not commit the Shire to the implementation actions however some will involve onsite works and will require varying levels of staff resources, which can be considered on an action-by-action basis.

## **OPTIONS**

Council has the option of:

1. Adopting the Preston Beach Foreshore Management Plan as recommended.

2. Seek changes to the recommended version of the Preston Beach Foreshore Management Plan.

### **CONCLUSION**

Given the work undertaken, the significant levels of stakeholder and community consultation, and the level of support for the recommendations, it is recommended that the Plan be adopted in its current form.

**18.3 DIRECTOR CORPORATE SERVICES**

<b>18.3.1 Listing of Payments for the Month of September 2021</b>	
<b>File Ref:</b>	1/3 - Creditors
<b>Previous Items:</b>	N/A
<b>Applicant:</b>	N/A
<b>Author and Title:</b>	Kathy Simpson, Senior Finance Officer
<b>Voting Requirements:</b>	Simple Majority
<b>Declaration of Interest:</b>	Nil
<b>Appendix Number</b>	11.3.1

**COUNCIL RESOLUTION****OCM21/10/160****Moved: Cr Mason****Seconded: Cr Snell**

That Council receive the following payments made throughout the month of September 2021;

<b>Municipal</b>	<b>Cheque 9782 – 9798</b>	<b>\$19,463.51</b>
	<b>EFT 34901 - 35063</b>	<b>\$431,354.50</b>
<b>Direct wages</b>	<b>01/09/2021 – 30/09/2021</b>	<b>\$171,824.20</b>
<b>Direct Debit</b>	<b>01/09/2021 – 30/09/2021</b>	<b>\$37,441.85</b>
<b>Trust</b>	<b>Cheque – Nil</b>	<b>\$ -</b>
	<b>EFT 35065</b>	<b>\$15,000.00</b>
<b>GRAND TOTAL</b>		<b>\$675,084.06</b>

as attached at Appendix 18.3.1.

**CARRIED 8/0**

**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 September 2021.

**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 prescribe information.

**STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN**

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

**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. Receive the listing of payments presented for the month of September 2021.
2. Not receive the listing of payments presented for the month of September 2021.

## **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 September 2021. All expenditure is accordance with the 2020/21 adopted budget and is presented as per the prescription within regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

<b>18.3.2 Monthly Statement of Financial Activity for the Period 1 July 2021 to 30 September 2021</b>	
<b>File Ref:</b>	1/1 – Annual Statements
<b>Previous Items:</b>	N/A
<b>Applicant:</b>	N/A
<b>Author and Title:</b>	Kirsty Ferraro, Manager Corporate Services
<b>Voting Requirements:</b>	Simple Majority
<b>Declaration of Interest:</b>	Nil
<b>Appendix Number</b>	<u>18.3.2</u>

**COUNCIL RESOLUTION**

OCM21/10/161

Moved: Cr Mason

Seconded: Cr Purcell

**That Council receive the Monthly Statement of Financial Activity for the period 1 July 2021 to 30 September 2021 as presented.**

**CARRIED 8/0****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) Regulations 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;

- o Statement of Financial Activity by Programme
- o Statement of Financial Activity by Nature and Type, and
- o Statement of Financial Position
- o Note 1 – Significant Accounting Policies
- o Note 2 – Graphical Representation
- o Note 3 – Net Current Funding Position
- o Note 4 – Cash and Investments
- o 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**

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

### **OTHER STRATEGIC LINKS**

Shire of Waroona 2020/21 Annual Budget

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995* – Section 6.4

*Local Government (Financial Management) Regulations 1996* – Regulation 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)*

<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>	Monthly scheduled review of statements.

<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 monthly financial statements.
2. Not receiving the monthly financial statements.

### **CONCLUSION**

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

Cr Vitale declared an interest affecting impartiality in item 18.3.3, as the reporting officer is a family member.

<b>18.3.3 Peel Harvey Catchment Council – Call for Local Government Nominations</b>	
<b>File Ref:</b>	35/1; 120/1
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Peel Harvey Catchment Council
<b>Author and Title:</b>	Brad Vitale, Corporate Compliance Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number</b>	18.3.3

### **COUNCIL RESOLUTION**

**OCM21/10/162**

**Moved: Cr Woodbury**

**Seconded: Cr Purcell**

**That Council endorses Cr Snell’s nomination as a local government representative for the Peel Harvey Catchment Council Board.**

**CARRIED 8/0**

### **IN BRIEF**

- Councillors have been invited to nominate for local government representation on the Peel Harvey Catchment Council board for a two-year term.
- The current local government representatives are Cr Brad Cardilini from Shire of Murray representing coastal local governments, and Cr Robert Harris from Shire of Cuballing representing inland local governments.

### **BACKGROUND**

The Peel-Harvey Catchment encompasses an area of more than 1.1 million hectares south of Perth and extends from the Peel Harvey Estuary at Mandurah up to 150 km into the Wheatbelt. Defined by the catchments of the Serpentine, Harvey and Murray Rivers, the catchment is host to extensive agricultural areas, residential populations, state forests, mining and an array of ecosystems across three distinct bioregions. The catchment encompasses all of the Peel Region and parts of the Perth Metropolitan Region and Wheatbelt Region.

Peel Harvey Catchment Council (PHCC) are a not-for-profit community based natural resource management organisation that promotes an integrated approach to catchment management and how the Peel Harvey catchment environment is protected and restored. PHCC have a strong emphasis on partnerships, working with landholders, community groups, Industry, Federal Government, State Government and Local Government to affect change ‘on-ground’ and in environmental management. Their activities address sustainable natural resource management including climate change, river and wetland restoration, biodiversity protection, sustainable agriculture and building community capacity. PHCC believe that the past ecological collapse of the Peel Harvey Estuarine System demands a continued emphasis on water quality issues.

### **REPORT DETAIL**

PHCC has invited councillors from the catchment area to nominate for two local government representative positions on the PHCC Board, with a term of tenure of two years. The

successful nominees will join ten community members, one representative from key State Government agencies with environmental responsibilities and the Peel Development Commission. Meetings are held on the third Thursday of every second month with some recompense made for the cost of travel to meetings.

Interested councillors must complete and submit the nomination form, accompanied by a letter addressing the following selection criteria and the Association Liability Insurance Questions for Members/Proposed Members:

- Knowledge, interest and understanding of the ecological principles of natural resource management.
- Experience and expertise in sustainable natural resource management practice.
- Knowledge of social, economic, environmental and/or indigenous issues in the Peel-Harvey Catchment.
- Experience in coordinating and managing projects, business and/or community engagement activities.
- Experience in legislative programs or environmental policy framing.
- Ability to communicate and use community networks effectively.
- Ability to analyse and work strategically across a wide range of complex integrated issues.
- Knowledge and experience in financial and/or risk management.
- Skills/experience/knowledge in mentoring, developing, supporting and training of team members.

Nominations must be received by PHCC by 10am on Thursday 18 November 2021.

The Nomination Form, Selection Criteria and Association Liability Insurance Questions for Members/Proposed Members are included at **Appendix 18.3.3**.

### **STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN**

<b>Focus Area</b>	Our Environment
<b>Aspiration</b>	To continually care for, protect and enhance our environment for the generations to come
<b>Objective</b>	3.1 Protect and enhance our natural assets, waterways, bushland and biodiversity
<b>Strategy</b>	3.1.1 Collaborate with local environmental community organisations and volunteers
<b>Action</b>	3.1.1.1 Support initiatives and activities implemented by Peel Harvey Catchment Council, Peel Biosecurity Group and other relevant organisations

### **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)*

Nil.

*Environment – (Impact on environment’s sustainability)*

PHCC promotes an integrated approach to catchment management and how the Peel Harvey catchment environment is protected and restored.

*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>	Failing to endorse a Councillor nomination will result in no representation from the Shire of Waroona, however with two positions allocated for local government representatives from the catchment area, the proximate local government industry will be represented.
<i>Consequence</i>	1 - Insignificant
<i>Likelihood</i>	1 - Rare
<i>Rating</i>	Low (1-3)
<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>	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. Accepting the officer recommendation.
2. Amending or rejecting the officer recommendation.

**CONCLUSION**

More information regarding the Peel Harvey Catchment Council, including the constitution, strategic directions, previous meeting minutes, policies and annual reports is available at [www.peel-harvey.org.au](http://www.peel-harvey.org.au) or by contacting PHCC Manager Corporate Services/Executive Support Deborah Chard on 6369 8800 or [Deborah.chard@peel-harvey.org.au](mailto:Deborah.chard@peel-harvey.org.au)

<b>18.3.4 Policy HRP015 – Alcohol and Drugs in the Workplace</b>	
<b>File Ref:</b>	17/1
<b>Previous Items:</b>	OCM 26 June 2021 OCM 21/06/071
<b>Applicant:</b>	Shire of Waroona
<b>Author and Title:</b>	Kathy Simpson, Senior Finance Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Appendix Number</b>	18.3.4 – Amended Policy HRP015 – Alcohol and Drugs in the Workplace

**COUNCIL RESOLUTION****OCM21/10/163****Moved: Cr Purcell****Seconded: Cr Odorisio**

**That item 18.3.4 Policy HRP015 – Alcohol and Drugs in the Workplace lie on the table for further investigation.**

**CARRIED 8/0**

Note: The officer's recommendation was not adopted as Council wished to investigate further at the next Council briefing.

**RECOMMENDATION**

That council endorse the amended Policy HRP015 – Alcohol and Drugs in the Workplace as per Appendix 18.3.4

**IN BRIEF**

To seek Council's endorsement to amend the current Alcohol and Drug Policy HRP015 under section 4.6 Positive Results from Alcohol and Drug Testing

**BACKGROUND**

The Shire is committed to safety as the major priority for all of its operations. The goal is to perform work in such a manner that the potential for injury is reduced. It is the intention to create an environment where employees, volunteers and contractors recognise the health and safety risks of misusing alcohol and other drugs and thus provide an opportunity for them to obtain assistance to avoid such misuse.

This policy outlines the circumstances and methods for the screening tests of Shire employees and contractors for alcohol and other drugs and describes the processes which will be adopted following a positive test and the course of events for the employee or contractor who has tested positive to alcohol or another drug.

This policy has also been formulated so that Shire employees and contractors recognise the potential impact of alcohol and drug misuse for both themselves personally and in the work environment for the safety of all.

This policy applies to all staff at corporate functions, events, and meetings including Council, Advisory, Committee and staff meetings, and any other forum of official business of Council and Council Officers, on Council premises.

The Alcohol and Drug Workplace Policy is an intrinsic component of the Shire of Waroona’s commitment to safety.

### **REPORT DETAIL**

The intention of Council Policy HRP015 is to implement a fair and proactive alcohol and other drugs screening program that will contribute to the safety and health of all employees, volunteers and contractors of the Shire of Waroona.

This report proposes an amendment resulting in section 4.6 as follows:

#### ***Positive Results from Alcohol and Drug Testing***

*The test results delivered by the Testing Authority will be binding on the employee.*

*Please note that any Contractor/Employee operating machinery with a gross combined mass of 22.5 tonnes must have a 0.00% BAC (Blood Alcohol Content) as per the Road Traffic Act 1974.*

### **STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN**

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

### **OTHER STRATEGIC LINKS**

Nil.

### **STATUTORY ENVIRONMENT**

Details of policies which are required as a result of statutory legislation are to contain a statement providing a reference to the relevant legislation.

Council is no longer required by legislation to conduct annual reviews of its policies, however it is considered “best practice” to do so.

### **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*

Details on the policy have been included in this amendment. See the “Report Detail” for information on the proposed policy amendment.

*Risk Management Implications*

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

<i>Theme</i>	Health - Exposure to health risks, injuries to public or staff with Council buildings or on Council property, personal wellbeing
<i>Description</i>	Not amending the policy to include this clause may result in misunderstanding of the relevant legislation
<i>Consequence</i>	3 - Moderate
<i>Likelihood</i>	2 - Unlikely
<i>Rating</i>	Moderate (4-9)
<i>Controls / Review</i>	Reviewed annually to ensure currency and compliance.
<i>Review Frequency</i>	Annually
<i>Risk Owner</i>	Operational manager
<i>Acceptance</i>	Accept - Risk acceptable with adequate controls

**CONSULTATION**

No direct public consultation is required during the preparation of documentation; however, all updated policies will be available on the Council's website.

**RESOURCE IMPLICATIONS***Financial*

Nil.

*Workforce*

Nil.

**OPTIONS**

Council has the option of:

1. Accepting the officer recommendation.
2. Amending of not accepting the officer recommendation.

**CONCLUSION**

Although the Policies Documentation is formally reviewed and adopted en-bloc once a year, the requirement to address this individual policy outside of the normal policy review process will result in the amendment to the policy being able to take immediate effect.



Cr Vitale declared an interest affecting impartiality in item 18.3.5, as the reporting officer is a family member.

<b>18.3.5 Disposal of Lot 6 (No. 13) Mitchell Avenue, Waroona</b>	
<b>File Ref:</b>	A2169; 36/1
<b>Previous Items:</b>	28/07/2020 Item 11.2.6 OCM20/07/124
<b>Applicant:</b>	Not Applicable
<b>Author and Title:</b>	Brad Vitale, Corporate Compliance Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number</b>	Nil

### **COUNCIL RESOLUTION**

**OCM21/10/164**

**Moved: Cr Mason**

**Seconded: Cr Odorisio**

**That Council does not renew the listing of Lot 6 (No. 13) Mitchell Avenue, Waroona for sale.**

**CARRIED 8/0**

### **IN BRIEF**

- Council previously approved the listing of Lot 6 (No. 13) Mitchell Avenue, Waroona for sale at market valuation.
- The Selling Agency Agreement expired on 29 July 2021.

### **BACKGROUND**

In 2020, the Shire completed a Land Rationalisation Plan. The research identified several lots as being freehold to the Council including Lot 5 (No. 11) and Lot 6 (No. 13) Mitchell Avenue, Waroona which were being used as ad-hoc parking servicing the cemetery. This parking was not formally developed and had a number of large trees scattered over both lots. It was proposed to sell the two lots and formalise the remaining two lots as parking with approximately 56 parking bays and 4 disabled parking bays provided.

At the Ordinary Council Meeting held 28 July 2020, Council resolved the following:

*OCM20/07/124*

*Moved: Cr Mason*

*Seconded: Cr Odorisio*

*That Council:*

- 1. Approves the listing of Lot 5 (11) and Lot 6 (13) Mitchell Avenue, Waroona for sale at market valuation; and*
- 2. Following compliance with s3.58(3) of the Local Government Act 1995, will formally consider an "Offer to Purchase".*
- 3. That the proceeds of the sale of the lots be allocated towards cemetery parking.*

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**REPORT DETAIL**

Since resolution OCM20/07/124 above was made, Lot 5 (No. 11) Mitchell Avenue, Waroona was sold for \$85,000, however Lot 6 (No. 13) Mitchell Avenue, Waroona has not sold.

The Non-exclusive Selling Agency Agreement with Professionals Waroona for Lot 6 (No. 13) expired on 29 July 2021.

At the October Briefing Session held 12 October 2021, it was suggested that the listing of Lot 6 (No. 13) for sale not be renewed as this land is required to provide an adequately sized car park for the Drakesbrook Cemetery.

**STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN**

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

**OTHER STRATEGIC LINKS**

Nil.

**STATUTORY ENVIRONMENT**

Nil.

**SUSTAINABILITY & RISK CONSIDERATIONS***Economic - (Impact on the Economy of the Shire and Region)*

The sale proceeds from Lot 6 (No. 13) Mitchell Avenue, Waroona have not been budgeted, therefore the 2021/22 Annual Budget will not be impacted. However, sale proceeds from Lot 6 could be used to enhance the Drakesbrook Cemetery.

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

Not selling Lot 6 and using this land for additional car parking would provide the community with more space at Drakesbrook Cemetery.

*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>	Reputation - Public perception, poor customer service, sub standard work, corruption
--------------	--

<i>Description</i>	Failing to retain the ownership of Lot 6 could result in inadequate car parking space provided at Drakesbrook Cemetery
<i>Consequence</i>	2 - Minor
<i>Likelihood</i>	4 - Likely
<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>	Operational manager
<i>Acceptance</i>	Accept - Risk acceptable with adequate controls

## **CONSULTATION**

- Director Infrastructure Services believes that the retention of Lot 6 for now allows greater flexibility in terms of options for the future of the cemetery now that it is known that no internal expansion is possible due to the rare flora in the existing cemetery. It is prudent to retain Lot 6 until the future of the existing cemetery becomes clearer via the preparation of the next iteration of the Cemetery Masterplan. Should it be shown that Lot 6 is ultimately not required, a decision can be made in the future to dispose of it at that time.

## **RESOURCE IMPLICATIONS**

### *Financial*

Nil.

### *Workforce*

Nil.

## **OPTIONS**

Council has the option of:

2. Accepting the officer recommendation.
2. Amending or rejecting the officer recommendation.

## **CONCLUSION**

Although the sale of Lot 6 (No. 13) Mitchell Avenue, Waroona would provide the Shire with an unbudgeted source of revenue to assist in enhancing Drakesbrook Cemetery, it would considerably decrease the space available to be used as close proximity car parking.

## 18.4 DIRECTOR PLACE, COMMUNITY & ECONOMIC DEVELOPMENT

Nil.

**18.5 CHIEF EXECUTIVE OFFICER**

<b>18.5.1 Peel Development Commission Board Nominations</b>	
<b>File Ref:</b>	117/1
<b>Previous Items:</b>	N/A
<b>Applicant:</b>	Peel Development Commission
<b>Author and Title:</b>	Dean Unsworth, Chief Executive Officer
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number</b>	18.5.1

**COUNCIL RESOLUTION**

OCM21/10/165

Moved: Cr Woodbury

Seconded: Cr Purcell

That Council endorses Cr Mason's nomination to the Peel Development Commission's Board.

**CARRIED 8/0****IN BRIEF**

- Council has been invited to nominate up to two Councillors, who are willing and able to be candidates, for appointment to the Peel Development Commission Board (**See Appendix 18.5.1**).

**BACKGROUND**

The Peel Development Commission is seeking nominations for two Local Government representative vacancies from the Peel Region on its Board.

All five local governments in the Peel region are invited to nominate up to two Councillors, who are willing and able to be candidates, for appointment.

The Commission is seeking nominees that can contribute to the overall development of the Peel Region and provide insight and commentary on the key issues impacting on the economic and social development of the Peel region, not just within their LGA.

Meetings are held approximately bi-monthly and held at various locations within the Peel region. Duration of meetings are from 3 – 7 hours.

There are approximately 5 meetings held per year.

**REPORT DETAIL**

The objectives of the Commission are to:

- Maximise job creation and economic diversification within the region;
- Develop and broaden the economic base of the region;
- Identify infrastructure services to promote economic and social development within the region;
- Provide information and advice to promote business development within the region;

- Seek to ensure that the general standard of government services and access to those services in the region is comparable to that which applies in the metropolitan area; and
- Generally take steps to encourage, promote, facilitate and monitor the economic development in the region.

### **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)*

Nil.

*Environment – (Impact on environment’s sustainability)*

Nil.

*Policy Implications*

Nil.

### **CONSULTATION**

Peel Development Commission

### **RESOURCE IMPLICATIONS**

*Financial*

There are no financial implications to the Shire of Waroona.

*Workforce*

There are no workforce implications to the Shire of Waroona.

### **OPTIONS**

Council has the option of:

1. Endorsing a Shire of Waroona representative to join the Peel Development Board.
2. Not endorsing a nomination.

### **CONCLUSION**

As per the report.

<b>18.5.2 Policy Proposal – Superannuation for Elected Members</b>	
<b>File Ref:</b>	35/1
<b>Previous Items:</b>	Nil.
<b>Applicant:</b>	N/A
<b>Author and Title:</b>	Dean Unsworth, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil.
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number</b>	18.5.2 – Superannuation for Elected Members Draft Policy Proposal

**COUNCIL RESOLUTION**

OCM21/10/166

Moved: Cr Purcell

Seconded: Cr Snell

That Council does not support the proposal for the Western Australian Local Government Association to lobby for superannuation to be provided to Elected members.

CARRIED 8/0

**IN BRIEF**

The Western Australian Local Government Association (WALGA) is seeking feedback on a draft policy proposal, as per APPENDIX 18.5.2, to advocate for Elected Members to be required to be paid superannuation.

**BACKGROUND**

WALGA is requesting feedback from local governments as to whether to advocate for superannuation being paid to elected members. The recommended advocacy approach from WALGA is to propose that the *Local Government Act 1995* be amended to facilitate the payment of superannuation to Elected Members in addition to fees and allowances.

This approach is proposed as it avoids the problems associated with the current arrangements around the need to withhold income tax and pay fringe benefits tax.

Feedback from the Local Government sector will inform a State Council agenda item, which will be considered at November Zone meetings and the 1 December meeting of State Council. Following a State Council.

**STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN**

<b>Focus Area</b>	Our Leadership
<b>Aspiration</b>	To embed strong leadership through good governance, effective communication and ensuring value for money
<b>Objective</b>	5.2 Develop a skilled, safe and compliant organisation
<b>Strategy</b>	5.3.2 Deliver efficient and effective Council services to the community

**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)*

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>	Financial - Projects going over budget, legal costs, insurance claims, overpayments, misuse of resources
<i>Description</i>	Regulatory requirement
<i>Consequence</i>	1 - Insignificant
<i>Likelihood</i>	3 - Possible
<i>Rating</i>	Low (1-3)
<i>Controls / Review</i>	Nil as this report is to advise WALGA of its view on Elected Member superannuation.
<i>Review Frequency</i>	Annually
<i>Risk Owner</i>	Chief executive officer
<i>Acceptance</i>	Accept - Risk acceptable with adequate controls

### **CONSULTATION**

Nil.

### **RESOURCE IMPLICATIONS**

*Financial*

Nil.

The Shire of Waroona is considered a ‘Band 3’ local government. The range of allowances that can be paid to a Band 3 is as follows:

	Range From	Range To	Maximum superannuation liability
President	7,688	16,367	1,637
Deputy President	3,716	7,787	779
Councillors (x8)	61,504	130,936	13,094
<b>TOTALS</b>	<b>72,908</b>	<b>155,090</b>	<b>15,509</b>

Currently, the allowances paid are as follows:

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President	9,943
Deputy President	2,486
Councillors (x8)	75,440
Superannuation liability would be:	8,787

### *Workforce*

There would be some additional administration tasks to be undertaken by payroll staff.

### **OPTIONS**

1. Supporting the proposal to provide superannuation to elected members.
2. Not supporting the proposal to provide superannuation to elected members.

### **CONCLUSION**

The proposal is problematic in terms of whether an elected member is an employee. By providing superannuation, it then deems elected members as employees of a local government and then potentially blurs the line between the role of an elected member and the role of the Chief Executive Officer.

The WALGA report states that ‘many Elected Members are sacrificing opportunities for paid work to serve their community on Council’.

With that statement, the remedy would be to increase the allowances being paid to Elected Members rather than blurring the lines of elected members and administration staff.

The WALGA report also states that “...it is crucial to the functioning of Local Government that Elected Members are appropriately remunerated for their time and contribution”.

This comment is certainly true. However, the pathway WALGA should consider is to lobby for the Salaries and Allowances Tribunal to review its band levels for Elected Members.

**18.6 ITEMS FOR INFORMATION**

**18.6.1 Outstanding Council Resolutions Report (35/1) – Attached at Appendix 18.6.1**

**18.6.2 Corporate Business Plan – Progress Report – Q4**

Attached at Appendix 18.6.2.

**19. BUSINESS LEFT OVER FROM A PREVIOUS MEETING**

Nil.

**20. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**21. NOTICE OF MOTIONS FOR CONSIDERATION AT A FOLLOWING MEETING**

**COUNCIL RESOLUTION**

**OCM21/10/167**

**Moved: Cr Purcell**

**Seconded: Cr Snell**

**That Council review the terms of reference for the Visitor Centre Working Group and then advertise for community members on the working group.**

**CARRIED 8/0**

**22. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING**

Nil.

**23. MEETING CLOSED TO THE PUBLIC****COUNCIL RESOLUTION****OCM21/10/168****Moved: Cr Odorisio****Seconded: Cr Vitale**

**That the meeting be closed to members of the public in accordance with Section 5.23(2)(c) of the *Local Government Act 1995* to deal with confidential items relating to a contract entered into, or which may be entered into, by the local government, the time being 4.50 pm**

**CARRIED 8/0**

Tom Lerner, Liz Storr and members of the public left the meeting, the time being 4.50 pm.

<b>23.1 Confidential Item – Request for Quote 2021/22-10 Supply and Delivery of a Combination 6-Wheeler Tip Truck with Plant Trailer and the Trade of Existing 6 Wheeler.</b>	
<b>File Ref:</b>	RFQ 2021/22-10
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	N/A
<b>Author and Title:</b>	Patrick Steinbacher, Director Infrastructure Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Appendix Number</b>	Nil

A confidential report is provided under separate cover.

**COUNCIL RESOLUTION****OCM21/10/169****Moved: Cr Woodbury****Seconded: Cr Pisconeri****That Council:**

- 1. award RFQ 2021/22-10 Supply and Delivery of one Combination 6 Wheeler Tip Truck with Plant Trailer and the Trade of existing 6 Wheeler to Daimler Trucks Perth based on the supply of a Mitsubishi Fuso Shogun 400HP 6x4 plus trailer for the outright purchase price of \$271,314.81 (ex GST);**
- 2. accept the trade of the existing 6 Wheeler Truck to Daimler Truck based on the trade value of \$40,000 (inc GST);**
- 3. increase expenditure account 3554 (Road Plant Purchases) from \$324,000 to \$349,315; and**
- 4. increase the transfer from plant reserve account 3585 (Plant Reserve) from \$120,000 to \$145,315.**

**CARRIED 8/0**

Staff left the meeting, the time being 4.52 pm.

<b>23.2 Confidential Item – CEO Recruitment &amp; Selection – Endorsement of new CEO and Employment Contract</b>	
<b>File Ref:</b>	
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	N/A
<b>Author and Title:</b>	Sylvana Caranna – Executive Recruitment Consultant supporting the CEO Recruitment & Selection Panel
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Appendix Number</b>	23.2.1 & 23.2.2 will be provided prior to this meeting under separate confidential cover. 23.2.1 CEO Recruitment Process Report 23.2.2 CEO Employment Contract

A confidential report is provided under separate cover.

### **COUNCIL RESOLUTION**

**OCM21/10/170**

**Moved: Cr Purcell**

**Seconded: Cr Mason**

**That Council:**

1. endorse the appointment of Mark Goodlet for the position of CEO for the Shire of Waroona;
2. endorse the attached CEO employment contract for a five-year term at an initial total remuneration package as detailed in the contract tabled at Confidential Appendix 23.2.2, in line with *Salaries and Allowance Act 1975* (amended in 2021) with a commencement date in the position of CEO being 1 November, 2021 as set out in the contract Schedule 2;
3. endorse the placement of the Common Seal of the Shire of Waroona on the signature page of the attached employment contract; and
4. endorse the relocation allowance to a maximum of \$6,000 plus GST in line with employment contract clause 6.4.

**CARRIED 8/0**

### **COUNCIL RESOLUTION**

**OCM21/10/171**

**Moved: Cr Woodbury**

**Seconded: Cr Pisconeri**

**That the meeting resume in public, the time being 4.57 pm.**

Staff returned to the meeting, the time being 4.58 pm.

**24. CLOSURE OF MEETING**

There being no further business the Presiding Member closed the meeting the time being 4.58 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 23 NOVEMBER 2021 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....  
PRESIDING MEMBER  
.....  
DATE