



MINUTES

ORDINARY COUNCIL MEETING

Tuesday 26 April 2022
(Held in the Council Chamber)

PUBLIC QUESTION TIME

1. The order of business allows for a Public Question time at the beginning of the Meeting.
2. If you wish to ask a Question about an Agenda Item before it is considered then it is recommended to be made at the Public Question Time at Item 4 on the Agenda Notice Paper in accordance with Council's Procedures and Guidelines for Public Question Time.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited unless the prior approval of the Council has been given.

TABLE OF CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS	4
2.	ATTENDANCE/APOLOGIES / LEAVE OF ABSENCE.....	4
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
4.	PUBLIC QUESTION TIME	4
5.	PETITIONS AND APPROVED DEPUTATIONS.....	4
5.1	Deputation – Michael O'Dwyer, Principal St Joseph's Primary School:	4
6.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	5
6.1	Ordinary Council Meeting – 22 March 2022.....	5
7.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	5
8.	ANNOUNCEMENTS BY MEMBERS.....	5
9.	DISCLOSURES OF INTEREST	5
10.	RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES.....	5
10.1	Finance & Audit Committee Meeting – 22 March 2022.....	5
10.2	Annual Electors Meeting – 22 March 2022.....	6
11.	REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS.....	7
11.1	DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES	7
11.1.1	Local Heritage Survey (Review of 2001 Municipal Heritage Inventory)	7
11.1.2	Enforcement and Compliance Complaints Policy	11
11.2	DIRECTOR CORPORATE & COMMUNITY SERVICES	15
11.2.1	Listing of Payments for the Month of March 2022	15
11.2.2	Monthly Statement of Financial Activity for the period ending 31 March 2022.....	18
11.2.3	Proposed Policy CGP024 – Advisory and Working Groups	21
11.2.4	Waroona Visitor Centre Working Group – Terms of Reference	24
11.3	CHIEF EXECUTIVE OFFICER	27
11.3.1	Review of Wards and Councillor Numbers.....	27
11.4	ITEMS FOR INFORMATION	32
12.	BUSINESS LEFT OVER FROM A PREVIOUS MEETING.....	32
13.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	32
14.	NOTICE OF MOTIONS FOR CONSIDERATION AT A FOLLOWING MEETING	32
15.	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING.....	32
16.	MEETING CLOSED TO THE PUBLIC.....	32
17.	CLOSURE OF MEETING.....	32

1. DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Shire President declared the meeting open at 4.00 pm 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 John Mason	Councillor
Cr Karen Odorisio	Councillor
Cr Dion Pisconeri	Councillor
Cr Laurie Snell	Councillor
Cr Vince Vitale	Councillor
Mr Mark Goodlet	Chief Executive Officer
Miss Ashleigh Nuttall	Director Corporate & Community Services
Mrs Karen Oborn	Director Infrastructure & Development Services
Mrs Kirsty Ferraro	Manager Corporate Services
Ms Merrin Kirk	Executive Assistant

There was 1 member of the public at the commencement of the meeting.

APOLOGIES

Nil

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL RESOLUTION**

OCM22/04/36

Moved: Cr Snell

Seconded: Cr Purcell

That Leave of Absence be granted to Cr John Mason for the period 22 – 29 May inclusive.

CARRIED 7/0

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS AND APPROVED DEPUTATIONS**5.1 Deputation – Michael O'Dwyer, Principal St Joseph's Primary School:**

"Thank you to the Shire of Waroona in the works undertaken along Hesse Street and Millar Street Waroona to improve pedestrian safety and our children's well-being. On behalf of St

Joseph's school Waroona, I would also like to thank the Shire officers for being helpful when items are raised for the school.

My question relates to improving the pedestrian access across Millar Street and if the Shire is able to progress improvements to the crossing area near Millar and Hesse Street in calendar 2022 year".

Michael O'Dwyer left the meeting, the time being 4.05 pm

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Council Meeting – 22 March 2022

COUNCIL RESOLUTION

OCM22/04/37

Moved: Cr Pisconeri

Seconded: Cr Mason

That the Minutes of the Ordinary Council Meeting held 22 March 2022 be confirmed as being a true and correct record of proceedings.

CARRIED 7/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Cr Walmsley thanked those involved in the ANZAC Day celebrations, as both services were very well run and had great attendance.

8. ANNOUNCEMENTS BY MEMBERS

Nil

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.)

Cr Vitale declared an interest affecting impartiality in item 11.2.3 as the reporting officer is a family member.

Cr Vitale declared an interest affecting impartiality in item 11.2.4 as the reporting officer is a family member.

10. RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES

10.1 Finance & Audit Committee

COUNCIL RESOLUTION

OCM22/04/38

Moved: Cr Vitale

Seconded: Cr Snell

That Council:

- 1. Receives the confirmed minutes of the Finance Audit Committee Meeting held 9 March 2021.**

2. **Receives the unconfirmed minutes of the Finance Audit Committee Meeting held 22 March 2022.**

CARRIED 7/0

10.2 Annual Electors' Meeting

COUNCIL RESOLUTION

OCM22/04/39

Moved: Cr Snell

Seconded: Cr Purcell

That Council:

1. **Receives the confirmed minutes of the Annual Electors Meeting held 9 March 2021.**
2. **Receives the unconfirmed minutes of the Annual Electors Meeting held 22 March 2022.**

CARRIED 7/0

11. REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS**11.1 DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

11.1.1 Local Heritage Survey (Review of 2001 Municipal Heritage Inventory)	
File Ref:	72/3
Previous Items:	NA
Applicant:	NA
Author and Title:	Rhys Bloxsidge, Infrastructure and Development Support Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple majority
Appendix Number	APP 11.1.1 - Waroona Municipal Heritage Inventory Waroona 2001

COUNCIL RESOLUTION**OCM22/04/40****Moved: Cr Snell****Seconded: Cr Odorisio**

That Council endorses the commencement of a review of the Shire of Waroona Municipal Heritage Inventory (now referred to as a Local Heritage Survey) using the process set out in the ‘Report Detail’ section of this report.

CARRIED 7/0**IN BRIEF**

- In 2019, the Department of Planning, Lands and Heritage (DPLH) released Guidelines for Local Heritage Surveys (the Guidelines), which sets out a process for local governments to follow when reviewing their Local Heritage Surveys. The Guidelines ensure that all local governments maintain a consistent approach to preparing and review Local Heritage Surveys.
- The Shire of Waroona Municipal Heritage Inventory was last reviewed in 2001, however a further review commenced in 2019 but was not followed through due the DPLH being in the midst of preparing the Guidelines.
- Whilst the 2019 review was supported by Council, it is considered appropriate to re-introduce the matter to Council given that over two years have passed since the last review.
- The work that was undertake by Shire officers in the 2019 will be checked for validity and may ultimately inform this review.

BACKGROUND

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

- Identify and record places that are, or may become, of cultural 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. A copy of the Inventory is contained at Appendix 11.1.1. As mentioned, a review of the Inventory was commenced circa 2019 however the review was not finalised, and nothing was prepared for Council to endorse. 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 is considered timely to revisit the Shire of Waroona Municipal Heritage Inventory given that the local planning framework is also under review.

REPORT DETAIL

The first stage of the review process will entail notification to owners of all existing heritage sites advising of the review. Notwithstanding this list, it is intended that the review will be widely advertised to the public, inviting public submissions with emphasis on the commentary surrounding any new places that may be worthy on inclusion. Existing entries in the Inventory may also require updating as new information in the past 20 years could have come to light.

Any new places will then be comprehensively researched and catalogued, in consultation with the relevant landowners. A draft document will then be prepared and subsequently advertised for community submissions before being presented to Council for consideration and adoption. Subsequently, affected landowners will be notified of the adoption and inclusion into the Inventory.

It should be noted that the Waroona Historical Society will be relied upon throughout the process to inform the review.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

Focus Area	Our Community
Aspiration	To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning
Objective	1.5 Value, protect and celebrate our rich history and culture
Strategy	1.5.1 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 commencement of the review will assist in mitigating the risk somewhat.
<i>Review Frequency</i>	Annually
<i>Risk Owner</i>	Project manager
<i>Acceptance</i>	Accept - Risk acceptable with adequate controls

CONSULTATION

No public consultation or otherwise has occurred to date, however the review will seek input from the community in general and the Waroona Historical Society. The community and

Waroona Historical Society will be requested to put forward new places for inclusion and in turn any landowners affected by possible inclusions will be invited to comment.

RESOURCE IMPLICATIONS

Financial

Nil.

Workforce

The review can be undertaken using current staffing resources. It is not anticipated that any consultants or otherwise would be required to assist in the review.

OPTIONS

Council has the option of:

1. Endorsing the recommendation to commence a review of the Local Heritage Survey; or
2. Not endorsing the recommendation to commence a review of the Local Heritage Survey.

CONCLUSION

The review carries significant importance for the history of Waroona and the final product will be a modern and comprehensive record of places of cultural and historical value. It is entirely possible that new places will be included as a result of community feedback. The final product will also have important consequences for the local planning scheme review as it will inform a heritage list in which places can be afforded a certain level of protection.

11.1.2 Enforcement and Compliance Complaints Policy	
File Ref:	129/1
Previous Items:	Nil
Applicant:	Shire of Waroona
Author and Title:	Karen Oborn, Director Infrastructure & Development Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.1.2 A - Enforcement and Compliance Complaints Policy 11.1.2 B - Assessment Matrix for Enforcement Matters

COUNCIL RESOLUTION**OCM22/04/41****Moved: Cr Odorisio****Seconded: Cr Mason**

That Council adopts the Enforcement and Compliance Complaints Policy, as per appendices 11.1.2 A - Enforcement and Compliance Complaints Policy and 11.1.2 B - Assessment Matrix for Enforcement Matters.

CARRIED 7/0**IN BRIEF**

The Shire of Waroona's Strategic Community Plan, Local Planning Framework and State regulatory frameworks, require the enforcement of planning, compliance, health and building, emergency services and community safety regulations. Implementing this policy will ensure consistency in how the Shire makes decisions on enforcement action.

BACKGROUND

Regulatory enforcement is required. However, the approach to enforcement has not always been clear, communicated, or consistent. The objective of implementing a Enforcement and Compliance Complaints Policy is to 'ensure a consistent approach in enforcement and compliance related matters; To provide transparency, apply procedural fairness and natural justice for all enforcement and compliance related matters; Provide an educational, cooperative and collaborative process towards compliance and enforcement, aimed at encouraging compliance; and to guide decision making and actions by the Shire in the consistent use of enforcement options commensurate with the risk' (1).

REPORT DETAIL

As a result, Shire of Waroona officer have carried out benchmarking in other shires in the region, to draft a General Compliance and Enforcement Policy. This policy 'assists the Shire to use compliance and enforcement strategies to achieve legislated objectives. In addition to encouraging 'compliance by implementing a cooperative and collaborative approach to enforcement action' (1).

The attached draft policy is largely based on the Shire of Serpentine Jarrahdale's, General Compliance and Enforcement Policy (1). As this Shire has relatable natural areas, as well as agricultural and industrial enterprises. Along with similar compliance related matters to regulate

References

1. [file:///sowfile/UserLibraries\\$/dids/Desktop/Council-Policy-General-Compliance-and-Enforcement.pdf](file:///sowfile/UserLibraries$/dids/Desktop/Council-Policy-General-Compliance-and-Enforcement.pdf)

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	1.3 A planning framework that is visionary, supports connectivity and enables participation that ensures quality, diverse and innovative planning outcomes that meets community aspirations
Strategy	1.3.1 Ensure our Town Planning Scheme and Local Planning Strategy facilitates quality and diverse planning outcomes

OTHER STRATEGIC LINKS

- State Planning Strategy 1997
- State Planning Policy 2.0 environment and natural resources policy
- State Planning Policy 2.5 agricultural and rural land use planning
- State Planning Policy 2.6 state coastal policy
- State Planning Policy 3.0 urban growth and settlement

STATUTORY ENVIRONMENT

- Building Act 2011 and Building Regulations 2012
- Caravan Parks and Camping Grounds Act 1995 and Regulations
- Graffiti Vandalism Act 2016
- Local Government Act 1995 and Regulations
- Environmental Protection Act 1986 (Public Health component only)
- Environmental Protection (Noise) Regulations 1997
- Environmental Protection (Unauthorised Discharge) Regulations 2004
- Food Act 2008 and Regulations
- Health (Miscellaneous Provisions) Act 1911
- Public Health Act 2016 and Regulations
- Planning & Development (Local Planning Schemes) Regulations 2015
- Bushfires Act 1954 and Regulations
- Bush Fires (Infringements) Regulations 1978
- Emergency Management Act 2005 and Regulations
- Cat Act 2011 and Regulations
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Dog Act 1976 and Regulations
- Litter Act 1979 and Regulations
- Local Government (Miscellaneous Provisions) Act 1960
- Local Government (Administration) Regulations 1996
- Local Government (Parking for People with Disabilities) Regulations 2014
- Local Government (Uniform Local Provisions) Regulations 2014
- Cemetery Act 1986

SUSTAINABILITY & RISK CONSIDERATIONS

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

- Not enforcing compliance matters in relation to high value agricultural land would negatively impact the agricultural sectors productivity.
- Not enforcing compliance matters in relation to conservation of the natural environment would negatively impact the region's economic development and tourism goals.

- Not enforcing compliance matters in relation to providing good governance of the district would negatively impact agricultural, commercial, and residential land values.

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

- Not enforcing compliance matters could result in land use conflicts and community conflicts.

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

- Not enforcing compliance matters in relation to conservation of the natural environment would negatively impact the region's economic development goals and water resources.
- Not enforcing compliance matters in relation to conservation of the natural environment would negatively impact the region's sustainable development and conservation goals.

Risk Management Implications

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

Theme	Environmental - Regulatory compliance, contamination, inadequate processes
Description	There is a need to keep negative impacts in the community to a minimum, protect productive 'food producing' agricultural land, as well as promote environmental conservation and sustainable economic development.
Consequence	4 - Major
Likelihood	3 - Possible
Rating	High (10-19)
Controls / Review	Council's endorsement of the recommendation of this report may mitigate the likelihood of this risk coming into effect.
Review Frequency	Annually
Risk Owner	Director
Acceptance	Monitor - Risk acceptable with adequate control

CONSULTATION

- Mark Goodlet, Chief Executive Officer
- Craig Zanotti, Senior Planning Officer
- Community consultation is required

RESOURCE IMPLICATIONS

Financial

Officers time is covered by salary package.

Workforce

Nil.

OPTIONS

Council has the option of:

1. Accepting the officer recommendation to endorse the proposed policy;
or
2. Rejecting the officer recommendation to endorse the proposed policy.

CONCLUSION

The approach to enforcement has not always been clear, communicated or consistent. However regulatory enforcement is required to provide for the good governance of the district. Implementing an Enforcement and Compliance Complaints Policy will ensure the

approach to enforcement is fair, consistent and transparent. The policy implementation will also serve to provide an educational, cooperative and collaborative process towards compliance and enforcement.

11.2 DIRECTOR CORPORATE & COMMUNITY SERVICES

11.2.1 Listing of Payments for the Month of March 2022	
File Ref:	1/3 - Creditors
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Kathy Simpson, Senior Finance Officer
Voting Requirements:	Simple Majority
Declaration of Interest:	Nil
Appendix Number	11.2.1 - Monthly Report to Council – March 22

COUNCIL RESOLUTION**OCM22/04/42****Moved: Cr Vitale****Seconded: Cr Pisconeri**

That Council receives the following payments made throughout the month of February 2022;

Municipal	Cheque 9888 - 9907	\$55,222.80
	EFT 35992 - 36148	\$683,277.46
Direct wages	01/03/22 – 31/03/22 inclusive	\$41,087.31
Direct Debit	01/03/22 – 31/03/22	\$191,060.80
Trust	Cheque – Nil	\$ -
	EFT – Nil	\$ -
GRAND TOTAL		\$970,648.37

as per Appendix 11.2.1.

CARRIED 7/0

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 February 2022.

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. Receive the listing of payments presented for the month of March 2022.
2. Not receive the listing of payments presented for the month of March 2022.

CONCLUSION

The listing of payments as per the attached appendix is a true reflection of the expenditure from the Municipal and Trust Fund accounts for the month of March 2022. All expenditure is in accordance with the 2021/22 adopted budget and is presented as per the prescription within regulation 13 of the Local Government (Financial Management) Regulation 1996.

11.2.2 Monthly Statement of Financial Activity for the period ending 31 March 2022	
File Ref:	1/1 – Annual Statements
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Kirsty Ferraro, Manager Corporate Services
Voting Requirements:	Simple Majority
Declaration of Interest:	Nil
Appendix Number	11.2.2 - Monthly Agenda Report 21-22 March

COUNCIL RESOLUTION**OCM22/04/43****Moved: Cr Odorisio****Seconded: Cr Pisconeri**

That Council receives the Monthly Statement of Financial Activity for the period ending 31 March 2022, as per Appendix 11.2.2 – Monthly Agenda Report 21-22 March, with a minor correction to a date on page 13 of Appendix 11.2.2.

CARRIED 7/0**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) Regulation 1996.

BACKGROUND

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

REPORT DETAIL

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

- 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;
- Budget estimates to the end of the month to which the statement relates;
- Actual amounts of expenditure, revenue and income to the end of the month to which the statements relate;
- The material variance between the comparable amounts referred to in the paragraphs (b) and (c); and
- The net current assets at the end of the month to which the statement relates.

The following information is included in the report;

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

- Note 5 – Major Variances
- Note 6 – Budget Amendments
- Note 7 – Receivables
- Note 8 – Grants & Contributions
- Note 10 – Capital Disposals and Acquisitions
- Note 11 – Significant Capital Projects
- Note 12 – Trust
- Note 13 - Borrowings

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

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

OTHER STRATEGIC LINKS

Shire of Waroona 2021/22 Annual Budget

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Section 34

SUSTAINABILITY & RISK CONSIDERATIONS

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

Nil

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

Nil

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

All financial policies from Policy FIN002 through to Policy FIN035

Risk Management Implications

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

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

Cr Vitale declared an interest affecting impartiality in item 11.2.3 as the reporting officer is a family member.

11.2.3 Proposed Policy CGP024 – Advisory and Working Groups	
File Ref:	35/1; 111/1; 143/3
Previous Items:	Nil
Applicant:	Not applicable
Author and Title:	Brad Vitale, Corporate Compliance Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Number	11.2.3 - CGP024 - Advisory and Working Groups

COUNCIL RESOLUTION

OCM22/04/44

Moved: Cr Mason

Seconded: Cr Snell

That Council adopts the proposed new policy CGP024 – Advisory and Working Groups, as attached as Appendix 11.2.3 - CGP024 - Advisory and Working Groups.

CARRIED 7/0

IN BRIEF

A new policy is proposed to provide guidance to Council for the establishment and operation of the Shire's Advisory and Working Groups.

BACKGROUND

Council may, by resolution, establish an advisory or working group to:

- (a) facilitate Council member, stakeholder and/or community input and involvement opportunities; and
- (b) provide advice and support to the Shire, regarding strategic, special interest, project and/or operational activities.

Currently the Shire has advisory and working groups including the Waroona Visitor Centre Working Group, Town Centre Revitalisation Working Group, Community Precinct Arts and Culture Working Group and Community Precinct Heritage Working Group.

With an increase in the creation of advisory and working groups, guidance is required for the establishment, operation and management of these groups.

REPORT DETAIL

The proposed new policy addresses matters relating to Council Advisory and Working Groups including:

- establishment and operation;
- terms of advisory and roles;
- meeting procedures;
- administrative action and support;
- code of conduct and conflict of interest;
- insurances;
- membership, tenure of appointment and vacancies; and

- powers and responsibilities.

The review cycle of this policy is proposed as biennial, to align with local government ordinary elections.

Note: Advisory or Working Groups established by councils are not and are not intended to be Committees established under Section 5.8 of the *Local Government Act 1995*.

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	Nil

OTHER STRATEGIC LINKS

Nil.

STATUTORY ENVIRONMENT

Nil.

SUSTAINABILITY & RISK CONSIDERATIONS

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

Nil.

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

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>	Failing to adopt a policy providing guidance on advisory and working groups could result in ineffective and/or inefficient operation and management of these groups.
<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>	Chief executive officer
<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

A policy is required to provide guidance for the establishment, operation and management of Council advisory and working groups. This guidance will improve the governance, effectiveness and efficiency of these advisory and working groups.

Cr Vitale declared an interest affecting impartiality in item 11.2.4 as the reporting officer is a family member.

11.2.4 Waroona Visitor Centre Working Group – Terms of Reference	
File Ref:	35/1; 143/3
Previous Items:	23/11/2021, Item 13, OCM21/11/186
Applicant:	Not applicable
Author and Title:	Brad Vitale, Corporate Compliance Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.2.4 - Terms of Reference - Visitor Centre Working Group

COUNCIL RESOLUTION

OCM22/04/45

Moved: Cr Vitale

Seconded: Cr Odorisio

That Council adopts the proposed amended Terms of Reference for the Waroona Visitor Centre Working Group, as attached as Appendix 11.2.4 - Terms of Reference - Visitor Centre Working Group.

CARRIED 7/0

IN BRIEF

The Waroona Visitor Centre Working Group Terms of Reference have been reviewed following the reconstitution of the group in 2021.

BACKGROUND

The Waroona Visitor Centre Working Group was reconstituted at the October 2021 Ordinary Council Meeting.

At the Ordinary Council Meeting held 23 November 2021, Council resolved the following:

COUNCIL RESOLUTION

OCM21/11/186

Moved: Cr Purcell

Seconded: Cr Odorisio

That Council:

- 1. requests the CEO;***
 - a. to review the terms of reference for the Visitor Centre Working Group;***
 - b. to engage with the Waroona Visitor Centre Working Group on updated Terms of Reference;***
 - c. to report back to Council for approval of the Terms of Reference; and***
- 2. authorises the CEO to advertise for community members following completion of item 1 of this resolution.***

CARRIED 7/0

REPORT DETAIL

In conjunction with the development of proposed policy CGP024 – Advisory and Working Groups, the Waroona Visitor Centre Working Group Terms of Reference have been reviewed. The proposed amended Terms of Reference for consideration include provisions for:

- purpose and objectives;
- membership, and chair and deputy chair election;
- code of conduct;
- tasks;
- key performance indicators;
- meeting frequency;
- termination date; and
- agendas.

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	Nil

OTHER STRATEGIC LINKS

Nil.

STATUTORY ENVIRONMENT

Nil.

SUSTAINABILITY & RISK CONSIDERATIONS

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

Nil.

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

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>	Failing to review the terms of reference could result in ineffective and/or inefficient operation and management of the group.
<i>Consequence</i>	3 - Moderate
<i>Likelihood</i>	2 - Unlikely
<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

The Terms of Reference were discussed at a Councillor Briefing Session on 8 February 2022. They were also discussed at the Waroona Visitor Centre Working Group meeting on 2 March 2022.

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

Terms of Reference should deal with matters relating to the structure, governance and administrative issues of a working group in terms of its constitution and functioning. In relation to purpose, the Terms of Reference should describe the strategic matters it will be considering and should steer away from dealing with operational issues.

The proposed reviewed Terms of Reference have been developed with a standardised approach and content to be implemented across the working groups at the Shire of Waroona.

11.3 CHIEF EXECUTIVE OFFICER

11.3.1 Review of Wards and Councillor Numbers	
File Ref:	35/1
Previous Items:	OCM06/220, OCM22/02/014
Applicant:	Shire of Waroona
Author and Title:	Mark Goodlet; Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendix Number	11.3.1 - A Review of Wards and Representation for the Shire of Waroona - Options and Discussion

COUNCIL RESOLUTION**OCM22/04/46****Moved: Cr Odorisio****Seconded: Cr Snell****That Council:**

- 1. endorses the Appendix 11.3.1 – “A Review of Wards and Representation for the Shire of Waroona Review – Options and Discussion” paper for the purposes of seeking public submissions; and**
- 2. instructs the Chief Executive Officer to give local public notice of its intention to carry out a review of Wards and Councillor numbers and invite submissions as required under Clauses 6(2) and 7(1) of Schedule 2.2 of the Local Government Act 1995.**

CARRIED 7/0**IN BRIEF**

At least every eight years, the Shire of Waroona is required to carry out a review as to whether the district should be divided into wards; and if so, what the ward boundaries should be and the number of offices of councillor there should be for each ward. The last review was carried out in 2006.

With the loss of a Councillor on 24 March 2022 it is opportune to review the number of Councillors at the Shire of Waroona.

BACKGROUND

At its 24 October 2006 Ordinary Council Meeting, Council resolved (OCM06/220) to discontinue its ward system of Coastal; East; West; and Town wards. It also resolved to retain eight Councillors, including the Shire President.

On 24 March 2022 a Councillor was automatically disqualified from office, through non-attendance at ordinary Council meetings. Under normal circumstances an extra-ordinary election is held, and the vacant position filled, however there is a proposal by the State Government, as part of the Local Government Act review process to limit the number of Councillors in a band 3 Council to between 5 and 7 Councillors. The Shire of Waroona has formally supported a reduction to 7 elected members in its response to the review. It is opportune therefore to conduct a review of wards and councillor numbers ahead of any extra-ordinary election.

REPORT DETAIL

In February 2022 Council resolved to support no wards system for band 3 and 4 local governments in its submission to the local government reform review. On this basis no further consideration of wards will be conducted in this review, except to allow that in the consultation process Council may receive feedback on the re-introduction of wards in the Shire of Waroona.

The Review Process

The review process involves a number of steps:

- The Council resolves to undertake the review (this report)
- Public submission period opens
- Information provided to the community for discussion
- Public submission period closes
- The Council considers all submissions and relevant factors and makes a decision
- The Council submits a report to the Local Government Advisory Board (the Board) for its consideration
- If a change is proposed, the Board submits a recommendation to the Minister for Local Government (the Minister).

Any changes approved by the Minister will be in place for the next ordinary election where possible.

Assessment of the Options

Attachment 1 provides a discussion paper on the following options:

Ward Numbers

- No wards
- Other positions through consultation only

Councillor Numbers

- Eight (current) Councillors
- Seven Councillors
- Five Councillors
- Ten Councillors

The public consultation process will also provide for submission of other proposals for Ward and Councillor numbers.

Implementation of Proposed Changes

The local government can indicate to the Board when it prefers the implementation of proposed changes to take place. In most cases this will be at the next ordinary elections day however, there may be some instances where proposed changes to representation (e.g., a reduction in the number of offices of Councillor created by a vacancy can take place the day after the date of gazettal) occur as soon as possible. This is the case for the Shire of Waroona and as such the recommendation to reduce Councillor numbers to seven would occur immediately, while a recommendation to increase Councillor numbers to ten would be made for the next ordinary election day. A recommendation to reduce councillor numbers to five

would be staged with an immediate reduction to seven, followed by a reduction to five at the next ordinary election.

When offices of Councillor are to be redistributed into new wards, or there is a reduction or increase in the number of offices of Councillor, the implementation method should give consideration to clauses 1 and 2 of Schedule 4.2 of the *Local Government Act 1995*. As near as practical to half of the total number of Councillors are to retire every two years and as near as practical to half of the Councillors representing each ward are to retire every two years.

STRATEGIC COMMUNITY PLAN & CORPORATE BUSINESS PLAN

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

OTHER STRATEGIC LINKS

Not applicable.

STATUTORY ENVIRONMENT

Local Government Act 1995 Schedule 2.2 Clause 6(2) and 7(1) & (2).

6. Local government with wards to review periodically

(2) A local government the district of which is not divided into wards may carry out reviews as to —

- (a) whether or not the district should be divided into wards; and
- (b) if so —
 - (i) what the ward boundaries should be; and
 - (ii) the number of offices of councillor there should be for each ward, from time to time so that not more than 8 years elapse between successive reviews.

7. Reviews

(1) Before carrying out a review a local government has to give local public notice advising —

- (a) that the review is to be carried out; and
- (b) that submissions may be made to the local government before a day fixed by the notice, being a day that is not less than 6 weeks after the notice is first given.

(2) In carrying out the review the local government is to consider submissions made to it before the day fixed by the notice.

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>	Reputation - Public perception, poor customer service, sub standard work, corruption
<i>Description</i>	Perceived lack of representation in areas other than Waroona Townsite.
<i>Consequence</i>	1 - Insignificant
<i>Likelihood</i>	3 - Possible
<i>Rating</i>	Low (1-3)
<i>Controls / Review</i>	Ordinary Meeting of Council held at Lake Clifton and Preston Beach annually allows community members to bring to Council local concerns and issues. The annual electors meeting was held in Preston Beach. 3 members of the public attended. No matters were raised.
<i>Review Frequency</i>	Every 8 years
<i>Risk Owner</i>	Chief executive officer
<i>Acceptance</i>	Accept - Risk acceptable with adequate controls

CONSULTATION

A statutory six weeks' notice period exists for a review of ward boundaries and Councillor numbers. Council's approval to commence the review will trigger this consultation period.

RESOURCE IMPLICATIONS

Financial

The review process will be dealt with under normal operational costs, with some advertising costs up to approximately \$2,000.

Should Council choose to retain eight Councillors, then an extra-ordinary election will be held. This costs approximately \$20,000 and will need to be approved separately by Council.

Should Council choose to increase or decrease Councillor numbers, then there will be a direct saving or cost of \$10,780 per Councillor lost or added respectively.

Workforce

This review will be conducted using internal staff resources.

Should Council choose to retain eight Councillors, then an extra-ordinary election will be held, and the Western Australian Electoral Commission will be approached to provide election support services.

OPTIONS

Council has the option of:

1. not proceeding with a ward and councillor numbers review. In this case an extra-ordinary election will occur; or

2. proceeding with a ward and councillor numbers review.

CONCLUSION

The recent loss of a Councillor provides an opportunity for Council to reviews its Councillor numbers. This report will initiate that process.

11.4 ITEMS FOR INFORMATION

Nil

12. BUSINESS LEFT OVER FROM A PREVIOUS MEETING

Nil

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

Nil

14. NOTICE OF MOTIONS FOR CONSIDERATION AT A FOLLOWING MEETING

Nil

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

Nil

16. MEETING CLOSED TO THE PUBLIC**17. CLOSURE OF MEETING**

There being no further business, the Presiding Member closed the meeting, the time being 4.23 pm

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 24 MAY 2022 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE