



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**Tuesday 22 September 2026**

**Shire of Waroona Council Chamber**

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**MINUTES**

The audio recording was started.

**1. DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

Cr Walmsley declared the meeting open at 4.00 pm and welcomed Councillors, members of the public and staff.

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

|                   |                        |
|-------------------|------------------------|
| Cr Mike Walmsley  | Shire President        |
| Cr Larry Scott    | Deputy Shire President |
| Cr Karlie Bartle  | Councillor             |
| Cr John Mason     | Councillor             |
| Cr Karen Odorisio | Councillor             |
| Cr Julie Rowles   | Councillor             |
| Cr Brad Vitale    | Councillor             |

|                  |                                           |
|------------------|-------------------------------------------|
| Mark Goodlet     | Chief Executive Officer                   |
| Ashleigh Nuttall | Director Corporate & Community Services   |
| Kirsty Ferraro   | Director Customer & Development Services  |
| Rikki Pulfer     | Executive Manager Infrastructure Services |
| Kathy Simpson    | Manager Corporate Services                |
| Rhys Bloxsidge   | Manager Development Services              |
| Merrin Kirk      | Executive Assistant                       |

There were fifteen (15) members of the public present, including one (1) via Teams, at the commencement of the meeting.

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

Nil

**APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

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

Nil.

**4. PUBLIC QUESTION TIME**

Nil.

Kathy Simpson left the meeting, the time being 4.02pm  
Kathy Simpson returned to the meeting, the time being 4.02pm.

One (1) member of the public entered the meeting, the time being 4.02pm.

## **5. PETITIONS, APPROVED DEPUTATIONS & SUBMISSIONS**

Deputation: Mr Seth Judd, 110 Paterson Road, Waroona WA 6215

Point 5: Would like to use existing water run off.

Point 6: Agreed to lower roof height, not floor size. Was given an option to apply with either and chose lower roof; was then sent through to Council with both not at my knowledge or approval.

Point 6: Natural ground level to be changed to bench ground level.

## **6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **6.1 Ordinary Council Meeting – 25 August 2026**

#### **COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

**OCM26/09/114**

**Moved: Cr Mason**

**Seconded: Cr Rowles**

**That the Minutes of the Ordinary Council Meeting held 25 August 2026 be confirmed as being a true and correct record of proceedings.**

**CARRIED 7/0**

## **7. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Cr Walmsley mentioned that he, Cr Mason and Cr Rowles attended the WALGA Local Government Convention last week and will provide a report to Council at the next meeting.

## **8. ANNOUNCEMENTS BY MEMBERS**

Cr Rowles announced that she has been accepted as a representative on the board of the Peel Chamber of Commerce.

## **9. DISCLOSURES OF INTEREST**

Cr Vitale declared an interest affecting impartiality in item 10.2 as he is a committee member of the Waroona Amateur Basketball Association and the Chair of the board at the Waroona District High School.

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

### **10.1 Peel Country Zone Meeting - 20 August 2026**

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION****OCM26/09/115****Moved: Cr Rowles****Seconded: Cr Bartle**

**That Council receives and notes the Unconfirmed Minutes of the Peel Country Zone meeting held 20 August 2026 as per Appendix 10.1 A.**

**CARRIED 7/0**

Cr Vitale declared an interest affecting impartiality in item 10.2 as he is a committee member of the Waroona Basketball Association and a board member of the Waroona District High School.

**10.2 Alcoa Waroona Sustainability Fund Committee Meeting – 1 September 2026****COUNCIL RESOLUTION / OFFICER RECOMMENDATION****OCM26/09/116****Moved: Cr Odorisio****Seconded: Cr Bartle**

**That Council:**

- 1. receives and notes the Unconfirmed Minutes of the Alcoa Waroona Sustainability Fund Committee Meeting held 1 September 2026 as per Appendix 10.2; and**
- 2. approves the recommendations of the Alcoa Waroona Sustainability Committee meeting held 1 September 2026 (as per Appendix 10.2) for the grant funding recipients, amounts and stipulated conditions.**

**CARRIED 7/0****10.3 Finance & Audit Committee Meeting – 25 February 2025****COUNCIL RESOLUTION / OFFICER RECOMMENDATION****OCM26/09/117****Moved: Cr Mason****Seconded: Cr Odorisio**

**That Council receives and notes the unconfirmed Minutes of the final Finance & Audit Meeting held 25 February 2025 as per Appendix 10.3.**

**CARRIED 7/0**

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

| <b>11.1.1 Main Roads Western Australian (MRWA) Application for Speed Zoning Weir Road, Waroona</b> |                                                                                                                    |
|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>File Ref</b>                                                                                    | RO.8 – Roads – Maintenance – Rural;<br>GR.16 – Government Relations – State Liaisons –<br>Department of Main Roads |
| <b>Previous Items</b>                                                                              | Nil                                                                                                                |
| <b>Applicant</b>                                                                                   | Nil                                                                                                                |
| <b>Author and Responsible Officer</b>                                                              | Executive Manager Infrastructure Services                                                                          |
| <b>Declaration of Interest</b>                                                                     | Nil                                                                                                                |
| <b>Voting Requirements</b>                                                                         | Simple Majority                                                                                                    |
| <b>Appendix Numbers</b>                                                                            | Nil                                                                                                                |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

OCM26/09/118

Moved: Cr Mason

Seconded: Cr Odorisio

**That Council endorses the submission of an Application for Speed Zone Review to Main Roads Western Australia for Weir Road, Waroona, requesting that the existing speed environment be reviewed and an appropriate posted speed limit be determined in accordance with Main Roads Western Australia's speed zoning policy and guidelines.**

**CARRIED 7/0****IN BRIEF**

The purpose of this report is to seek Council endorsement to submit an Application for Speed Zone Review to Main Roads Western Australia (MRWA) for Weir Road, Waroona.

The application follows a request made to MRWA for a review of the proposed line marking and signage of Weir Road following the installation of the walk trail. Officers believe that the available data and road environment warrant a consideration for speed zone review by MRWA.

The application would allow MRWA to undertake its formal assessment and determine an appropriate speed zone in accordance with its applicable policy and guidelines. The application does not seek to predetermine a specific posted speed limit.

**BACKGROUND**

Weir Road, Waroona is the primary road linking to the popular tourist destination being the Drakesbrook Weir. The road is currently unzoned, with the applicable default MRWA speed classification being 50 km/h within built-up areas and 110 km/h outside built-up areas.

The current traffic volume on Weir Road does vary however in peak holiday period the average is approximately 344 vehicles per day (Annual Average Daily Traffic). The speed data recorded the highest speed as 97.1km/h and an 85% percentile of 61.1km/h.

**REPORT DETAIL**

Officers have considered the request against the current MRWA speed zoning policy.

Based on an assessment against the current policy, the characteristics of Weir Road may support consideration of an 80 km/h posted speed limit. This assessment takes into account factors including the road width, number of residential property accesses and traffic volume.

MRWA is also considering amendments to its speed zoning policy to incorporate a Safer Systems approach. If the proposed approach is adopted, the characteristics of Weir Road may support consideration of a lower speed environment, potentially resulting in a 60 km/h speed zone.

The potential difference in outcomes under the current and proposed approaches highlights the importance of the application being assessed by MRWA rather than the Shire seeking to nominate a specific speed limit.

In undertaking its assessment, consideration should also be given to:

- the function and classification of Weir Road;
- surrounding land use;
- road width and geometry;
- pedestrian activity;
- recorded vehicle speeds;
- current traffic volumes; and
- Tourism businesses and destinations.

The available crash data from 2021 to 2025 doesn't record any crashes on Weir Road. However previously there was one recorded fatality which occurred prior to 2021. Whilst the available information does not indicate a significant crash history on Weir Road, the winding pathway with the inclusion of the walk trail does warrant for the speed posting to be reviewed.

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

|                   |                                                                                                 |
|-------------------|-------------------------------------------------------------------------------------------------|
| <b>Focus Area</b> | Our Community                                                                                   |
| <b>Aspiration</b> | To build and effectively manage our assets to continually improve our standard of living        |
| <b>Objective</b>  | 4.2 Manage assets in a consistent and sustainable manner                                        |
| <b>Strategy</b>   | 4.3.2 Develop and promote an efficient, safe and connected local and regional transport network |

## **OTHER STRATEGIC LINKS**

Nil.

## **STATUTORY ENVIRONMENT**

Main Roads Speed Zoning Policy and Application Guidelines  
Freedom of Information Act 1982.

## **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil.

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

A review of the posted speed limit may provide a positive outcome for residents and other road users if MRWA determines that a lower speed environment is appropriate.

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

Nil.

***Policy Implications***

Nil.

***Risk Management Implications***

|                                 |                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category         | Reputation - Public perception, poor customer service, sub standard work, corruption                                                                                                                                                                                                                                                       |
| Risk                            | Shire not reviewing and addressing road safety issues adequately.                                                                                                                                                                                                                                                                          |
| Consequence                     | 3 - Moderate                                                                                                                                                                                                                                                                                                                               |
| Likelihood                      | 3 - Possible                                                                                                                                                                                                                                                                                                                               |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                                                                                                                                                                                                                                                                             |
| Key Controls / Treatment        | By reviewing the road safety issues following the installation of the walk trail the Shire by submitting a speed zone application, demonstrates that the Shire has considered the concerns raised and is advocating for an appropriate speed environment while recognising that the final determination of the speed zone rests with MRWA. |
| Risk Acceptance                 | Accept - Risk acceptable with adequate controls                                                                                                                                                                                                                                                                                            |

**CONSULTATION**

Chief Executive Officer

***Aboriginal Consultation***

Nil.

**RESOURCE IMPLICATIONS**

***Financial***

Nil.

***Workforce***

Nil.

**CONCLUSION**

Officers consider the road environment and traffic data available warrants further consideration by MRWA, especially considering the high traffic volume during peak periods including the additional pedestrian movements with the new walk trail installation.

Officers do not consider it appropriate for Council to nominate a specific speed limit. Rather, the appropriate posted speed limit should be determined through MRWA's formal speed zoning assessment, having regard to the applicable policy, road environment and available traffic and safety information.

Accordingly, officers recommend that Council endorse the submission of an Application for Speed Zone Review to MRWA for Weir Road, Waroona.

## 11.2 CUSTOMER &amp; DEVELOPMENT SERVICES

| <b>11.2.1 Application for Development Approval for Outbuilding – Lot 2 (67) Paterson Road, Waroona</b> |                                            |
|--------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <b>File Ref</b>                                                                                        | TP2882                                     |
| <b>Previous Items</b>                                                                                  | Nil                                        |
| <b>Applicant</b>                                                                                       | Benjamin and Kelli Wright                  |
| <b>Author and Responsible Officer</b>                                                                  | Director Customer and Development Services |
| <b>Declaration of Interest</b>                                                                         | Nil                                        |
| <b>Voting Requirements</b>                                                                             | Simple majority                            |
| <b>Appendix Numbers</b>                                                                                | 11.2.1 – Wright Plans                      |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

OCM26/09/119

Moved: Cr Rowles

Seconded: Cr Mason

That Council approves the Application for Development Approval for an outbuilding at Lot 2 (No. 67) Paterson Road, Waroona subject to the following conditions:

1. Development shall occur in accordance with the following plans:
  - a. DRW 1 of 2, TP2882, dated 14 August 2026
  - b. DRW 2 of 2, TP2882, dated 3 September 2026
2. The outbuilding shall only be used for domestic storage purposes. The outbuilding shall not be used for human habitation, commercial or industrial use without the written approval of the local government.
3. The external surface colour of the outbuilding shall have a solar reflective index of less than 70, unless otherwise approved in writing by the local government.
4. Prior to lodging of a building permit application, a detailed vegetation screening plan for the area marked in blue on DRW 2 of 2 shall be submitted to and approved by the local government. The vegetation screening plan shall:
  - a. detail the precise location, number, size and species of shrubs and trees to be planted;
  - b. provide a mixture of trees and shrubs, with appropriate spacing, to ensure the outbuilding is adequately screened from the adjoining property to the east as the vegetation matures;
  - c. provide trees with a minimum height of 1m at the time of planting and shrubs with a minimum height of 0.5m at the time of planting; and
  - d. use tree and shrub species that are endemic to the local area.

The approved vegetation screening plan shall be implemented during the next available winter planting period following approval of the plan. All vegetation thereafter shall be maintained in a healthy condition, and any vegetation that dies shall be replaced as soon as practicable to the satisfaction of the local government.

Advice Notes:

1. **This is a development approval issued under the Shire of Waroona Local Planning Scheme No. 7 only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.**
2. **This approval relates to the details shown on the approved plans. To undertake the development in a different manner, a new application for development approval must be submitted to the Shire of Waroona.**
3. **Prior to the commencement of construction, a Building Permit is required in accordance with *Building Act 2011*.**
4. **If you are dissatisfied with this decision, you may request that the Shire of Waroona reconsider the decision. A request for reconsideration does not affect any right of review or appeal available to you under the *Planning and Development Act 2005*.**

**CARRIED 7/0**

### **IN BRIEF**

- A development application has been received for an outbuilding at Lot 2 (67) Paterson Road, Waroona.
- The applicant originally proposed an outbuilding with a floor area of 310m<sup>2</sup>. Following an internal assessment, Shire officers raised concerns regarding the scale of the proposed outbuilding and requested that the applicant reduce its size by approximately 25%.
- The applicant subsequently submitted amended plans reducing the proposed outbuilding to 260m<sup>2</sup>.
- The amended proposal continues to exceed the maximum floor area and height standards prescribed by Shire of Waroona Local Planning Policy No. 12 'Domestic Outbuildings in Rural Lifestyle and Peri-urban areas (the Policy).
- The subject property is located within an established rural living area that has been progressively subdivided and developed over a number of years. As a result, the locality contains a range of lot sizes and development, including a number of outbuildings that are larger than the maximum standards currently prescribed by the Policy.
- Consideration of the application therefore requires a balance between the standards and objectives of the current Policy, the established character and amenity of the locality, and ensuring that new development does not result in an unacceptable impact on adjoining properties.
- Subject to conditions addressing use and visual amenity, the proposal is considered acceptable.

### **BACKGROUND**

The subject property is a battleaxe lot with direct access to Paterson Road. It is 6,780m<sup>2</sup> in area and is currently vacant of improvements. The property was created as part of a recent subdivision, with titles issued earlier this year.

The broader locality has been progressively subdivided and developed over a number of years. Consequently, development within the surrounding rural living area reflects different periods of subdivision and development and includes a range of lot sizes and built forms. This includes the presence of a number of outbuildings with floor areas greater than the maximum standards currently prescribed by the Policy.

The development application as originally submitted proposed an outbuilding with a floor area of 310m<sup>2</sup>. Following an internal assessment of the proposal against the applicable planning framework, Shire officers raised concerns regarding the scale of the proposed outbuilding in relation to the property size and requested that the applicant reduce its floor area by approximately 25%.

In response, the applicant submitted amended plans reducing the proposed floor area to 260m<sup>2</sup>. While the amended proposal does not achieve the full reduction initially sought by officers and remains significantly larger than the maximum floor area prescribed by the Policy, it represents a 50m<sup>2</sup> reduction in the overall floor area from that originally proposed.

The amended outbuilding has a floor area of 260m<sup>2</sup>, a wall height of 4.5m and a ridge height of 5.38m.

The outbuilding is proposed to be set back 3.5m from the eastern side boundary, 49m from the front boundary, 42m from the rear boundary and 46m from the western side boundary.

The submitted plans are at Appendix 11.2.1

### **REPORT DETAIL**

The subject property is zoned 'Urban 6 – Rural Living' under the Shire of Waroona Local Planning Scheme No. 7 (the Scheme). The Shire of Waroona Local Planning Policy No. 12 *Domestic Outbuildings in Rural Lifestyle and Peri-urban Areas* (the Policy) applies to development within this zone and is therefore relevant to the assessment of the application.

For a property of this size, the Policy prescribes the following maximum size standards for an outbuilding:

| <b>Standard</b> | <b>Policy Maximum</b> | <b>Proposed</b>   | <b>Variation</b>   |
|-----------------|-----------------------|-------------------|--------------------|
| Floor area      | 150m <sup>2</sup>     | 260m <sup>2</sup> | +110m <sup>2</sup> |
| Wall height     | 3.6m                  | 4.5m              | +0.9m              |
| Ridge height    | 4.2m                  | 5.38m             | +1.18m             |

Development approval is required for any outbuilding that exceeds one or more of these standards. The proposed outbuilding exceeds the maximum floor area by 110m<sup>2</sup>, the wall height by 0.9m and the ridge height by 1.18m.

In determining the application, the local government is required to have regard to the relevant provisions and objective of the Policy. A local planning policy provides guidance for decision making but does not operate in the same manner as a mandatory development standard under the Scheme. Accordingly, a proposal that does not meet the numerical standards of the Policy may still be considered on its merits, having regard to the objectives of the Policy and other relevant planning considerations.

In this instance, the characteristics of the subject site and the established character and amenity of the surrounding Urban 6 Rural Living area are particularly relevant. The locality has been progressively subdivided and developed over a number of years and, as a result, contains a mixture of lot sizes, dwelling forms and outbuildings, including a number of existing outbuildings that are larger than the maximum standards currently prescribed by the Policy.

The presence of larger existing outbuildings does not, in itself, justify a further variation to the Policy. However, the established built form is relevant when considering whether the scale and siting of the proposed outbuilding would be inconsistent with the character of the locality or result in an unacceptable impact on the amenity of adjoining properties.

The assessment therefore requires a balance between the standards and objectives of the current Policy and the established character and amenity of the locality. The following table considers the proposal against the relevant objectives of the Policy and assesses whether the proposed variations are acceptable in the circumstances.

| Policy Objective                                                                                                                                                                                                                                  | Reporting Officer's Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ensure domestic outbuildings in rural lifestyle areas and peri-urban areas are not used for human habitation, commercial or industrial purposes.                                                                                                  | A condition of approval is recommended restricting the use of the outbuilding to domestic storage purposes only.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Permit domestic outbuildings in rural lifestyle and peri-urban areas that are appropriately sited and seized to ensure they do not detract visually from the amenity of the area, streetscape, neighbouring properties and public vantage points. | <p>The side wall of the outbuilding is 26m long and 4.5m high. Ordinarily, the bulk and scale of an expanse of sheet metal such as this would be highly noticeable and unsightly if it was in a prominent position. In this case however, the outbuilding will not be highly noticeable from the street as it the subject property is a battleaxe lot and is screened from the street by existing vegetation.</p> <p>Further, the boundary of the neighbouring property to the west is 46m from the proposed outbuilding. This is considered a suitable distance to reduce the impact of the building bulk of the western wall of the shed to the adjoining landowner. It should be noted there is an outbuilding on this adjoining property that has a floor area of 320m<sup>2</sup>.</p> <p>The visual impact of the outbuilding would be most significant on the adjoining property to the east. The eastern wall of the outbuilding is proposed to be only 3.5m from the eastern boundary. In order to reduce the visual impact, plantings of trees and shrubs between the boundary and the outbuilding would assist in screening the expanse of sheet metal and break up the building bulk, particularly when the trees and shrubs mature. A landscaping condition to this effect has been added.</p> |
| Ensure domestic outbuildings in rural lifestyle and peri-urban areas are sited in a manner that does not cause environmental harm and minimises the extent of any clearing of native vegetation that may be necessary.                            | No clearing of any native trees is required for the construction of the outbuilding. The natural environment will not be impacted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

In light of the above assessment of the proposed outbuilding against the Policy objectives, the proposed outbuilding is considered to meet the local planning framework.

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

|                   |             |
|-------------------|-------------|
| <b>Focus Area</b> | Our Economy |
|-------------------|-------------|

|                   |                                                                                                                                                                                             |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Aspiration</b> | To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning                                       |
| <b>Objective</b>  | 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 |
| <b>Strategy</b>   | 1.3.1 Ensure our Town Planning Scheme and Local Planning Strategy facilitates quality and diverse planning outcomes                                                                         |

### **OTHER STRATEGIC LINKS**

Nil.

### **STATUTORY ENVIRONMENT**

*Shire of Waroona Local Planning Scheme No. 7*

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Shire of Waroona Local Planning Policy No. 12 Domestic Outbuildings in Rural Lifestyle and Peri-urban Areas*

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil.

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

The scale and proximity of the outbuilding to the eastern boundary has the potential to impact the visual amenity of the adjoining property. The recommended vegetation screening will assist in reducing the perceived bulk of the outbuilding and mitigating this impact as the vegetation matures.

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

No significant environmental impacts are anticipated. No native vegetation is required to be cleared to facilitate construction of the outbuilding.

### ***Policy Implications***

The proposed outbuilding exceeds the maximum floor area, wall height and ridge height standards prescribed by Local Planning Policy No. 12 *Domestic Outbuildings in Rural Lifestyle and Peri-urban Areas*. The proposed variations have been assessed against the objectives of the Policy and, for the reasons outlined in this report, are considered acceptable.

### ***Risk Management Implications***

|                         |                                                                                                                                                                                                                                                                                                |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category | Reputation - Public perception, poor customer service, sub standard work, corruption                                                                                                                                                                                                           |
| Risk                    | Approving large outbuildings can impact public perception, particularly when enquirers and residents have been advised of the maximum size standards in the local planning policy. Notwithstanding, variation to the requirements of local planning policy must be considered on their merits. |
| Consequence             | 2 - Minor                                                                                                                                                                                                                                                                                      |
| Likelihood              | 2 - Unlikely                                                                                                                                                                                                                                                                                   |

|                                 |                                                                       |
|---------------------------------|-----------------------------------------------------------------------|
| Risk Rating, prior to treatment | Moderate (4-9)                                                        |
| Key Controls / Treatment        | Conditions of approval will reduce the visibility of the outbuilding. |
| Risk Acceptance                 | Accept - Risk acceptable                                              |

### **CONSULTATION**

The proposal was referred to adjoining neighbours for comment. No comments were received during the referral period.

#### ***Aboriginal Consultation***

Nil.

### **RESOURCE IMPLICATIONS**

#### ***Financial***

The applicant has paid the applicable development application fee.

#### ***Workforce***

Administration and assessment of the development application have been undertaken wholly by Customer and Development Services.

### **CONCLUSION**

While the proposed outbuilding exceeds the size standards of the Policy, the proposal is considered acceptable having regard to the characteristics of the site, the established built form and amenity of the surrounding Rural Living area, and the applicant's reduction in the size of the outbuilding from that originally proposed.

The primary potential amenity impact to the adjoining property to the east can be appropriately mitigated through the recommended vegetation screening. On balance, the proposal is considered to satisfy the objectives of the Policy and, subject to the recommended conditions, approval is recommended.

| <b>11.2.2 Application for Development Approval for Outbuilding and Earthworks – Lot 21 (110) Paterson Road, Waroona</b> |                                                                           |
|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <b>File Ref</b>                                                                                                         | TP2889                                                                    |
| <b>Previous Items</b>                                                                                                   | Nil                                                                       |
| <b>Applicant</b>                                                                                                        | Seth Judd                                                                 |
| <b>Author and Responsible Officer</b>                                                                                   | Director Customer & Development Services;<br>Manager Development Services |
| <b>Declaration of Interest</b>                                                                                          | Nil                                                                       |
| <b>Voting Requirements</b>                                                                                              | Simple majority                                                           |
| <b>Appendix Numbers</b>                                                                                                 | 11.2.2 – Judd Plans                                                       |

### **COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

**OCM26/09/120**

**Moved: Cr Vitale**

**Seconded: Cr Rowles**

**That Council approves the Application for Development Approval for an outbuilding at Lot 21 (No. 110) Paterson Road, Waroona subject to the following conditions:**

- 1. Development shall occur in accordance with the following plans unless otherwise required to be modified by any conditions below:**
  - a. DRW 1 of 2, TP2889, dated 5 August 2026**
  - b. DRW 2 of 2, TP2889, dated 19 August 2026**
- 2. The outbuilding shall only be used for domestic storage purposes. The outbuilding shall not be used for human habitation, commercial or industrial use without the written approval of the local government.**
- 3. The external surface colour of the outbuilding shall have a solar reflective index of less than 70, unless otherwise approved in writing by the local government.**
- 4. Prior to lodging of a building permit application, a detailed vegetation screening plan for the area marked in blue on DRW 2 of 2 shall be submitted to and approve by the local government. The vegetation screening plan shall:**
  - a. detail the precise location, number, size and species of shrubs and trees to be planted;**
  - b. provide a mixture of trees and shrubs, with appropriate spacing, to ensure the outbuilding is adequately screened from the adjoining property to the east and west as the vegetation mature;**
  - c. provide trees with a minimum height of 1m at the time of planting and shrubs with a minimum height of 0.5m at the time of planting; and**
  - d. use trees and shrubs that are endemic to the local area.**

**The approved vegetation screening plan shall be implemented during the next available winter planting period following approval of the plan. All vegetation thereafter shall be maintained in a healthy condition, and any vegetation that dies shall be replaced as soon as practicable to the satisfaction of the local government.**

- 5. Prior to lodging an application for a building permit, a stormwater management plan prepared by a suitably qualified professional shall be submitted to and approved by the local government. The plan shall demonstrate that stormwater generated by the outbuilding and associated earthworks will be contained and**

**managed on site without adversely affecting adjoining properties or Paterson Road. The approved stormwater management plan shall be implemented and thereafter maintained to the satisfaction of the local government.**

- 6. Prior to lodging an application for a building permit, amended plans shall be submitted to and approved by the local government demonstrating:**
- a. a maximum wall height of 5.0 metres above natural ground level;**
  - b. a maximum ridge height of 6.0 metres above natural ground level; and**
  - c. a minimum 10% reduction in the floor area of the enclosed component of the outbuilding.**

**Advice Notes:**

- 1. This is a development approval issued under the Shire of Waroona Local Planning Scheme No. 7 only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.**
- 2. This approval relates to the details shown on the approved plans. To undertake the development in a different manner, a new application for development approval must be submitted to the Shire of Waroona.**
- 3. Prior to the commencement of construction, a Building Permit is required in accordance with Building Act 2011.**
- 4. If you are dissatisfied with this decision, you may request that the Shire of Waroona reconsider the decision. A request for reconsideration does not affect any right of review or appeal available to you under the *Planning and Development Act 2005*.**

**CARRIED 7/0**

**IN BRIEF**

- A development application has been received for an outbuilding at Lot 21 (110) Paterson Road, Waroona.
- The proposed outbuilding has a floor area of 297m<sup>2</sup>, a wall height of 5.8 metres and a ridge height of 6.77 metres. Following assessment, Shire officers recommend that the outbuildings size is reduced as specified in condition 6 of the Officer recommendation.
- Despite these reductions, the outbuilding would continue to exceed the maximum floor area and height standards prescribed by Local Planning Policy No. 12 Domestic Outbuildings in Rural Lifestyle and Peri-urban Areas (the Policy).
- The subject property is located within an established rural living area that has been progressively subdivided and developed over a number of years. As a result, the locality contains a range of lot sizes and development, including a number of outbuildings that are larger than the maximum standards currently prescribed by the Policy.
- Consideration of the application therefore requires a balance between the standards and objectives of the current Policy, the established character and amenity of the locality, and ensuring that new development does not result in an unacceptable impact on adjoining properties.
- Subject to conditions addressing use and visual amenity, the proposal is considered acceptable as outlined in the recommendation.

**BACKGROUND**

The subject property is 7,461m<sup>2</sup> in area and is currently vacant of improvements.

The application proposes an outbuilding with a floor area of 297m<sup>2</sup>, a wall height of 5.8m and a ridge height of 6.77m. The outbuilding is proposed to be set back:

- 22 metres from the western side boundary;
- 14.4 metres from the eastern side boundary;
- 85 metres from the front boundary; and
- 45 metres from the rear boundary.

The property is located within an established rural living area that has been progressively subdivided and developed over a number of years. Consequently, the surrounding locality contains a range of lot sizes and built forms, including several outbuildings that exceed the maximum dimensions currently prescribed by Local Planning Policy No. 12.

Earthworks are also proposed to create a level building site. This would involve cutting soil from the higher portion of the property toward the rear boundary and using the excavated material as fill within the proposed building area. An earthworks plan has been submitted showing the proposed changes to ground levels.

Following assessment, Shire officers recommend that the wall height, ridge height and enclosed floor area of the outbuilding be reduced as specified in the Officer Recommendation. These modifications, together with vegetation screening and stormwater management requirements, are intended to reduce the development's potential impact on adjoining properties.

The submitted plans are at Appendix 11.2.2.

### **REPORT DETAIL**

The subject property is zoned 'Urban 6 – Rural Living' under the Shire of Waroona Local Planning Scheme No. 7 (the Scheme). The Shire of Waroona Local Planning Policy No. 12 *Domestic Outbuildings in Rural Lifestyle and Peri-urban Areas* (the Policy) applies to development within this zone and is therefore relevant to the assessment of the application.

For a property of this size, the Policy prescribes the following maximum size standards for an outbuilding:

| <b>Standard</b> | <b>Policy Maximum</b> | <b>Applicant Proposed</b> | <b>Recommend Adjustment</b> | <b>Variation</b>   |
|-----------------|-----------------------|---------------------------|-----------------------------|--------------------|
| Floor area      | 150m <sup>2</sup>     | 297m <sup>2</sup>         | 267m <sup>2</sup>           | +117m <sup>2</sup> |
| Wall height     | 3.6m                  | 5.8m                      | 5m                          | +1.4m              |
| Ridge height    | 4.2m                  | 6.77m                     | 6m                          | +1.77m             |

As submitted, the proposal exceeds the maximum floor area by 147m<sup>2</sup>, the wall height by 2.2 metres and the ridge height by 2.57 metres.

Following assessment, Shire officers considered that the proposed dimensions would result in excessive building bulk. Conditions are therefore recommended requiring the floor area to be reduced to a maximum of 267m<sup>2</sup> (10%), the wall height to a maximum of 5 metres and the ridge height to a maximum of 6 metres.

The recommended modifications would reduce the overall bulk of the building but would not achieve full compliance with the Policy. As modified, the outbuilding would continue to exceed

the maximum floor area by 117m<sup>2</sup>, the wall height by 1.4 metres and the ridge height by 1.8 metres.

Development approval is required for any outbuilding that exceeds one or more of the Policy standards. In determining the application, the local government is required to have regard to the relevant provisions and objectives of the Policy.

In determining the application, the local government is required to have regard to the relevant provisions and objective of the Policy. A local planning policy provides guidance for decision making but does not operate in the same manner as a mandatory development standard under the Scheme. Accordingly, a proposal that does not meet the numerical standards of the Policy may still be considered on its merits, having regard to the objectives of the Policy and other relevant planning considerations.

In this instance, the characteristics of the subject site and the established character and amenity of the surrounding Urban 6 Rural Living area are particularly relevant. The locality has been progressively subdivided and developed over a number of years and, as a result, contains a mixture of lot sizes, dwelling forms and outbuildings, including a number of existing outbuildings that are larger than the maximum standards currently prescribed by the Policy.

The presence of larger existing outbuildings does not, in itself, justify a further variation to the Policy. However, the established built form is relevant when considering whether the scale and siting of the proposed outbuilding would be inconsistent with the character of the locality or result in an unacceptable impact on the amenity of adjoining properties.

The assessment therefore requires a balance between the standards and objectives of the current Policy and the established character and amenity of the locality. The following table considers the proposal against the relevant objectives of the Policy and assesses whether the proposed variations are acceptable in the circumstances.

| Policy Objective                                                                                                                                                                                                                                  | Reporting Officer's Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ensure domestic outbuildings in rural lifestyle areas and peri-urban areas are not used for human habitation, commercial or industrial purposes.                                                                                                  | A condition has been recommended that restricts the use of the outbuilding to domestic storage only.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Permit domestic outbuildings in rural lifestyle and peri-urban areas that are appropriately sited and seized to ensure they do not detract visually from the amenity of the area, streetscape, neighbouring properties and public vantage points. | <p>The side wall of the outbuilding is 22m long and 5.8m high. It is considered the bulk and scale of an expanse of sheet metal such as this will be highly noticeable and unsightly. The location of the outbuilding is prominent as the property does not contain any existing vegetation for screening purposes.</p> <p>The visual impact of the outbuilding would be most significant on the adjoining properties to the east and west.</p> <p>In order to reduce the visual impact of the outbuilding, plantings of trees and shrubs between the side boundaries and the outbuilding would assist in screening the expanse of sheet metal and break up the building bulk, particularly when the trees and shrubs mature. A landscaping condition to this effect has been added.</p> |

|                                                                                                                                                                                                                        |                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                        | Further, conditions have been added requiring the wall height, ridge height and floor area to be reduced.                          |
| Ensure domestic outbuildings in rural lifestyle and peri-urban areas are sited in a manner that does not cause environmental harm and minimises the extent of any clearing of native vegetation that may be necessary. | No clearing of any native trees is required for the construction of the outbuilding. The natural environment will not be impacted. |

Further information is required to demonstrate that stormwater generated by the outbuilding and associated earthworks can be appropriately managed on site without adversely affecting adjoining properties or the Paterson Road reserve. A condition requiring the submission and implementation of a stormwater management plan prepared by a suitably qualified professional is therefore recommended.

Having regard to the objectives of the Policy, the established built form of the locality and the recommended conditions addressing the building's dimensions, visual amenity and stormwater management, the proposal is considered consistent with the local planning framework and suitable for approval.

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

| Focus Area        | Our Economy                                                                                                                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Aspiration</b> | To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning                                       |
| <b>Objective</b>  | 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 |
| <b>Strategy</b>   | 1.3.1 Ensure our Town Planning Scheme and Local Planning Strategy facilitates quality and diverse planning outcomes                                                                         |

### **OTHER STRATEGIC LINKS**

Nil.

### **STATUTORY ENVIRONMENT**

- *Shire of Waroona Local Planning Scheme No. 7*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Shire of Waroona Local Planning Policy No. 12 Domestic Outbuildings in Rural Lifestyle and Peri-urban Areas*

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil.

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

The scale and proximity of the outbuilding to the eastern boundary has the potential to impact the visual amenity of the adjoining property. The recommended vegetation screening will

assist in reducing the perceived bulk of the outbuilding and mitigating this impact as the vegetation matures.

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

No significant environmental impacts are anticipated. No native vegetation is required to be cleared to facilitate construction of the outbuilding.

***Policy Implications***

The proposed outbuilding exceeds the maximum floor area, wall height and ridge height standards prescribed by Local Planning Policy No. 12 *Domestic Outbuildings in Rural Lifestyle and Peri-urban Areas*. The proposed variations have been assessed against the objectives of the Policy and, for the reasons outlined in this report, are considered acceptable.

***Risk Management Implications***

|                                 |                                                                                                                                                                                                                                                                                                |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category         | Reputation - Public perception, poor customer service, sub standard work, corruption                                                                                                                                                                                                           |
| Risk                            | Approving large outbuildings can impact public perception, particularly when enquirers and residents have been advised of the maximum size standards in the local planning policy. Notwithstanding, variation to the requirements of local planning policy must be considered on their merits. |
| Consequence                     | 2 - Minor                                                                                                                                                                                                                                                                                      |
| Likelihood                      | 2 - Unlikely                                                                                                                                                                                                                                                                                   |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                                                                                                                                                                                                                                 |
| Key Controls / Treatment        | Conditions of approval will reduce the visibility of the outbuilding.                                                                                                                                                                                                                          |
| Risk Acceptance                 | Accept - Risk acceptable                                                                                                                                                                                                                                                                       |

**CONSULTATION**

The proposal was referred to adjoining neighbours for comment. No comments were received during the referral period.

***Aboriginal Consultation***

Nil.

**RESOURCE IMPLICATIONS**

***Financial***

The applicant has paid the applicable application fee.

***Workforce***

Administration and assessment of the application has been undertaken wholly by Customer and Development Services.

**CONCLUSION**

Whilst the outbuilding exceeds the maximum size standards of the Policy significantly, the recommended conditions will ensure the outbuilding does not impact the visual amenity of the area and therefore the departure to the Policy standards is considered acceptable.

## 11.3 CORPORATE &amp; COMMUNITY SERVICES

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

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

OCM26/09/121

Moved: Cr Rowles

Seconded: Cr Bartle

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

|                    |                                   |               |           |                   |
|--------------------|-----------------------------------|---------------|-----------|-------------------|
| Municipal          | Cheque                            | 10521 – 10522 | \$        | 662.20            |
|                    | EFT                               | 45716 – 45846 | \$        | 274,395.95        |
| Direct wages       | 01/08/2026 – 31/08/2026 inclusive |               | \$        | 285,599.05        |
| Direct Debit       | 01/08/2026 – 31/08/2026 inclusive |               | \$        | 370,924.22        |
| Trust              | Cheque                            |               | \$        | -                 |
|                    | EFT                               |               | \$        | -                 |
| <b>GRAND TOTAL</b> |                                   |               | <b>\$</b> | <b>931,581.42</b> |

as per Appendix 11.3.1.

**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 August 2026.

**BACKGROUND**

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

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

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

**REPORT DETAIL**

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

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

|                   |                                                                                                                                                                             |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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**

#### ***Local Government (Financial Management) Regulations 1996***

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

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

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil.

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

Nil.

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

Nil.

**Policy Implications**

Nil.

**Risk Management Implications**

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

**CONSULTATION**

Nil.

**Aboriginal Consultation**

Nil.

**RESOURCE IMPLICATIONS****Financial**

Nil.

**Workforce**

Nil.

**CONCLUSION**

The listing of payments as per the attached appendix is a true reflection of the expenditure from the Municipal and Trust Fund accounts for the month of August 2026. All expenditure is accordance with the 2026/27 adopted Budget and is presented as prescribed in regulation 13 of the *Local Government (Financial Management) Regulation 1996*.

| <b>11.3.2 Statement of Financial Activity for the period ending 31 July 2026</b> |                                                                             |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <b>File Ref</b>                                                                  | FM.1 – Financial Management – Creditors                                     |
| <b>Previous Items</b>                                                            | N/A                                                                         |
| <b>Applicant</b>                                                                 | N/A                                                                         |
| <b>Author and Responsible Officer</b>                                            | Manager Corporate Services;<br>Director Corporate & Community Services      |
| <b>Declaration of Interest</b>                                                   | Nil                                                                         |
| <b>Voting Requirements</b>                                                       | Absolute Majority                                                           |
| <b>Appendix Numbers</b>                                                          | 11.3.2 – Statement of Financial Activity for the period ending 31 July 2026 |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION****OCM26/09/122****Moved: Cr Odorisio****Seconded: Cr Rowles**

**That Council receives the Statement of Financial Activity for the period ending 31 July 2026 as per Appendix 11.3.2.**

**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.

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

**BACKGROUND**

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

**REPORT DETAIL**

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

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

The following information is included in the report;

- Statement of Financial Activity by nature and type
- Statement of Financial Position
- Note 1: Basis of preparation and significant accounting policies
- Note 2: Statement of Financial Activity Information
- Note 3: Explanation of Material Variances
- Note 4 - Graphical Representation - Source Statement of Financial Activity
- Note 5: Cash and Financial Assets
- Note 6: Cash Backed Reserve
- Note 7: Capital Disposals and Acquisitions
- Note 8: Grants, subsidies, and contributions
- Note 9: Receivables
- Note 10: Payables
- Note 11: Rating Information
- Note 12: Information on Borrowings
- Note 13: Budget Amendments
- Note 14: Trust Fund

### **BUDGET AMENDMENTS**

There is no budget amendments proposed for this month.

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

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

|                   |                                                                                                                                                                             |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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 |

### **OTHER STRATEGIC LINKS**

Shire of Waroona 2025/26 Annual Budget

### **STATUTORY ENVIRONMENT**

***Local Government Act 1995***

#### **6.4. Financial report**

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

**6.8. Expenditure from municipal fund not included in annual budget**

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) is authorised in advance by resolution\*; or*
  - (c) is authorised in advance by the mayor or president in an emergency.*

*\* Absolute majority required.*

- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*

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

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

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

- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

### **35. Financial position statement required each month**

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

## **SUSTAINABILITY & RISK CONSIDERATIONS**

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

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

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

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

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

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

### ***Policy Implications***

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

### ***Risk Management Implications***

|                         |                                                                                                              |
|-------------------------|--------------------------------------------------------------------------------------------------------------|
| Context / Risk Category | Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge |
|-------------------------|--------------------------------------------------------------------------------------------------------------|

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

## **CONSULTATION**

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

### ***Aboriginal Consultation***

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

## **RESOURCE IMPLICATIONS**

### ***Financial***

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

### ***Workforce***

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

## **CONCLUSION**

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

| <b>11.3.3 Statement of Financial Activity for the period ending 31 August 2026</b> |                                                                               |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <b>File Ref:</b>                                                                   | FM.1 – Financial Management – Creditors                                       |
| <b>Previous Items:</b>                                                             | N/A                                                                           |
| <b>Applicant:</b>                                                                  | N/A                                                                           |
| <b>Author and Responsible Officer:</b>                                             | Manager Corporate Services;<br>Director Corporate & Community Services        |
| <b>Declaration of Interest:</b>                                                    | Nil                                                                           |
| <b>Voting Requirements:</b>                                                        | Absolute Majority                                                             |
| <b>Appendix Numbers:</b>                                                           | 11.3.3 – Statement of Financial Activity for the period ending 31 August 2026 |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION****OCM26/09/123****Moved: Cr Scott****Seconded: Cr Bartle**

**That Council receives the Statement of Financial Activity for the period ending 31 August 2026 as per Appendix 11.3.3.**

**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.

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

**BACKGROUND**

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

**REPORT DETAIL**

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

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

The following information is included in the report;

- Statement of Financial Activity by nature and type
- Statement of Financial Position
- Note 1: Basis of preparation and significant accounting policies
- Note 2: Statement of Financial Activity Information
- Note 3: Explanation of Material Variances
- Note 4 - Graphical Representation - Source Statement of Financial Activity
- Note 5: Cash and Financial Assets
- Note 6: Cash Backed Reserve
- Note 7: Capital Disposals and Acquisitions
- Note 8: Grants, subsidies, and contributions
- Note 9: Receivables
- Note 10: Payables
- Note 11: Rating Information
- Note 12: Information on Borrowings
- Note 13: Budget Amendments
- Note 14: Trust Fund

### **BUDGET AMENDMENTS**

There is no budget amendments proposed for this month.

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

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

|                   |                                                                                                                                                                             |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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 |

### **OTHER STRATEGIC LINKS**

Shire of Waroona 2025/26 Annual Budget

### **STATUTORY ENVIRONMENT**

***Local Government Act 1995***

#### **6.4. Financial report**

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

**6.8. Expenditure from municipal fund not included in annual budget**

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*  
 (d) *is incurred in a financial year before the adoption of the annual budget by the local government; or*  
 (e) *is authorised in advance by resolution\*; or*  
 (f) *is authorised in advance by the mayor or president in an emergency.*

*\* Absolute majority required.*

- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*

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

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

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

- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

### **35. Financial position statement required each month**

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

## **SUSTAINABILITY & RISK CONSIDERATIONS**

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

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

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

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

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

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

### ***Policy Implications***

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

### ***Risk Management Implications***

|                         |                                                                                                              |
|-------------------------|--------------------------------------------------------------------------------------------------------------|
| Context / Risk Category | Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge |
|-------------------------|--------------------------------------------------------------------------------------------------------------|

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

## **CONSULTATION**

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

### ***Aboriginal Consultation***

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

## **RESOURCE IMPLICATIONS**

### ***Financial***

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

### ***Workforce***

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

## **CONCLUSION**

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

| <b>11.3.4 2026 Annual Policy Review – Part 3</b> |                                                                         |
|--------------------------------------------------|-------------------------------------------------------------------------|
| <b>File Ref</b>                                  | CM.7 – Corporate Management – Policy - Policy Register – Policy Reviews |
| <b>Previous Items</b>                            | 11.3.3 - 2026 Annual Policy Review Part 2 – OCM26/06/077                |
| <b>Applicant</b>                                 | Not applicable                                                          |
| <b>Author and Responsible Officer</b>            | Senior Governance Officer;<br>Director Corporate & Community Services   |
| <b>Declaration of Interest</b>                   | Nil                                                                     |
| <b>Voting Requirements</b>                       | Absolute Majority                                                       |
| <b>Appendix Numbers</b>                          | 11.3.4 – Reviewed policies with tracked changes                         |

### **COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

**OCM26/09/124**

**Moved: Cr Rowles**

**Seconded: Cr Vitale**

**That Council approves all amendments made to the revised policies as collated and presented in Appendix 11.3.4.**

**CARRIED 7/0**

### **IN BRIEF**

- Council is required to review Council policies at least once every three years.
- Seven council policies have been revised and amended as part of the 2026 annual policy review.
- Council's approval is required to publish and make the reviewed policies publicly available.

### **BACKGROUND**

The objectives of Council policies are to;

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

Thirty-four policies are scheduled for review in 2026. In this second part, seven policies have been reviewed and amended where required, as detailed in this report. Council's approval is now requested to update those policy documents, as presented at Appendix 11.3.4.

### **REPORT DETAIL**

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

Two of the following reviewed policies contain minor suggested amendments, two have been reviewed with no amendment, two policies contain significant amendments which may or may not alter the intent of each policy, and one policy – CP008 - Leasing Council Property and Land, has been reviewed and is now considered to have been superseded by policy CGP031 – Community Leases.

It is recommended that Council revoke one Council policy for the reasons outlined in the table below, and approve six reviewed policies with / without amendment, as listed below.

| <b>Corporate &amp; Governance (CG) Policies</b>      |                                                                              |
|------------------------------------------------------|------------------------------------------------------------------------------|
| CGP013 – Risk Management                             | Reviewed with minor amendments                                               |
| CGP015 – Contracted Workers Risk and Insurance       | Reviewed with no amendment                                                   |
| CGP016 – Legislative Compliance                      | Reviewed with minor amendments                                               |
| CGP033 – Appointment of WALGA AGM Voting Delegates   | Reviewed with significant amendments                                         |
| <b>Community (C) Policies</b>                        |                                                                              |
| CP008 – Leasing Council Property and Land            | To be revoked. This policy has been superseded by CGP031 - Community Leases. |
| <b>Elected Member (EL) Policies</b>                  |                                                                              |
| ELP004 – Elected Member and Employee Recognition     | Reviewed with no amendment                                                   |
| ELP005 – Elected Member and CEO Attendance at Events | Reviewed with significant amendments                                         |

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

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

| <b>Focus Area</b> | <b>Our Leadership</b>                                                                                                                                                       |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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 |

### **OTHER STRATEGIC LINKS**

Nil.

### **STATUTORY ENVIRONMENT**

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

## **SUSTAINABILITY & RISK CONSIDERATIONS**

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

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

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

Nil.

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

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

### ***Policy Implications***

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

### ***Risk Management Implications***

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

## **CONSULTATION**

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

### ***Aboriginal Consultation***

Nil.

## **RESOURCE IMPLICATIONS**

### ***Financial***

Nil.

### ***Workforce***

Not applicable.

## **CONCLUSION**

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

Seven of thirty-four council policies have been revised and amended as part of the 2026 annual policy review process. Council's approval is required to publish and make publicly available; the amended policy documents, and revoke policy CP008 - Leasing Council Property and Land.

| <b>11.3.5 2025 Annual Compliance Audit Return</b> |                                                              |
|---------------------------------------------------|--------------------------------------------------------------|
| <b>File Ref</b>                                   | CM.13 – Corporate Management – Reporting – Statutory Returns |
| <b>Previous Items</b>                             | ARIC26/09/001 – 2025 Annual Compliance Audit Return          |
| <b>Applicant</b>                                  | Nil                                                          |
| <b>Author and Responsible Officer</b>             | Director Corporate & Community Services                      |
| <b>Declaration of Interest</b>                    | Nil                                                          |
| <b>Voting Requirements</b>                        | Simple Majority                                              |
| <b>Appendix Numbers</b>                           | 11.3.5 – 2025 Annual Compliance Audit Return                 |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION****OCM26/09/125****Moved: Cr Scott****Seconded: Cr Vitale****That Council;**

- 1. adopts the 2025 Annual Compliance Audit Return for the purpose of submission to the Local Government Inspector; and**
- 2. notes that the 2025 Annual Compliance Audit Return identifies no areas of non-compliance.**

**CARRIED 7/0****IN BRIEF**

The 2025 Compliance Audit Return (CAR) has been completed for the period 1 January to 31 December 2025 and was presented to the Audit, Risk and Improvement Committee (ARIC) for review at its September 2026 meeting.

The completed CAR will be presented to ARIC at its September 2026 meeting for review. Any recommendations arising from ARIC's review will be presented to Council as part of its consideration of the 2025 CAR.

**BACKGROUND**

The Compliance Audit Return is an annual self-assessment required under the *Local Government (Audit) Regulations 1996*. The CAR requires each local government to review its compliance with prescribed statutory requirements under the *Local Government Act 1995* and associated regulations.

The process provides an important governance mechanism for identifying areas of legislative non-compliance and reviewing the effectiveness of the Shire's administrative processes and controls.

The legislative framework governing the CAR changed from 1 January 2026 following amendments associated with the broader local government reform program and establishment of the Local Government Inspectorate. The amended Regulations apply to the 2025 CAR and establish a statutory process involving the Chief Executive Officer, ARIC, Council and the Local Government Inspector.

In accordance with regulation 14 of the Local Government (Audit) Regulations 1996, the completed 2025 CAR will be presented to ARIC at its meeting to be held on 22 September

2026. As the ARIC meeting will be held immediately prior to the September Ordinary Council Meeting, this report has been prepared on the assumption that ARIC will recommend that Council adopt the 2025 CAR, noting that no areas of non-compliance have been identified. Should any areas of non-compliance be identified subsequent to the preparation of this report, or should ARIC make any recommendations requiring Council consideration, the Committee Recommendation will be amended accordingly prior to consideration of this item at the September Ordinary Council Meeting.

### **REPORT DETAIL**

The Shire has completed its Compliance Audit Return for the period 1 January to 31 December 2025.

Relevant Officers across the organisation were consulted in completing the return and assessing compliance with the applicable legislative requirements. Based on this review, no instances of non-compliance were identified for the 2025 reporting period.

In accordance with regulation 14 of the Local Government (Audit) Regulations 1996, the CEO prepared the CAR in the form approved by the Local Government Inspector and provided it to ARIC for review. At its meeting held directly prior to the September OCM, Officers are writing this report on the assumption the ARIC has reviewed the CAR and resolved to recommend its adoption by Council, noting that the return identified no areas of non-compliance.

Council is now required to consider the CAR and the results of ARIC's review, determine whether any matters raised by the Committee require action, and either adopt the CAR or adopt it subject to any amendments proposed by Council.

Following Council adoption, the CAR must be signed by the Shire President and Chief Executive Officer and provided to the Local Government Inspector together with any recommendations made by ARIC, the relevant Council minutes and any additional information explaining or qualifying the audit.

The ordinary statutory deadline under regulation 15 is 31 March following the relevant reporting period. However, transitional provisions applying specifically to the 2025 CAR extend the submission deadline to 30 September 2026.

### **Changes to the Compliance Audit Framework**

The prescribed statutory requirements subject to the CAR are set out in regulation 13 of the Local Government (Audit) Regulations 1996. The Regulations were substantially amended from 1 January 2026 as part of the local government reform process.

The amended regulation 13 framework applies to the 2025 CAR under the transitional provisions contained in regulation 20. Further changes applying from the 2026 reporting period will also allow the Local Government Inspector to determine that a CAR covers only specified prescribed statutory requirements rather than all requirements listed under regulation 13.

These changes reflect the transition to the Local Government Inspectorate and the revised approach to monitoring local government legislative compliance.

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

|            |                |
|------------|----------------|
| Focus Area | 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>   | 5.2.2 Promote an organisational culture of safety, best practice and continuous improvement              |

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

#### ***Local Government Act 1995***

##### **Section 7.13 – Regulations as to audits**

Section 7.13 provides for regulations requiring local governments to undertake audits of compliance with prescribed statutory requirements.

#### ***Local Government (Audit) Regulations 1996***

##### **Regulation 13 – Prescribed statutory requirements for which compliance audit needed**

Regulation 13 prescribes the statutory requirements against which local governments are required to undertake the compliance audit.

##### **Regulation 14 – Compliance audits**

Regulation 14 requires a local government to undertake a compliance audit for each calendar year. Following completion, the CEO must prepare the CAR and provide it to ARIC. ARIC must review the CAR and report the results of its review, together with any recommendations, to Council. Council must consider the CAR and ARIC's review and determine whether any action is required before adopting the return.

##### **Regulation 15 – Signed compliance audit return and other information must be given to Inspector**

Following adoption, the CAR is to be signed by the President and CEO and provided to the Inspector together with the ARIC recommendations, relevant Council minutes and any additional explanatory information.

##### **Regulation 20 – Transitional provisions relating to compliance audits**

For the CAR covering 1 January to 31 December 2025, the information required under regulation 15 must be provided to the Inspector by 30 September 2026, unless a further extension is granted by the Inspector.

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil.

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

Nil.

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

Nil.

#### ***Policy Implications***

The Compliance Audit Return assesses compliance with a range of legislative requirements which are supported by the Shire's governance policies, procedures and administrative practices.

### ***Risk Management Implications***

|                                 |                                                                                                                                                                                                                                                                                                          |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category         | Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge                                                                                                                                                                                             |
| Risk                            | Failure to undertake the annual compliance audit, appropriately review and adopt the CAR, or submit the required information to the Local Government Inspector within the prescribed timeframe may result in legislative non-compliance and reduced assurance over the Shire's governance processes.     |
| Consequence                     | 3 - Moderate                                                                                                                                                                                                                                                                                             |
| Likelihood                      | 2 - Unlikely                                                                                                                                                                                                                                                                                             |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                                                                                                                                                                                                                                           |
| Key Controls / Treatment        | Annual completion of the CAR by responsible Officers, review by ARIC, consideration and adoption by Council, and submission to the Local Government Inspector within the prescribed timeframe. Ongoing monitoring of legislative changes and internal governance procedures further mitigates this risk. |
| Risk Acceptance                 | Accept - Risk acceptable                                                                                                                                                                                                                                                                                 |

### **CONSULTATION**

Internal consultation was undertaken with relevant Shire Officers responsible for the legislative and administrative functions assessed through the 2025 Compliance Audit Return.

The completed CAR was subsequently presented to and reviewed by the Audit, Risk and Improvement Committee in accordance with regulation 14 of the *Local Government (Audit) Regulations 1996*.

### ***Aboriginal Consultation***

Nil.

### **RESOURCE IMPLICATIONS**

#### ***Financial***

There are no direct financial implications associated with the completion, review or submission of the 2025 Compliance Audit Return.

#### ***Workforce***

The CAR requires input from Officers across the organisation to review relevant legislative requirements and provide supporting information. Coordination and preparation of the return has been undertaken within existing staff resources.

### **CONCLUSION**

The Compliance Audit Return provides an important annual assessment of the Shire's compliance with prescribed requirements of the *Local Government Act 1995* and associated regulations.

The 2025 CAR has been completed and no areas of non-compliance have been identified. The Audit, Risk and Improvement Committee has reviewed the return in accordance with regulation 14 of the *Local Government (Audit) Regulations 1996* and recommends its adoption by Council.

Following Council adoption, the CAR will be signed by the Shire President and Chief Executive Officer and submitted, together with the prescribed supporting information, to the Local Government Inspector by 30 September 2026.

| <b>11.3.6 Shire of Waroona Fencing Amendment Local Law 2026</b> |                                                                                                                              |                  |              |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|------------------|--------------|
| <b>File Ref</b>                                                 | LE.6 – Laws and Enforcement – Local Laws – Fences                                                                            |                  |              |
| <b>Previous Items</b>                                           | Item 11.2.9                                                                                                                  | 25 February 2025 | OCM25/02/012 |
|                                                                 | Item 11.3.5                                                                                                                  | 24 February 2026 | OCM26/02/015 |
|                                                                 | Item 11.3.5                                                                                                                  | 26 May 2026      | OCM26/05/064 |
| <b>Applicant</b>                                                | N/A                                                                                                                          |                  |              |
| <b>Author and Responsible Officer</b>                           | Senior Governance Officer;<br>Director Infrastructure & Development Services, and<br>Director Corporate & Community Services |                  |              |
| <b>Declaration of Interest</b>                                  | Nil                                                                                                                          |                  |              |
| <b>Voting Requirements</b>                                      | Absolute Majority                                                                                                            |                  |              |
| <b>Appendix Number</b>                                          | 11.3.6 – Proposed Shire of Waroona Fencing<br>Amendment Local Law 2026                                                       |                  |              |

### **COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

**OCM26/09/126**

**Moved: Cr Rowles**

**Seconded: Cr Bartle**

**That Council:**

- 1. adopts the *Shire of Waroona Fencing Amendment Local Law 2026*, as detailed at Appendix 11.3.6 in accordance with section 3.12 of the *Local Government Act 1995*; and**
- 2. approves for the Chief Executive Officer to –**
  - a. publish in the Government Gazette the *Shire of Waroona Fencing Amendment Local Law 2026*, as adopted;**
  - b. forward a copy of the proposed local law to the Departmental CEO - Director General of the Department of Local Government, Industry Regulation & Safety;**
  - c. give local public notice of the adoption of the local law; and**
  - d. complete and submit an explanatory memorandum, statutory procedures checklist and other supporting information on the local law to the Joint Standing Committee on Delegated Legislation.**

**CARRIED 7/0**

### **IN BRIEF**

- The *Shire of Waroona Fencing Local Law 2026* (Fencing Local Law) was adopted by Council on 24 February 2026 and gazetted on 6 March 2026.
- Following the gazettal of the Fencing Local Law, the Joint Standing Committee on Delegated Legislation (Committee) highlighted several matters within the Fencing Local Law and sought an undertaking from the Shire President that the matters would be addressed.
- On 26 May 2026, Council resolved for the Shire President to provide the requested undertaking and commence the process to make a proposed *Shire of Waroona Fencing Amendment Local Law 2026* to correct errors in the principal local law.
- The intended result of the 'Amendment' Local Law is to cause the principal local law to be clearer to understand, apply and enforce.

## **BACKGROUND**

At the ordinary Council meeting held 26 May 2026, Council resolved to progress the development of a Fencing Amendment Local Law:

### **OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

OCM26/05/064

Moved: Cr Mason

Seconded: Cr Bartle

That Council:

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

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

**CARRIED 5/0**

The requested undertaking was provided by the Shire of Waroona President on 9 June 2026. The resolution has been completed, and Council approval is required to continue the progression of making this local law.

### **REPORT DETAIL**

The proposed Shire of Waroona Fencing Amendment Local Law 2026 was advertised locally in the Harvey-Waroona Reporter on Tuesday, 9 June 2026. The advertisement invited public submissions for more than the statutory minimum of 6 weeks, with submissions due by Friday, 24 July 2026. Copies of the advertisement were displayed on the Shire's official Facebook page, website, and the Shire Library public notice board.

On 9 June 2026, a copy was sent to the Departmental CEO - Director General of the Department of Local Government, Industry Regulation & Safety (Department). The Department noted on 26 August 2026 that they had no further comments to make on the draft amendment local law.

No submissions were received from the public during the submission period.

Following council adoption, the Fencing Amendment Local Law 2026 will be forwarded to the State Law Publisher for gazettal, advertised via local public notice and sent to the Western Australian Parliament's Joint Standing Committee on Delegated Legislation accompanied by an Explanatory Memorandum.

To implement the required amendments, a Shire of Waroona Fencing Amendment Local Law 2026 is formally required to be made in accordance with s.3.12 of the *Local Government Act 1995*. A copy of the proposed amendment local law is presented in **Appendix 11.3.6**.

It is recommended that Council make the proposed Fencing Amendment Local Law 2026 to correct errors within its principal Fencing Local Law 2026.

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

|            |                |
|------------|----------------|
| Focus Area | 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 |

## **OTHER STRATEGIC LINKS**

### **Shire of Waroona Corporate Business Plan 2026-2030**

Action 5.1.1.2 – Review all local laws

## **STATUTORY ENVIRONMENT**

### **Procedure for Making Local Laws**

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

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

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

*Table 1 - Timeline for making local law.*

| <b>Task</b>                                                                                                                                                                                     | <b>Act Section</b> | <b>Scheduled / Effected Date</b>  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------|
| Reported to Council <b>for approval to advertise proposed new Local Laws.</b><br><br><i>(President gave notice of the purpose and effect to the meeting of the proposed local law).</i>         | 3.12(2)            | Tuesday, 26 May 2026              |
| <b>Gave local public notice and made copies available to the general public.</b>                                                                                                                | 3.12(3)(a)         | Tuesday, 9 June 2026              |
| Gave a copy of the proposed local law and the public notice to the Departmental CEO ( <b>Director General</b> ) of the <b>Department of Local Government, Industry Regulation &amp; Safety.</b> | 3.12(3)(b)         | Tuesday, 9 June 2026              |
| Closing date for submissions <b>to be received (not less than 6 weeks).</b>                                                                                                                     | 3.12(4)            | Friday, 24 July 2026<br>(45 days) |
| Considered submissions and reported back to Council <b>to determine whether to make a Local Law (absolute majority required).</b>                                                               | 3.12(4)            | Tuesday, 22 September 2026        |

| <b>Task</b>                                                                                                                                          | <b>Act Section</b> | <b>Scheduled / Effected Date</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------|
| Publish Local Laws in Government Gazette <b>and</b> give copy to the Minister <b>for Local Government</b>                                            | 3.12(5)            | Tuesday, 6 October 2026          |
| Give local public notice <b>advising that the new laws have been made, the title, and make copies available to the general public.</b>               | 3.12(6)            | Tuesday, 13 October 2026         |
| Prepare explanatory memorandum <b>and submit with copy of the new Local Laws to</b> Parliamentary Joint Standing Committee on Delegated Legislation. | 3.12(6)            | Tuesday, 20 October 2026         |

### **Local Government Act 1995**

#### **s.3.12 Procedure for making local laws**

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) Subject to subsection (3A), the local government is to —
  - (a) give local public notice stating that —
    - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
    - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and
  - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to —
    - (i) the Departmental CEO; and
    - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;

and
  - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

- (3A) The local government may, at the council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification —
- (a) a model local law; or
  - (b) a model local law except certain provisions that the local government determines, at the council meeting referred to in subsection (2), are not relevant to the local government and the district.
- (3B) In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.
- (3C) If the local government determines to proceed under this subsection, the local government must —
- (a) publish a notice on the local government's official website stating that —
    - (i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
    - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 3 weeks after the notice is published;and
  - (b) as soon as the notice is published, give a copy of the notice to —
    - (i) the Departmental CEO; and
    - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;
  - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.
- \* *Absolute majority required.*
- (5) After making a local law, the local government must —
- (a) publish the local law in the Gazette; and
  - (b) give a copy of the local law to —
    - (i) the Departmental CEO; and
    - (ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made — the chief executive officer of that other department.
- (6) After the local law has been published in the Gazette the local government is to give notice in the required way —

- (a) stating the title of the local law; and
  - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
- (6A) For the purposes of subsection (6), the required way for giving a notice is as follows —
- (a) if the local government proceeded under subsection (3) — by local public notice;
  - (b) if the local government proceeded under subsection (3C) — by notice published on the local government's official website.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —  
**making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

## **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil

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

Nil

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

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

### ***Policy Implications***

Nil

### ***Risk Management Implications***

|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Theme / Risk Category           | Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge                                                                                                                                                                                                                                                                                                                                                                                                |
| Risk                            | <ul style="list-style-type: none"> <li>Failure to comply with the undertaking provided to the Joint Standing Committee on Delegated Legislation, to correct the Fencing Local Law within 6 months, may result in the Committee resolving to report to the Parliament recommending the disallowance of the Shire of Waroona Fencing Local Law 2026 in the Legislative Council.</li> <li>Non-compliance with the local law-making requirements stipulated by the <i>Local Government Act 1995</i>.</li> </ul> |
| Consequence                     | 3 - Moderate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Likelihood                      | 2 - Unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|                          |                                                                                                                                                                 |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Key Controls / Treatment | Fulfil all terms of the undertaking made to the Committee for Delegated Legislation's recommendations and make the Fencing Amendment Local Law by October 2026. |
| Risk Acceptance          | Accept - Risk acceptable with adequate controls                                                                                                                 |

### **CONSULTATION**

- Local notice of the proposed local law and invitation for public submissions were advertised in the Harvey-Waroona Reporter on Tuesday, 9 June 2026.
- The proposed local law and invitation for public submissions were advertised online on the Shire website and copies made available in hard copy at the Shire Administration Office.
- A copy of the proposed local law and copies of the advertisements were sent to the Director General of the Department of Local Government, Industry Regulation & Safety (Department).
- One response with no suggested amendments, was received from the Department.

### **Aboriginal Consultation**

Nil

### **RESOURCE IMPLICATIONS**

#### ***Financial***

The cost of making the proposed local law which includes gazettal is approximately \$300. Funds have been made available in the Shire's 2026/2027 budget for this cost.

#### ***Workforce***

Nil

### **CONCLUSION**

It is recommended that Council completes the local law-making process under section 3.12 of the *Local Government Act 1995*, to amend the Shire's principal Fencing Local Law 2026. This will fulfil the undertaking provided to the Joint Standing Committee by the Shire President, on 9 June 2026, and enable the *Fencing Amendment Local Law 2026* to be made, so that the principal local law is clearer to understand, apply and enforce.

| <b>11.3.7 CGP034 – Privacy, Information Handling and Breach of Information Policy</b> |                                                                                    |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <b>File Ref</b>                                                                       | IM.9 – Information Management – Privacy                                            |
| <b>Previous Items</b>                                                                 | Nil                                                                                |
| <b>Applicant</b>                                                                      | N/A                                                                                |
| <b>Author &amp; Responsible Officer</b>                                               | Senior Governance Officer;<br>Director Corporate & Community Services              |
| <b>Declaration of Interest</b>                                                        | Nil                                                                                |
| <b>Voting Requirements</b>                                                            | Simple Majority                                                                    |
| <b>Appendix Number</b>                                                                | 11.3.7 – CGP034 Privacy, Information Handling and Breach of Information – PROPOSED |

### **COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

**OCM26/09/127**

**Moved: Cr Rowles**

**Seconded: Cr Mason**

**That Council adopts Corporate and Governance Policy No. 34 CGP034 – Privacy, Information Handling and Breach of Information, as presented in Appendix 11.3.7.**

**CARRIED 7/0**

### **IN BRIEF**

- The *Privacy and Responsible Information Sharing Act 2024* (PRIS Act) introduces new privacy obligations for Western Australian local governments.
- The Information Privacy Principles (IPPs) establish requirements for how the Shire collects, uses, discloses, protects and otherwise handles personal information.
- Proposed CGP034 establishes the Shire's overarching policy position for compliance with the IPPs and other privacy obligations under the PRIS Act.
- The Policy also establishes the Shire's approach to privacy complaints, Privacy Impact Assessments and information breaches, ahead of the Notifiable Information Breach provisions commencing on 1 January 2027.

### **BACKGROUND**

The *Privacy and Responsible Information Sharing Act 2024* (PRIS Act) establishes a privacy and responsible information sharing framework for Western Australian public entities, including local governments.

The privacy provisions of the PRIS Act introduce Information Privacy Principles (IPPs) governing the collection, use, disclosure, quality, security and other handling of personal information by public entities. The legislation also establishes requirements relating to matters including access and correction of personal information, unique identifiers, anonymity, disclosure outside Australia, automated decision-making, de-identified information and privacy impact assessments.

As a local government, the Shire of Waroona collects and holds a significant range of personal information through carrying out its statutory functions and delivering services to the community. This may include contact and identifying information, financial information, information contained in applications and correspondence, photographs and recordings, employment or business information and, in some circumstances, sensitive personal information.

The PRIS Act therefore creates new and expanded obligations for the Shire in relation to how personal information is collected, managed, protected, used and disclosed.

To provide an appropriate governance framework for these obligations, Council Policy CGP034 – Privacy, Information Handling and Breach of Information, has been developed.

The particular *information breach* provisions of the PRIS Act are scheduled to commence on **1 January 2027**. The draft Policy provides for the Shire to manage actual or suspected information breaches in accordance with the principles and requirements established by the Policy, applicable guidance of the Information Commissioner and the Shire's supporting Information Breach Response Procedure in the interim. Following commencement, information breaches will also be managed in accordance with the statutory requirements of the PRIS Act.

## **REPORT DETAIL**

The proposed **CGP034 – Privacy, Information Handling and Breach of Information Policy** (CGP034) has been developed to establish the Shire's position and approach to the management of personal information in accordance with the *Privacy and Responsible Information Sharing Act 2024* (PRIS Act) and the Information Privacy Principles (IPPs), as outlined below.

### **1. Information Privacy Principles (IPPs)**

Section 20 of the PRIS Act requires an IPP entity, which includes a local government, not to undertake an act or practice that is contrary to, or inconsistent with, an Information Privacy Principle (IPP). The 11 IPPs are prescribed in Schedule 1 of the PRIS Act and regulate the handling of personal information, including collection, use and disclosure, information quality, security, openness and transparency, access and correction, unique identifiers, anonymity, disclosure outside Australia, automated decision-making and de-identified information.

In particular, **IPP 5 – Openness and Transparency** specifically requires the Shire to publish a document setting out its policies for the handling of personal information. Such policies should include information about the kinds of personal information collected and held by the Shire, how and why that information is handled, and whether personal information is used in an automated decision-making process.

CGP034 has been prepared to establish this required policy position and to provide the overarching framework through which the Shire will give effect to its obligations under the remaining IPPs, being:

- **IPP 1** - collection of personal and sensitive personal information and collection notices;
- **IPP 2** - requirements governing personal information use and disclosure;
- **IPP 3** - information quality requirements;
- **IPP 4** - information security, retention and disposal;
- **IPP 6** – information access and correction arrangements;
- **IPP 7** - controls relating to unique identifiers;
- **IPP 8** - providing for anonymous or pseudonymous interaction where lawful and practicable;
- **IPP 9** - requirements for disclosure outside Australia;
- **IPP 10** – the local government's position on automated decision-making; and
- **IPP 11** - requirements for the handling and protection of de-identified information.

These matters are reflected throughout the proposed policy, including its specific provisions for anonymity, unique identifiers and information quality.

## 2. Addressing Privacy Complaints, Privacy Impact Assessments and Information Breaches

In addition to meeting the requirements of the IPPs, CGP034 also addresses broader privacy obligations established under the PRIS Act including privacy complaints, Privacy Impact Assessments and information breaches. The Office of the Information Commissioner has advised that the Notifiable Information Breach provisions under Part 2, Division 6 of the PRIS Act are scheduled to commence on 1 January 2027. Including these provisions in CGP034 ensures the Shire has an appropriate policy position in place ahead of commencement and is prepared to respond to information breach obligations once they take effect.

## 3. Roles and Responsibilities

Roles and responsibilities are established within the policy for Council, the Chief Executive Officer as the Shire's Principal Officer, the designated Privacy Officer and persons handling personal information on behalf of the Shire.

## 4. Supporting Documentation and Guidance

The Policy will be supported by operational procedures, employee guidance and training, and the establishment of activity-specific collection notices, which will provide the more detailed administrative processes required to support implementation of the PRIS Act principles and ongoing compliance.

It is recommended that Council adopt CGP034 – Privacy, Information Handling and Breach of Information, which will provide the Shire with an appropriate governance framework for the management and protection of personal information and support the Shire in meeting its obligations under the PRIS Act.

## **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>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>   | 5.2.2 Promote an organisational culture of safety, best practice and continuous improvement              |

|                   |                                                                                                          |
|-------------------|----------------------------------------------------------------------------------------------------------|
| <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> | 5.3 Actively increase the level of engagement with the community, and respond efficiently and effectively to the evolving needs of the community |
| <b>Strategy</b>  | 5.3.3 Provide community focused customer service and access to information                                                                       |

### **OTHER STRATEGIC LINKS**

Nil.

### **STATUTORY ENVIRONMENT**

#### ***Privacy and Responsible Information Sharing Act 2024***

#### **s. 20 IPP entities must comply with information privacy principles**

- (1) An IPP entity must not do an act, or engage in a practice, that is contrary to, or inconsistent with, an information privacy principle.

#### ***Schedule 1 – Information Privacy Principles***

#### **cl.5 Principle 5: Openness and transparency**

- 5.1 An IPP entity must develop a document setting out policies on its handling of personal information and must make the document available to anyone who requests it.
- 5.2 A document referred to in subclause 5.1 must be up-to-date, clear, concise and expressed in plain language.
- 5.3 On request by a person, an IPP entity must take reasonable steps to let the person know, generally —
- (a) the kinds of personal information that the IPP entity collects and holds; and
  - (b) how the IPP entity handles personal information; and
  - (c) the purposes for which the IPP entity handles personal information; and
  - (d) whether any personal information held by the IPP entity is used for an automated decision-making process.

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

There are no direct economic implications associated with adoption of CGP034. Establishing a clear privacy and information handling framework may assist in reducing future financial exposure associated with privacy complaints, information breaches, regulatory non-compliance or reputational damage.

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

The Policy supports community trust and confidence by establishing clear principles for the collection, use, disclosure and protection of personal information held by the Shire. It also supports transparent and accountable handling of personal information when delivering services to the community.

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

Nil.

#### ***Policy Implications***

Adoption of CGP034 will establish a formal Council policy position for privacy, information handling and information breach management. The Policy will be supported by operational

procedures, staff guidance, training and activity-specific collection notices to support implementation and ongoing compliance with the PRIS Act.

### ***Risk Management Implications***

|                                 |                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category         | Reputation - Public perception, poor customer service, sub standard work, corruption                                                                                                                                                                                                                                                                                                         |
| Risk                            | By not adopting CGP034, the Shire may lack a clear policy framework to guide the collection, use, disclosure, protection and management of personal information in accordance with the <i>Privacy and Responsible Information Sharing Act 2024</i> . This may increase the risk of inconsistent practices, privacy complaints, information breaches, non-compliance and reputational damage. |
| Consequence                     | 3 - Moderate                                                                                                                                                                                                                                                                                                                                                                                 |
| Likelihood                      | 2 - Unlikely                                                                                                                                                                                                                                                                                                                                                                                 |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                                                                                                                                                                                                                                                                                                                               |
| Key Controls / Treatment        | Council's endorsement of the recommendation in this report will mitigate the likelihood of this risk coming into effect.                                                                                                                                                                                                                                                                     |
| Risk Acceptance                 | Accept - Risk acceptable with adequate controls                                                                                                                                                                                                                                                                                                                                              |

### **CONSULTATION**

No formal external consultation was undertaken. CGP034 was developed having regard to the requirements of the *Privacy and Responsible Information Sharing Act 2024*, published guidance material from the Office of the Information Commissioner and privacy policy examples from other Western Australian local governments.

### ***Aboriginal Consultation***

Nil.

### **RESOURCE IMPLICATIONS**

#### ***Financial***

There are no immediate financial implications associated with adoption of the Policy. Implementation will be undertaken within existing budget allocations.

#### ***Workforce***

Implementation of the Policy will require officer resources to develop and maintain supporting procedures, collection notices, staff guidance, and training. These requirements will be managed within existing workforce resources.

### **CONCLUSION**

The introduction of the PRIS Act establishes a new privacy framework and associated obligations for the Shire in relation to the handling and protection of personal information.

Adoption of CGP034 will establish the Shire's overarching policy position for meeting these obligations and provide a governance framework to support the consistent and responsible handling of personal information across the organisation. The Policy will be supported by operational procedures, guidance and training to assist with its implementation and ongoing compliance with the PRIS Act.

| <b>11.3.8 Appointment of Deputy under the <i>Health (Miscellaneous Provisions) Act 1911</i></b> |                                                                       |
|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <b>File Ref</b>                                                                                 | GO.4 – Governance – Authorisation – Delegations and Authorisations    |
| <b>Previous Items</b>                                                                           | Nil                                                                   |
| <b>Applicant</b>                                                                                | Nil                                                                   |
| <b>Author &amp; Responsible Officer</b>                                                         | Senior Governance Officer;<br>Director Corporate & Community Services |
| <b>Declaration of Interest</b>                                                                  | Nil                                                                   |
| <b>Voting Requirements</b>                                                                      | Simple Majority                                                       |
| <b>Appendix Number</b>                                                                          | Nil                                                                   |

### **COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

**OCM26/09/128**

**Moved: Cr Rowles**

**Seconded: Cr Vitale**

**That Council appoints the Chief Executive Officer (CEO) as its Deputy under section 26 of the *Health (Miscellaneous Provisions) Act 1911*, on the condition that any discretionary matter or decision which, in the view of the CEO or on the advice of the Shire President:**

- a. may have a significant financial, strategic, environmental or community impact;**
- b. may establish or materially alter a Council policy position;**
- c. is likely to attract significant community interest or affect a substantial part of the community;**
- d. involves competing community interests that would benefit from consideration by Council as the representative body of the Shire community; or**
- e. otherwise requires an opinion or collective decision of Council,**

**be presented to Council for determination.**

**CARRIED 7/0**

### **IN BRIEF**

Section 26 of the *Health (Miscellaneous Provisions) Act 1911* authorises Council to appoint a person as its Deputy to exercise and discharge all or any of the powers and functions of the local government under this Act.

It is recommended that Council appoints the Chief Executive Officer (CEO) as its Deputy for the purposes of administering this Act and any regulations, local laws and orders made under the Act.

The appointment will enable the CEO to make routine operational and regulatory decisions, subject to the conditions and limitations imposed by Council in this report, however the recommendation also provides for matter of significance to be directed to Council for determination.

### **BACKGROUND**

The *Health (Miscellaneous Provisions) Act 1911* (the Act) provides local governments with a range of public health-related powers and functions. Although many public health matters are now administered under the *Public Health Act 2016*, the Act continues to apply to several matters administered by local governments, including public buildings, sanitation, offensive trades and other prescribed health-related activities.

Section 26 of the Act provides that every local government is authorised and directed to carry out, within its district, the provisions of the Act and the regulations, local laws and orders made under it.

Section 26 further provides that a local government may appoint and authorise any person to be its Deputy. The appointed Deputy may exercise and discharge all or any of the powers and functions of the local government for the period, and subject to any conditions and limitations, determined by the local government. The appointment does not prevent Council itself from continuing to exercise or discharge any of those powers or functions.

To ensure that the Shire can efficiently administer the remaining functions under the Act and its subsidiary legislation, it is proposed that Council formally appoints the CEO as its Deputy under section 26.

### **REPORT DETAIL**

The recommended appointment will authorise the CEO, acting as Council's Deputy, to exercise and discharge the powers and functions given to the local government under the *Health (Miscellaneous Provisions) Act 1911* (the Act).

The appointment will also apply to local government powers and functions contained within any regulations, local laws and orders made under the Act. This includes the *Health (Public Buildings) Regulations 1992* and any other subsidiary legislation made under the Act that applies to the Shire.

Depending on the applicable provision, the Deputy's authority includes the discretion to:

- approve or refuse an application;
- determine whether legislative or regulatory requirements have been satisfied;
- impose, amend or remove conditions on an approval;
- require information, works or corrective action;
- issue notices, directions or other statutory documents;
- determine appropriate timeframes for compliance;
- authorise inspections or other administrative action;
- take appropriate compliance or enforcement action; and
- make other operational or administrative decisions expressly assigned to the local government under the Act or its subsidiary legislation.

For the purpose of this report, "approval" refers to approval of the following local government functions under the Act -

- (a) approval of an application under s.107(2) and (3) for the construction or installation of an apparatus for the treatment of sewage, or sewage tanks [s.3];
- (b) approval of building plans and specifications in relation to ventilation, lighting and sanitary construction, and associated open space appurtenant to that building, submitted by the owner or occupier prior to the erection of the building [s.143]; and
- (c) approval of an application to construct, extend or alter a public building [s.176],

together with all general applications submitted for local government approval under subsidiary legislation or local laws made under the Act, where those applications are not discretionary matters or decisions more appropriately referred to Council, as outlined below under "Condition of Appointment".

The appointment is intended to allow routine operational, regulatory and administrative matters to be determined efficiently and within appropriate timeframes, without requiring each matter to be presented to Council, except where these matters are of enough significance to warrant this.

#### Condition of Appointment

It is recommended Council appoint the CEO, subject to the condition that any discretionary matter or decision which:

- may have a significant financial, strategic, environmental or community impact;
- may establish or materially alter a Council policy position;
- is likely to attract significant community interest or affect a substantial part of the community;
- involves competing community interests that would benefit from consideration by Council as the representative body of the Shire community; or
- otherwise requires an opinion or collective decision of Council,

be presented to Council, on the advice of the Shire President or at the discretion of the CEO.

This condition will ensure that routine matters can continue to be administered efficiently, while significant decisions remain with Council.

Council will also retain the ability to exercise any power or function itself, as the appointment does not replace or limit Council's statutory authority.

#### Appointment Limitations

While the appointment provides the CEO with broad authority, the CEO may only exercise powers and functions that the relevant legislation assigns to the local government. The appointment does not extend to a power or function that legislation expressly requires Council itself to exercise or otherwise prevents from being exercised by an appointed Deputy.

The appointment under section 26 is not a delegation made under section 5.42 of the *Local Government Act 1995*. It is a separate statutory appointment made directly under the *Health (Miscellaneous Provisions) Act 1911*. Accordingly, this appointment is not required to be included within Council's Register of Delegations.

### **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 |

### **OTHER STRATEGIC LINKS**

Nil.

## **STATUTORY ENVIRONMENT**

### ***Health (Miscellaneous Provisions) Act 1911***

#### **s.26. Powers of local government**

Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder:

Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

## **SUSTAINABILITY & RISK CONSIDERATIONS**

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

There are no direct economic implications associated with this appointment.

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

The proposal supports community trust and confidence by enabling the CEO to exercise powers and functions of the Council where appropriate, thus minimising delays in the assessment of public health-associated applications, issuing of approvals and notices, and undertaking of compliance or enforcement action.

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

Nil.

### ***Policy Implications***

Nil

### ***Risk Management Implications***

|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category         | Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge                                                                                                                                                                                                                                                                                                             |
| Risk                            | Failure to appoint the CEO as Council's deputy under section 26 of the <i>Health (Miscellaneous Provisions) Act 1911</i> may result in uncertainty regarding the authority to undertake routine local government functions under the Act and its subsidiary legislation. This may cause delays in the assessment of applications, issuing of approvals and notices, and undertaking of compliance or enforcement action. |
| Consequence                     | 3 - Moderate                                                                                                                                                                                                                                                                                                                                                                                                             |
| Likelihood                      | 2 - Unlikely                                                                                                                                                                                                                                                                                                                                                                                                             |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                                                                                                                                                                                                                                                                                                                                                           |
| Key Controls / Treatment        | Council's endorsement of the recommendation in this report will mitigate the likelihood of this risk coming into effect.                                                                                                                                                                                                                                                                                                 |
| Risk Acceptance                 | Accept - Risk acceptable with adequate controls                                                                                                                                                                                                                                                                                                                                                                          |

## **CONSULTATION**

No formal external consultation was undertaken.

***Aboriginal Consultation***

Nil.

**RESOURCE IMPLICATIONS**

***Financial***

Nil.

***Workforce***

Nil.

**CONCLUSION**

Appointment of the CEO as Council's deputy under section 26 of the *Health (Miscellaneous Provisions) Act 1911* will provide clear statutory authority for the efficient and timely administration of the Shire's functions under the Act and any regulations, local laws and orders made under it.

The proposed conditions will enable the CEO to determine routine operational and regulatory matters, while ensuring that significant discretionary matters which require an opinion or collective decision by Council continue to be presented to Council for consideration.

| <b>11.3.9 Amendments to Register of Delegations</b> |                                                                                     |
|-----------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>File Ref</b>                                     | GO.4 – Governance – Authorisations – Delegations and Authorisations                 |
| <b>Previous Items</b>                               | 11.3.4 – Amendments to Register of Delegations – OCM26/07/093                       |
| <b>Applicant</b>                                    | Nil                                                                                 |
| <b>Author and Responsible Officer</b>               | Senior Governance Officer;<br>Director Corporate & Community Services               |
| <b>Declaration of Interest</b>                      | Nil                                                                                 |
| <b>Voting Requirements</b>                          | <b>Absolute Majority</b>                                                            |
| <b>Appendix Numbers</b>                             | 11.3.9 – Register of Delegations – Extract of Proposed Amendments (Tracked Changes) |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

OCM26/09/129

Moved: Cr Vitale

Seconded: Cr Bartle

That Council:

1. amends delegation 2.12.1 under the *Public Health Act 2016* – Appoint Authorised Officer or Approved Officer (Asbestos Regs) to correct the legislative head of power to *Health (Asbestos) Regulations 1992*;
2. adds the following delegations to its Register of Delegations, under:
  - a. *Local Government (Miscellaneous Provisions) Act 1960* -
    - i. 2.9.2 New Street Alignments – Approvals and Leasing;
    - ii. 2.9.3 Unclaimed Money Received from a Poundkeeper;
    - iii. 2.9.4 Sale of Trespassing Cattle Impounded Outside a Public Pound; and
    - iv. 2.9.5 Claim for Damages by Trespassing Cattle;
  - b. *Public Health Act 2016* –
    - i. 2.12.2 Certificates of Authority;
    - ii. 2.12.3 Registration of Registrable Activities;
    - iii. 2.12.4 Activity Licences;
    - iv. 2.12.5 Enforcement Orders;
    - v. 2.12.6 Return of Forfeited Item; and
    - vi. 2.12.8 Commencing Proceedings;
3. removes delegation 2.12.2 under the *Public Health Act 2016* - Enforcement Agency Reports to the Chief Health Officer; and
4. endorses the revised and amended delegations presented as per Appendix 11.3.9 Register of Delegations – Extract of Proposed Amendments.

CARRIED 7/0

**IN BRIEF**

Amendments to the Register of Delegations – Council to Committees and Chief Executive Officer are required following a review of Council's current delegations under the *Local Government (Miscellaneous Provisions) Act 1960* and *Public Health Act 2016*.

## **BACKGROUND**

The purpose of delegated authority is to assist with the efficiency of local government activities by enabling quicker decision-making. In accordance with the *Local Government Act 1995* and other legislation, including the *Public Health Act 2016* and the *Health (Asbestos) Regulations 1992*, Council may delegate its functions, duties and powers to the Chief Executive Officer (CEO) to assist with efficient and timely decision making.

The *Public Health Act 2016* also allows for delegation of a power or duty conferred or imposed on an enforcement agency (local government, Council) to an authorised officer designated by the local government, under section 21, namely the Environmental Health Officer (EHO).

The Shire's Delegation Register was last reviewed by Council at its meeting held on 28 July 2026, to amend the express powers and duties under delegation 2.13.6 - Application of Shire of Waroona Fencing Local Law 2026, following the statutory review of Council's fencing local law in March 2026.

Following a recent internal review of Council's current delegations under the *Local Government (Miscellaneous Provisions) Act 1960* and *Public Health Act 2016*, several discretionary powers and duties have been identified which officers consider suitable for delegation to the Chief Executive Officer. Council's Register of Delegations has been amended to include those proposed additions, remove one delegation relating to a mandatory reporting obligation under the Public Health Act 2016 that is ordinarily carried out by appropriately assigned employees acting on behalf of the Shire in the ordinary course of their duties, and apply all consequential amendments arising from the above amendments.

## **REPORT DETAIL**

The review identified a number of powers and duties under the *Local Government (Miscellaneous Provisions) Act 1960* and *Public Health Act 2016* which are considered appropriate to be exercised under delegated authority to support efficient and timely administration.

The proposed amendments are summarised below:

| <b>Delegation (Current)</b>                                           | <b>Proposed Amendment</b>                                                                               | <b>Delegate</b> |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------------|
| <b>2.9 Local Government (Miscellaneous Provisions) Act 1960</b>       |                                                                                                         |                 |
| 2.9.2 New Street Alignments – Approvals and Leasing                   | <b>Add new</b> delegation                                                                               | CEO             |
| 2.9.3 Unclaimed Money Received from a Poundkeeper                     | <b>Add new</b> delegation                                                                               | CEO             |
| 2.9.4 Sale of Trespassing Cattle Impounded Outside a Public Pound     | <b>Add new</b> delegation                                                                               | CEO             |
| 2.9.5 Claim for Damages by Trespassing Cattle                         | <b>Add new</b> delegation                                                                               | CEO             |
| <b>2.12 Public Health Act 2016</b>                                    |                                                                                                         |                 |
| 2.12.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs) | <b>Transfer</b> from delegations made under 2.12 (Public Health Act) to sit under a separate delegation |                 |

|                                                               |                                                                                                                                       |             |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------|
|                                                               | head of power: <i>2.13 Health (Asbestos) Regulations 1992. Amend title to - 2.13.1 Appoint Authorised Officer or Approved Officer</i> |             |
| 2.12.2 Enforcement Agency Reports to the Chief Health Officer | <b>Remove delegation.</b> Enactment of duty is regarded as <i>acting through</i> .                                                    |             |
| (2.12.1) Designate Authorised Officers                        | Change delegation number, 2.12.2 to 2.12.1.                                                                                           |             |
| 2.12.2 Certificates of Authority                              | <b>Add new</b> delegation                                                                                                             | CEO         |
| 2.12.3 Registration of Registrable Activities                 | <b>Add new</b> delegation                                                                                                             | CEO and EHO |
| 2.12.4 Activity Licences                                      | <b>Add new</b> delegation                                                                                                             | CEO and EHO |
| 2.12.5 Enforcement Orders                                     | <b>Add new</b> delegation                                                                                                             | CEO and EHO |
| 2.12.6 Return of Forfeited Item                               | <b>Add new</b> delegation                                                                                                             | CEO and EHO |
| 2.12.7 Determine Compensation for Seized Items                | Change delegation number, 2.12.4 to 2.12.7.                                                                                           |             |
| 2.12.8 Commencing Proceedings                                 | <b>Add new</b> delegation                                                                                                             | CEO and EHO |

The proposed new delegations under the *Local Government (Miscellaneous Provisions) Act 1960* relate to administrative and operational functions concerning street alignments, unclaimed money received from a poundkeeper, trespassing cattle and the recovery of damages.

The proposed new delegations under the *Public Health Act 2016* relate to the day-to-day administration and enforcement of the Act, including certificates of authority, registration of registrable activities, activity licences, enforcement orders, forfeited items and the commencement of proceedings. Where appropriate, these functions are proposed to be delegated to the CEO and directly to the Shire's authorised Environmental Health Officer to enable matters to be dealt with efficiently within the scope of the officer's statutory functions.

Delegation 2.12.1 is also proposed to be amended by extracting the asbestos-related function currently contained within the broader *Public Health Act 2016* delegation and establishing it separately under the *Health (Asbestos) Regulations 1992*, being the applicable legislative head of power.

Existing delegation 2.12.2 – *Enforcement Agency Reports to the Chief Health Officer* is proposed to be removed. Section 22 of the *Public Health Act 2016* prescribes administrative/reporting duties of the enforcement agency rather than a discretionary power requiring delegation. These reporting duties are undertaken by appropriately assigned officers *acting through* the Shire as the enforcement agency in the ordinary course of their duties.

Consequential administrative amendments, including delegation numbering and cross-references, will be applied to the Register prior to publication on the Shire's website.

The proposed amendments, including the express powers and duties, legislative references, details of the specific functions captured under each delegation, and any applicable conditions, are set out in **Appendix 11.3.8 – Register of Delegations – Extract of Proposed Amendments**.

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

|                   |                                                                                                                                                                             |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus Area</b> | <b>Our Leadership</b>                                                                                                                                                       |
| <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 |

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

#### ***Local Government Act 1995***

#### **Part 5 – Administration**

#### **Division 4 – Local Government Employees**

#### **s.5.42 Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
  - (a) this Act other than those referred to in section 5.43; or
  - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

*\* Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

#### **5.46. Register of, and records relevant to, delegations to CEO and employees**

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### ***Public Health Act 2016***

#### **Part 2 - Administration**

#### **Division 3 - Functions of enforcement agencies**

#### **s. 21 Enforcement agency may delegate**

- (1) A power or duty conferred or imposed on an enforcement agency may be delegated —
  - (b) if the enforcement agency is a local government, to —
    - (i) the chief executive officer of the local government; or
    - (ii) an authorised officer designated by the local government;
- (2) A delegation under subsection (1)(b) or (c) must be in writing.
- (3) Without limiting the *Interpretation Act 1984* section 59, the exercise or performance by a delegate of an enforcement agency of a power or duty delegated under subsection (1)(b) or (c) is subject to any condition or restriction imposed under section 20 on the exercise or performance by the enforcement agency of the power or duty.

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil

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

Nil

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

Nil

#### ***Policy Implications***

Nil

#### ***Risk Management Implications***

|                                 |                                                                                                                                                                                                                                 |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category         | Operational - Adverse effects on core business, business continuity, human resource risks, loss of knowledge                                                                                                                    |
| Risk                            | Failing to endorse the amendments and update Council's Register of Delegations, would result in non-compliance with the <i>Local Government Act 1995</i> , where delegations or express powers do not reflect current practice. |
| Consequence                     | 1 - Insignificant                                                                                                                                                                                                               |
| Likelihood                      | 2 - Unlikely                                                                                                                                                                                                                    |
| Risk Rating, prior to treatment | Low (1-3)                                                                                                                                                                                                                       |
| Key Controls / Treatment        | Council's endorsement of the recommendation of this report will mitigate the likelihood of this risk coming into effect.                                                                                                        |
| Risk Acceptance                 | Monitor - Risk acceptable with adequate control                                                                                                                                                                                 |

### **CONSULTATION**

Nil

#### ***Aboriginal Consultation***

Nil

### **RESOURCE IMPLICATIONS**

#### ***Financial***

Nil

#### ***Workforce***

Nil

### **CONCLUSION**

The proposed amendments will ensure Council's Register of Delegations appropriately reflects the powers and duties required to support the efficient administration of functions under the *Local Government (Miscellaneous Provisions) Act 1960* and *Public Health Act 2016*.

The amendments will establish the identified new delegations, remove a statutory reporting duty that does not require delegation, correct the legislative head of power for the asbestos-related delegation, and apply the necessary consequential amendments to the Register.

Council's endorsement of the proposed amendments will ensure the Register remains current and provides appropriate authority for the timely exercise of relevant statutory functions.

## 11.4 CHIEF EXECUTIVE OFFICER

| <b>11.4.1 Drakesbrook Croquet Club Permanent Playing Courts &amp; Facility</b> |                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Ref</b>                                                                | RC.31 – Recreation and Cultural Services – Liaison – Community – Drakesbrook Croquet Club                                                                                                                                                                                                                    |
| <b>Previous Items</b>                                                          | OCM24/04/052 Drakesbrook Croquet Club Permanent Playing Facilities<br>OCM24/05/075 Drakesbrook Croquet Club Permanent Playing Facilities<br>OCM25/09/138 Shed User Agreement for Drakesbrook Croquet<br>OCM26/02/008 Old tennis courts site option.<br>OCM26/08/102 Recreation Advisory Group Recommendation |
| <b>Applicant</b>                                                               | Shire of Waroona                                                                                                                                                                                                                                                                                             |
| <b>Author and Responsible Officer</b>                                          | Chief Executive Officer                                                                                                                                                                                                                                                                                      |
| <b>Declaration of Interest</b>                                                 | Nil                                                                                                                                                                                                                                                                                                          |
| <b>Voting Requirements</b>                                                     | Simple Majority                                                                                                                                                                                                                                                                                              |
| <b>Appendix Numbers</b>                                                        | 11.4.1 – 8 Sept 26 Meeting Notes                                                                                                                                                                                                                                                                             |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

OCM26/09/130

Moved: Cr Scott

Seconded: Cr Rowles

That, with respect to proposed Drakesbrook Croquet Club courts and facility, Council:

1. resolves to remove consent for the approved location at the Recreation Centre;
2. does not approve any location at Waroona Town oval;
3. approves a location at Centennial Park, Reserve R43036, as depicted in this report, subject to any minor variations approved by the Chief Executive Officer (CEO), which will lapse should substantial progress not be made within five years; and
4. requests the Drakesbrook Croquet Club to actively seek opportunities for co-location of other interest groups with them and advise through the CEO of progress in this regard.

**CARRIED 7/0****IN BRIEF**

This report responds to a directive of Council to provide advice in relation to a recommendation of the Recreation Advisory Group to approve a location for the Drakesbrook Croquet Club (Club) at the Waroona Town oval.

This report seeks to resolve a final location for the Club.

Council approved a location at the Recreation Centre in 2024, collocating it facility with the Community Garden, however the Club deemed this too expensive to build on. They have since been seeking an alternative location with the Waroona Town Oval being their preference. The Town Oval sites investigated have not secured unfettered support by the existing clubs using the Oval.

One site considered has been Centennial Park which does not have competing user conflicts; hence it is recommended that Council supports a site at Centennial Park, while seeking co-location opportunities with other interest groups.

### **BACKGROUND**

The Recreation Advisory Committee met on 30 July 2026 to consider a permanent location for the Drakesbrook Croquet Club (Club) for croquet playing fields and facilities at the Waroona Town Oval, on the old hockey field area. Refer to the blue rectangle outline in the image below.



Figure 1.

Council previously approved a location for the Club at the Recreation Centre (OCM24/04/052) in April 2024. This location at the Recreation Centre had a number of features in its favour including its location giving it exposure to the users of the Recreation Centre, its siting on suitable reserve land, and an agreement to share facilities with the Community Garden Group.

The Club determined that this was too expensive to build on and has since sought other locations for permanent courts and facilities.

Following a number of investigations of sites in Town and outside of Town, the Club was supported by Council in February 2026, through a Recreation Advisory Group recommendation, for a location at the Waroona old tennis courts once “...*once they have the support of the Youth Advisory Group and the Community Men’s Shed*” (OCM26/02/008). Gaining support from these groups was unsuccessful.

### **REPORT DETAIL**

The Club’s current preferred site (Figure 1) is central and close to Quambie, without extra construction costs due to land gradient and existing infrastructure needing to be relocated. The Club took this location to the Recreation Advisory Group on 30 July 2026. The Recreation Advisory Group provided the following recommendation to Council:

*That the Recreation Advisory Group:*

- 1. Supports the designation of the area identified in Figure 1, measuring approximately 67 metres by 27 metres (1,809m<sup>2</sup>), to the Drakesbrook Croquet Club for the future establishment of two grass croquet playing greens with the proviso that the grounds can be accessed on Show Day by the Agricultural Society, the car club as require and any other groups/users when requested;*
- 2. Supports in principle, the installation of:*
  - a. A metal post and rail fence along the western boundary of the proposed playing greens, consistent with the existing oval fencing (solid orange line); and*
  - b. A post and chain fencing, or similar temporary vehicle exclusion treatment, along the southern boundary of the proposed playing greens (broken orange lines) as per figure 2; and*
- 3. Notes that investigations into a future clubhouse are continuing and that any proposal relating to the location, construction, funding or tenure of a clubhouse will be presented to the Recreation Advisory Group and Council as a separate report once detailed investigations have been completed.*

Prior to this recommendation the Club had considered reserve R43036 at Centennial Park in discussion with the CEO. This site has a number of advantages, being:

- The site is vested to the Shire;
- The site’s purpose is “recreation” which is compatible with croquet;
- It is relatively flat; and
- There is no competing use.

On the other hand, Council’s preference is to support co-location as it improves facility utilisation, value to the community and social inclusion. Centennial Park as a co-location opportunity does not presently support this goal. A recommendation that the Club actively pursue this goal is therefore provided.

The Centennial Park option is shown below in figure 2.



Figure 2. Centennial Park Croquet Club Courts and Facility Option

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

|                   |                                                                                                                                                       |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Focus Area</b> | Our Community                                                                                                                                         |
| <b>Aspiration</b> | To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning |
| <b>Objective</b>  | 1.4 Encourage an active and healthy community with an improved quality of life                                                                        |
| <b>Strategy</b>   | 1.4.2 Support local community, sporting and recreational groups and initiatives                                                                       |

### **OTHER STRATEGIC LINKS**

Council's long-term plan for recreation in Waroona Town is provided in the Waroona North Master Plan. This plan incorporates provision for two croquet courts and co-located facilities with other clubs.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995* section 3.1 (1A) General Function.

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

There is potential for some economic benefit to the Shire should croquet become a facility that has a regional reach, with players potentially coming to Waroona as visitors.

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

A new club would allow for the expansion of a club primarily for seniors, but suitable for all ages.

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

The Centennial Park site is open and empty, containing no native vegetation clearing to be removed. There are issues to be resolved in terms of water use if the greens were turf, which would be the subject of design consideration.

The impact on climate change of this project is inestimably small.

**Policy Implications**

The Shire's Policy position AP007 – Asset Management is relevant.

All capital works on Shire reserves become the gifted asset of the Shire and are then leased back to the user group on a peppercorn rent basis for extended periods. However, the Shire needs to understand the financial commitment it makes in approving a project as this impacts on the Shire's finances. As such the policy position is as follows.

*All capital projects will be evaluated in accordance with a capital evaluation model and take into account capital cost, ongoing cost of maintenance, refurbishment, replacement and operating cost ("whole of life" cost assessment).*

The Shire is able to work with the Club in ascertaining the capital and ongoing costs of this project.

**Risk Management Implications**

|                                 |                                                                                      |
|---------------------------------|--------------------------------------------------------------------------------------|
| Context / Risk Category         | Reputation - Public perception, poor customer service, sub standard work, corruption |
| Risk                            | Club is not approved for a location.                                                 |
| Consequence                     | 2 - Minor                                                                            |
| Likelihood                      | 3 - Possible                                                                         |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                       |
| Key Controls / Treatment        | Approval provided following assessment of suitable sites.                            |
| Risk Acceptance                 | Accept - Risk acceptable with adequate controls                                      |

**CONSULTATION**

Site assessment for the Club has been ongoing since 2024. In addressing the most recent proposal to locate the croquet courts at the old hockey pitch at the Waroona Town oval a meeting was held with invitations to key stakeholders, including the Club, the Waroona Agricultural Society, the Waroona Football Club and councillors. This joint participation was essential and valuable to the meeting as it provided for immediate and direct consultation as well as representation by the councillors.

Notes from this meeting are provided at Appendix 11.4.1. In summarising the meeting outcomes, it was apparent that the old hockey club presented challenges regarding competing needs of users, while Centennial Park while not as centrally located presented no such use competition and was a relatively straightforward site.

The Club have since (11 Sept. 2026) provided formal correspondence to indicate that it has agreed to withdraw its option for the old hockey oval and is now in support of the Centennial Park option. This position aligns with the recommendation before Council.

### **Aboriginal Consultation**

There are two matters to be followed up with respect to Aboriginal Consultation. The first is confirmation that the reserves selected for the site are not subject to change of ownership as part of the Noongar Native Title Settlement. The Shire understands that the lots to the west of this Reserve are part of the settlement, but not the Reserve itself. Written confirmation of this will be sought.

The second consultation matter is to deal with the fact that Centennial Park is within an Aboriginal site, meaning that an approval will be needed, as it would be for the Town Oval. This is dealt with once the details of the works on site are determined and can be submitted for approval.

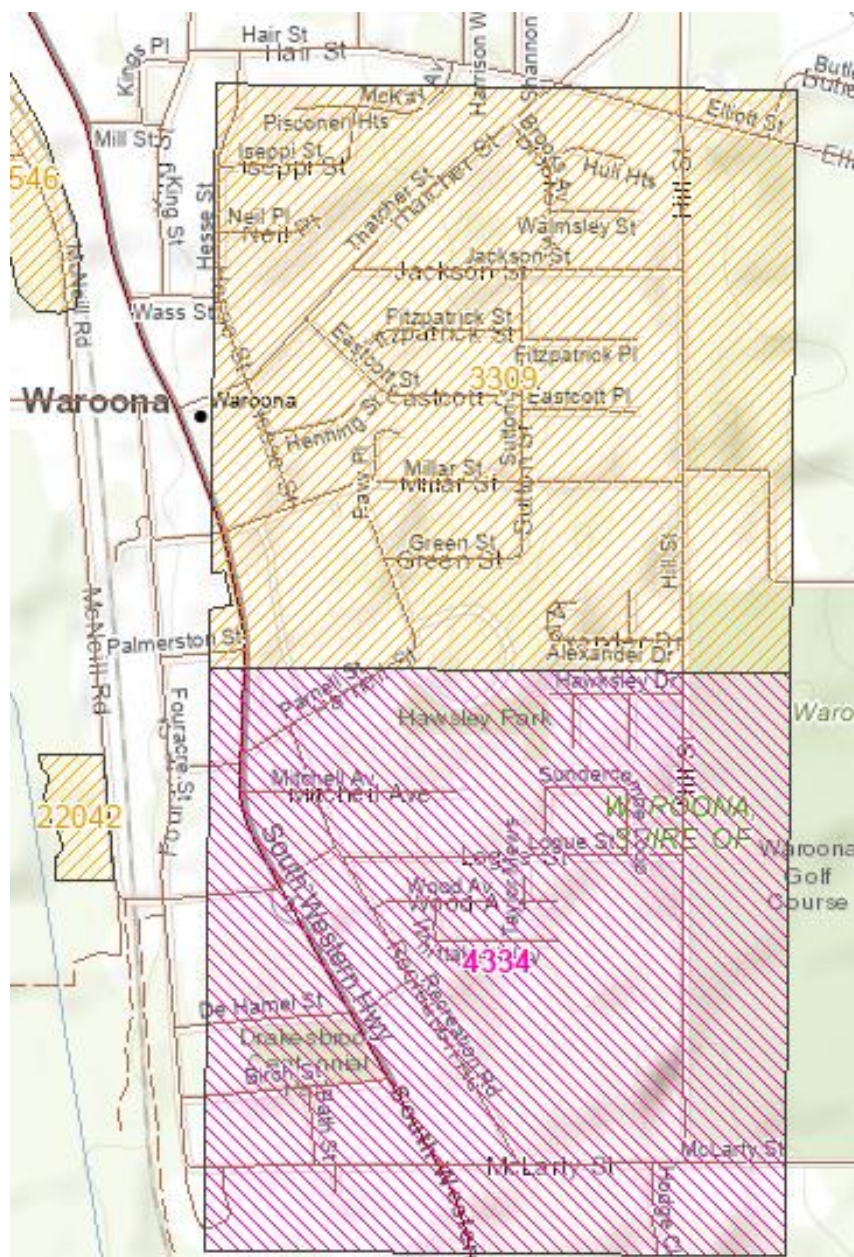


Figure 3. Aboriginal Heritage site overlaying Centennial Park (red hachured)

## **RESOURCE IMPLICATIONS**

### ***Financial***

Approving the Centennial Park site has no budget implications.

No budget exists for this project, and it hasn't been specifically listed in the Shire's long term financial plan or other strategic documentation. In order to contemplate any financial contribution by the Club must turn its attention to a scope, estimate and a case for supporting the Club.

The case for supporting this will be important as the demands on ratepayer funds are many, varied and always in excess of available funds, with many of these demands being for less discretionary pursuits.

### ***Workforce***

Approval of this site has no further unforeseen workforce implications.

It is noted, however, that significant staff resources have tasked to assisting the consultation process between the Club and other groups, liaising with the Club and reporting to Council formally and informally.

Managing development of this project may prove challenging for the Club, and Shire staff resourcing has not been allocated to develop the project, seek approvals and managing its implementation. By way of comparison the Football Clubroom Extension project has been fully granted funded, and the grant is paying for the architect, engineering services as well as the project manager. Only limited support is being provided to the Football Club to support project direction and funding governance.

The CEO has reached out to the Club in regard to helping to define the project components. However, if Council wishes the Shire to manage the project development, then an additional funding will need to be budgetted, or the Club will need to fund this through its own resources or grant funding.

Given the factors above no funding support is recommended at this stage.

## **CONCLUSION**

In responding to the direction to the CEO to advise Council on the Recreation Advisory Group's position to support the old hockey pitch for the Club, further consultation has been carried out and the complexities of croquet courts and a facility in this location have become evident.

The alternative site, at Centennial Park, has less user interface complexity, the site is relatively straightforward, and the tenure is aligned with the Club's purpose. The Club has written to the Shire to support this location, and this is now the recommendation before Council.

| <b>11.4.2 Dadour Provisions</b>       |                                                                                                                                                                                                                       |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Ref</b>                       | GR.22 – Government Relations – State Liaison — Western Australian Local Government Association (WALGA);<br>GR.5 – Government Relations – State Liaison – Department of Local Government Sport and Cultural Industries |
| <b>Previous Items</b>                 | Nil                                                                                                                                                                                                                   |
| <b>Applicant</b>                      | Shire of Waroona                                                                                                                                                                                                      |
| <b>Author and Responsible Officer</b> | Chief Executive Officer                                                                                                                                                                                               |
| <b>Declaration of Interest</b>        | Nil                                                                                                                                                                                                                   |
| <b>Voting Requirements</b>            | Simple Majority                                                                                                                                                                                                       |
| <b>Appendix Numbers</b>               | Nil                                                                                                                                                                                                                   |

### **COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

**OCM26/09/131**

**Moved: Cr Walmsley**

**Seconded: Cr Mason**

**That Council:**

- 1. opposes any changes to the *Local Government Act 1995* which amend, delete or meaningfully change the intent of the “Dadour Provisions”;**
- 2. supports this becoming a WALGA Advocacy position; and**
- 3. request the Shire’s Peel Zone representatives to propose this as a recommendation to the next Peel Zone meeting.**

**CARRIED 7/0**

### **IN BRIEF**

On 17 September 2026 the Hon. Hannah Beasley MLA announced plans to remove the Dadour provisions on the basis that this would support voluntary district boundary changes by removing the ability for a small number of electors to “*undermine amalgamation proposals*”. She has stated that the Cook Labor Government has no current plans for forced amalgamations and wants to support local governments in voluntary amalgamation process.

Self-determination as a local government is secured through legislation that protects the rights of an electorate to vote on its own future. The Dadour Provisions support this aim and is a key legislative mechanism which upholds democratic principles through empowering electoral polling. Removal of these provisions will leave the decision of the future of each local government in the hands of the Minister of Local Government without recourse to electors voting rights when amalgamations are proposed, both voluntary and forced.

This report provides a mechanism for Council to object to removal of the Dadour provisions should it wish to do so and seek sector wide support for its position.

### **BACKGROUND**

The Dadour provisions were named after former City of Nedlands mayor Dr John Dadour, which when included in the *Local Government Act 1995*, gave local ratepayers the right to trigger a poll (referendum) if a Council merger or boundary change is proposed.

The provisions are contained in Schedule 2.1 Clauses 8 and 10 of the *Local Government Act 1995*. Schedule 2.1 contains the provisions about creating, changing the boundaries of, and abolishing districts. Clause 8 states –

**8. Electors may demand poll on recommended amalgamation**

- (1) *Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (the districts) and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.*
- (2) *The notice to affected **electors** has to notify them of their **right to request a poll** about the recommendation under subclause (3).*
- (3) *If, within one month after the notice is given, the Minister receives a request made in accordance with regulations and signed by at least 250, or at least 10%, of the electors of one of the districts asking for the recommendation to be put to a poll of electors of that district, the Minister is to require that the Board's recommendation be put to a poll accordingly.*
- (4) *This clause does not limit the Minister's power under clause 7 to require a recommendation to be put to a poll in any case.*

**10. Minister may accept or reject recommendation**

- (1) *Subject to subclause (2), the Minister may accept or reject a recommendation of the Advisory Board made under clause 3 or 6.*
- (2) ***If at a poll held as required by clause 8 —***
  - (a) at least 50% of the electors of one of the districts vote; and***
  - (b) of those electors of that district who vote, a majority vote against the recommendation, the Minister is to reject the recommendation.***

This is a high bar for the electors to meet should they wish to overturn an amalgamation proposal, forced or voluntary, however it was instrumental in defeating the 2013-14 attempt of the then Barnett Government, at forced amalgamations.

2013 was also a period when, like today, a number of legislative reforms to local government were being carried out. At the same time the Barnett Government instructed local governments to amalgamate. Amending the Dadour provisions was contemplated at the time. Mr A.J. Simpson was Minister for Local Government at this time and in his second reading of the bill he made the following comments.

*“Under the current Act, the Dadour provisions allow a poll to be held on amalgamation proposals. If at least 50% of electors in a district participate in the poll and at least 50% of those participants vote “no”, the proposal will be defeated. This means it is currently possible for 25 per cent of voters in a single district to defeat an amalgamation proposal even when it is supported by the majority of voters in the other districts involved in the proposal.*

*The Minister for Local Government believes these poll provisions are contrary to the principles of a democratic local government system but he does not want discussion on this*

*to be a distraction from what he is trying to achieve – a local government system in the metropolitan area that is suited to the needs of the community today and into the future.*

Despite this position on the matter the Minister did not include changes to the Dadour provisions.

The Dadour provisions were then weaponised as a threat by local governments to resist the forced amalgamations. Ultimately forced amalgamations were abandoned in February 2014 without the poll provisions having taken place, but it was the threat to use these provisions which turned the matter.

## **REPORT DETAIL**

In an announcement made by the Hon. Hannah Beasley new reforms were announced.

(<https://www.wa.gov.au/government/media-statements/Cook%20Labor%20Government/Next-phase-of-local-government-reforms-to-reduce-voter-fatigue-20260917> )

*“...to strengthen long-term financial sustainability and effectiveness of the local government sector Cook Labor Government.*

*“Changes include amendments to the Local Government Act 1995 and repeal of the Local Government (Miscellaneous Provisions) Act 1960 to:*

- *...remove barriers to voluntary local government boundary changes and amalgamations;*
- *...*

*“The Cook Labor Government will also remove the 'Dadour poll' provision - which can effectively allow a minority of electors to undermine amalgamation proposals - to facilitate voluntary amalgamations between local governments.*

Ostensibly the Minister's reasons for removing the Dadour provisions are so that the democratic process is fairer, meaning that in theory as little as 25% of the electors in one district could prevent amalgamation. This is highly likely to be an unrealistic appraisal of the situation, given that it is almost certain that some electors from both local governments would oppose an amalgamation.

History has shown that voter turnout of local governments is around 1/3<sup>rd</sup> of electors, but spikes when matters of great importance to the electorate are at play. It is not unreasonable to assume that a matter such as local government amalgamations, forced or voluntary, would be well attended in a poll. It is this minimum 50% turnout of one electorate which creates a significant hurdle to oppose an amalgamation. However, a 50% turnout would also demonstrate the widespread concern about such a move. It is reasonable to consider that such a voter turnout is a sign of a sound democratic process in action.

The idea of removing processes from the Local Government Act 1995 which enhance and support empowering the electors in their democratic right to determine their own future is to be regarded with extreme suspicion.

While the Minister's statement is in the context of voluntary amalgamations, the Dadour Provision apply equally to forced amalgamations, and it is these Provisions that prevented the wholesale forced amalgamations 13 year ago. This may happen again and without the Dadour Provisions the democratic polling of the electorate is a process that the Minister will be able to avoid. This diminishes democracy.

**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>  | 5.3 Actively increase the level of engagement with the community, and respond efficiently and effectively to the evolving needs of the community |
| <b>Strategy</b>   | 1.1.1 Develop an identity for the Shire and the communities it comprises                                                                         |

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995 Schedule 2.1 Clauses 8 & 10

**SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil

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

Nil

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

Nil

***Policy Implications***

Nil

***Risk Management Implications***

|                                 |                                                                                      |
|---------------------------------|--------------------------------------------------------------------------------------|
| Context / Risk Category         | Reputation - Public perception, poor customer service, sub standard work, corruption |
| Risk                            | Loss of Waroona identity and self-determination.                                     |
| Consequence                     | 4 - Major                                                                            |
| Likelihood                      | 3 - Possible                                                                         |
| Risk Rating, prior to treatment | High (10-19)                                                                         |
| Key Controls / Treatment        | Oppose the Dadour Provisions changes.                                                |
| Risk Acceptance                 | Accept - Risk acceptable with adequate controls                                      |

**CONSULTATION**

It is proposed that the Shire seeks the support of the Peel Zone and ultimately of WALGA for this.

**RESOURCE IMPLICATIONS**

***Financial***

Nil

**Workforce**

Nil

**CONCLUSION**

Self-determination as a local government is secured through legislation that protects the rights of an electorate to vote on its own future. The Dadour Provisions support this aim and the removal of these will leave the decision of the future of each local government in the hands of the Minister of Local Government.

Amalgamations are too often the stated panacea for whatever ails local government. The diminution of the legislated democratic process in order to solve problems such as financial sustainability is an over-reach. Voluntary amalgamations in these situations may indeed be appropriate, but the wholesale removal of these Provisions has the sense of a larger agenda at work.

## 11.5 ITEMS FOR INFORMATION

| <b>11.5.1 2026 Australian Rehabilitation Providers Association (ARPA) National Conference</b> |                                                                                                      |
|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>File Ref</b>                                                                               | HR.15 – Human Resources – Training and Development                                                   |
| <b>Previous Items</b>                                                                         | Nil                                                                                                  |
| <b>Applicant</b>                                                                              | Nil                                                                                                  |
| <b>Author and Responsible Officer</b>                                                         | Director Customer & Development Services;<br>Workplace Services Officer                              |
| <b>Declaration of Interest</b>                                                                | Nil                                                                                                  |
| <b>Voting Requirements</b>                                                                    | Simple Majority                                                                                      |
| <b>Appendix Numbers</b>                                                                       | APP 11.5.1 – 2026 Australian Rehabilitation Providers Association (ARPA) National Conference Program |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

OCM26/09/132

Moved: Cr Rowles

Seconded: Cr Bartle

That Council notes the attendance of the Director Customer & Development Services and Workplace Services Officer at the 2026 Australian Rehabilitation Providers Association (ARPA) National Conference held in Perth on 1<sup>st</sup> and 2<sup>nd</sup> September 2026 and receives the report on key learnings and professional development outcomes arising from their attendance.

**CARRIED 7/0****IN BRIEF**

The Director Customer & Development Services and Workplace Services Officer attended the 2026 Australian Rehabilitation Providers Association (ARPA) National Conference at Crown Perth on 1 and 2 September 2026.

The Conference theme, *Reimagining Rehabilitation 2030: Evidence, Technology & Human Recovery*, brought together workplace rehabilitation, insurance, health and workforce professionals to consider emerging approaches to workplace rehabilitation, psychosocial risk, employee wellbeing, technology and sustainable workforce participation.

Attendance provided an opportunity for relevant Shire officers to hear from industry leaders and practitioners and consider contemporary approaches that may inform the Shire's management of employee wellbeing, workplace injury, rehabilitation, return to work and broader workforce practices.

**BACKGROUND**

The Australian Rehabilitation Providers Association (ARPA) is the peak national body representing workplace rehabilitation providers in Australia. The 2026 ARPA National Conference was held at Crown Perth on 1 and 2 September 2026, attracting more than 500 delegates from the workplace rehabilitation, workers compensation, insurance, health and workforce sectors.

The Conference focused on the future of workplace rehabilitation and the changing nature of work, with particular emphasis on psychosocial risk, evidence-based rehabilitation, employee recovery, digital innovation and sustainable workforce participation.

The Shire was represented by the Director Customer & Development Services and Workplace Services Officer, whose responsibilities include human resources, workplace health and safety, injury management and employee wellbeing.

A recent increase in workers compensation claims and associated workplace investigations within the Shire prompted the officers to attend the Conference to explore contemporary approaches to psychosocial risk, injury prevention and management, and return to work. Of particular interest were early intervention and return-to-work practices that support safe and sustainable employee recovery while also reducing the organisational impacts of extended absences, prolonged claims, workplace disruption and workers compensation costs.

Management Practice HRM012 – Staff Professional Development Reporting requires staff attending professional development activities to report on key learnings, their organisational relevance and opportunities to apply new knowledge. It also provides for reports to be presented to Council where the activity involves a major conference, or the outcomes are of strategic interest to the organisation.

Given the relevance of the Conference to the Shire's management of workers compensation, workplace rehabilitation, psychosocial risk and employee wellbeing, the key learnings and outcomes are presented to Council for information.

### **REPORT DETAIL**

The 2026 ARPA National Conference included presentations from industry leaders, researchers, health professionals and other speakers across workplace rehabilitation, workers compensation, injury management, leadership and employee wellbeing.

The following provides an overview of the key presentations attended and the learnings considered most relevant to the Shire.

#### **Kath Koschel – Resilience, Kindness and Human Connection**

Kath Koschel, founder of the Kindness Factory and 2025 NSW Australian of the Year, opened the Conference by sharing her extraordinary personal story of resilience, recovery and kindness.

Kath was a professional cricketer playing for New South Wales when, at just 23 years of age, she suffered a serious spinal injury and was told she may never walk again. She underwent extensive rehabilitation and ultimately learned to walk again. In the years that followed, she experienced further significant adversity, including the loss of her partner to suicide. After rebuilding her life and commencing training as an Ironman competitor, Kath was struck by a four-wheel drive while cycling, suffering another serious spinal injury and again facing the prospect that she may not walk. Remarkably, she again defied the prognosis and relearned to walk.

These experiences ultimately contributed to Kath establishing the Kindness Factory in 2015, which has grown into an international movement promoting kindness and its capacity to positively influence individuals and communities.

Her presentation focused on resilience, perspective, kindness and the importance of human connection when people are experiencing difficult circumstances. A key message was that seemingly small interactions and acts of kindness can have a significant effect on an individual's wellbeing and ability to navigate periods of adversity.

This presentation was a highlight of the Conference for both officers. Kath's extraordinary story of resilience, positivity and determination was incredibly impactful, with aspects of her presentation and the lessons she shared likely to stay with attendees well beyond the Conference and throughout their personal and professional lives.

For the Shire, this highlights the importance of maintaining regular and genuine communication with injured employees, approaching individual circumstances with empathy and ensuring that injury management and return-to-work processes remain focused on the person, rather than becoming solely an administrative or workers compensation process.

### **Rebecca Harris – The Future of Workplace Rehabilitation**

Rebecca Harris, Acting CEO of WorkCover WA, presented on the changing workers compensation and workplace rehabilitation environment and the need to translate current improvements in rehabilitation practice into measurable outcomes for both workers and employers.

The presentation highlighted the importance of collaboration between employers, workers, rehabilitation providers and other parties involved in injury management, together with the need for contemporary rehabilitation practices to continue adapting as evidence, technology and workforce expectations change.

This presentation was particularly relevant given the Shire's recent experience with workers compensation claims. It reinforced the importance of the employer taking an active role in injury management rather than relying solely on insurers or external providers.

### **Professor Lorimer Moseley AO – Understanding Pain and Recovery**

Professor Lorimer Moseley, a leading pain scientist, presented contemporary research into how pain is experienced and managed.

The presentation challenged traditional assumptions that the amount of pain experienced by a person necessarily reflects the extent of physical damage. Pain is influenced by a complex interaction of physical, neurological, psychological and environmental factors, particularly where pain becomes persistent.

The presentation also explored the importance of education and progressively rebuilding confidence and capacity rather than assuming that a person must be completely free from pain before returning to normal activity.

This provides useful context when managing employees recovering from physical injuries, particularly where pain continues after the original injury has stabilised. Return-to-work arrangements should focus on medical capacity, appropriate duties and progressively rebuilding an employee's confidence and functional capacity rather than necessarily waiting for the complete absence of symptoms before meaningful work is resumed.

### **Associate Professor Davinder Hans – Secondary Psychological Injuries**

Associate Professor Davinder Hans presented specifically on secondary psychological injuries, psychological conditions that may develop following an initial physical injury.

The presentation examined how these injuries can arise during the recovery and workers compensation process, how causation may be considered within a legal context, and the importance of early identification and intervention.

A strong message was that the management of the original injury and the employee's experience throughout the claims and rehabilitation process can influence whether additional psychological issues emerge.

This was one of the most directly applicable sessions for the Shire. It reinforced the need to identify emerging psychological or psychosocial issues early during a workers compensation claim and to avoid unnecessarily adversarial or prolonged processes.

### **Professor Michael Nicholas – Early Intervention and Complex Recovery**

Professor Michael Nicholas, a clinical psychologist and internationally recognised pain researcher, presented on the challenges of early intervention where injuries and recovery become complex.

The presentation focused on identifying barriers to recovery early and recognising that effective rehabilitation may need to respond to the individual circumstances of the worker rather than applying the same approach to every injury. His work particularly focuses on self-management of acute and chronic pain and the factors that can prevent recovery and return to work.

The presentation reinforced the importance of identifying potential barriers to recovery at the beginning of a claim rather than waiting until a return-to-work program has stalled. For the Shire, this supports more active early case management, including identifying workplace, personal, psychological or functional barriers and involving appropriate rehabilitation expertise before a claim becomes unnecessarily prolonged or complex.

### **Dr Dinesh Palipana OAM – Recovery, Disability and Participation**

Dr Dinesh Palipana shared perspectives informed by his experience as a doctor, researcher and person living with spinal cord injury.

His presentation considered recovery, resilience and the importance of looking beyond an individual's injury or disability to their abilities, contribution and potential. The broader message was that meaningful participation, and purpose can form an important part of recovery and wellbeing.

### **Cinzia Gagliardi – Workplace Rehabilitation and Industry Practice**

Cinzia Gagliardi's presentation provided an industry perspective on workplace rehabilitation and the changing environment in which rehabilitation providers, employers and workers operate.

The session contributed to the broader Conference discussion about improving rehabilitation outcomes through collaboration and greater consideration of the individual circumstances affecting recovery. The presentation reinforced the value of employers maintaining an informed and active relationship with rehabilitation providers.

### **Joel Selwood – Leadership, Team Culture and Resilience**

Former Geelong Football Club captain Joel Selwood spoke about leadership, resilience, teamwork and maintaining high performance over an extended period.

One concept discussed was the importance of establishing a personal "boardroom" a trusted group of people with different experience and perspectives who can provide advice, support and challenge an individual's thinking.

His presentation also highlighted that effective leadership is based on relationships, trust, consistency and understanding the individuals within a team.

While not specifically directed toward workers compensation, the presentation had broader relevance to the Shire's leadership and workforce practices. Strong relationships between supervisors and employees can assist in identifying emerging issues earlier and create an environment in which employees feel comfortable raising concerns. The concept of a trusted professional "boardroom" also has application to leadership development and mentoring within the organisation.

### **Gihan Perera – Artificial Intelligence and the Future of Work**

Gihan Perera presented on the increasing use of artificial intelligence and how organisations and professionals can use emerging technology to support their work.

The presentation focused on using AI as a tool to improve productivity, analyse information and reduce time spent on lower-value administrative activities, while retaining human judgement and expertise.

The presentation has relevance to the Shire's broader digital transformation and continuous improvement objectives. There may be opportunities to use AI and other digital tools to reduce administrative workload and enable employees to spend more time on higher-value activities.

### **Lauren Parsons – Overcoming Overwhelm**

Lauren Parsons presented practical strategies for managing overwhelm, maintaining focus and protecting wellbeing in high-pressure working environments.

The presentation considered how competing demands, interruptions and an inability to properly disconnect from work can affect energy, performance and wellbeing. A particular focus was on practical approaches to managing time, energy and attention while protecting recovery time outside work.

These learnings are relevant to the Shire's management of psychosocial hazards and employee wellbeing. Local government employees can experience competing statutory deadlines, customer expectations, interruptions and periods of significant workload. Providing employees and supervisors with practical tools to manage workload, prioritisation and recovery may assist in reducing burnout and psychosocial risk before these issues develop into more significant workplace health or workers compensation matters.

### **Other Industry and Panel Presentations**

The Conference also included presentations and panel discussions involving Alex Grigg, Noni Byron, Vanessa Leon, Carmen Fay, Lucy Hartley, Alicia Gibbs, Stephanie McCahon, Hayley Ryan, Ingrid Hand and Teagan Bagini, amongst others.

These sessions provided perspectives from across workplace rehabilitation, allied health, workers compensation and injury management and explored practical experiences in achieving successful recovery and return-to-work outcomes.

A consistent theme across the Conference was that successful injury management is rarely achieved by one party acting independently. Better outcomes generally arise where the worker, employer, treating practitioners, insurer and rehabilitation provider understand their

respective roles, communicate effectively and work toward a shared and realistic return-to-work objective.

### **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>   | 5.2.1 Employ, maintain and retain a skilled workforce                                                    |

### **OTHER STRATEGIC LINKS**

Nil.

### **STATUTORY ENVIRONMENT**

Nil.

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Nil direct economic impact. Learnings relating to early intervention, injury management and sustainable return to work may assist the Shire in reducing the organisational and financial impacts associated with workplace injuries, extended absences and prolonged workers compensation claims.

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

The Conference provided contemporary information on employee wellbeing, psychosocial risk, injury management and return to work. Application of these learnings may support a safer and more supportive workplace and improve outcomes for employees experiencing workplace injury or illness.

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

Nil.

#### ***Policy Implications***

Management Practice HRM012 – Staff Professional Development Reporting applies. The Management Practice requires staff attending approved professional development activities to report on key learnings, organisational relevance and opportunities to apply new knowledge or practices. It also provides for reports to be presented to Council where the professional development involves a major conference, or the outcomes are of strategic interest to the organisation.

#### ***Risk Management Implications***

|                         |                                                                                                                                                                                                                              |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category | Financial - Projects going over budget, legal costs, insurance claims, overpayments, misuse of resources                                                                                                                     |
| Risk                    | Inadequate prevention and management of workplace injuries and workers compensation claims may result in increased insurance claims, claim costs, legal expenses, extended employee absences and associated workforce costs. |
| Consequence             | 3 - Moderate                                                                                                                                                                                                                 |
| Likelihood              | 3 - Possible                                                                                                                                                                                                                 |

|                                 |                                                                                       |
|---------------------------------|---------------------------------------------------------------------------------------|
| Risk Rating, prior to treatment | Moderate (4-9)                                                                        |
| Key Controls / Treatment        | Workers' compensation and injury management support through the Shire's insurer/LGIS. |
| Risk Acceptance                 | Monitor - Risk acceptable with adequate control                                       |

### **CONSULTATION**

N/A

#### ***Aboriginal Consultation***

N/A

### **RESOURCE IMPLICATIONS**

#### ***Financial***

Conference attendance was accommodated within the Shire's existing professional development budget.

#### ***Workforce***

Attendance formed part of the professional development of the Director Customer & Development Services and Workplace Services Officer.

### **CONCLUSION**

Attendance at the Conference provided both officers with valuable insight into the changing workers compensation and workplace rehabilitation environment, particularly the increasing prominence and complexity of psychological injury and psychosocial risk.

A key reflection for both officers was the challenge employers now face in distinguishing between legitimate psychological injury and psychosocial hazards requiring appropriate intervention, and the ordinary and reasonable pressures, expectations and accountabilities that are inherent in employment. Expectations such as attending work on time, meeting reasonable deadlines, managing periods of increased workload, responding to direction, being accountable for performance and participating in performance management can, depending on the circumstances and how they are managed, intersect with psychosocial risk considerations.

This creates an increasingly complex environment for employers. The Shire has an obligation to provide a psychologically safe workplace and must take genuine concerns regarding psychological health seriously. At the same time, it must retain the capacity to set reasonable performance standards, allocate and manage workloads, provide lawful and reasonable direction and hold employees accountable for the requirements of their roles.

The Conference reinforced that these two responsibilities are not mutually exclusive. The challenge is ensuring that reasonable management action is undertaken appropriately, consistently and respectfully, with good processes and clear documentation, while also being able to recognise when workplace factors may genuinely be creating or contributing to psychological harm.

For both officers, this was one of the most significant learnings from the Conference. The changing nature of workers compensation and the increasing focus on psychosocial hazards means that managers and supervisors need greater awareness and confidence in navigating these matters. What may historically have been regarded simply as workload, workplace pressure, interpersonal conflict or performance management can now require consideration through a work health and safety, psychosocial risk and workers compensation lens.

This does not mean that normal workplace expectations should be removed or that employees should not be held accountable. It does, however, reinforce the importance of ensuring expectations are reasonable, roles and responsibilities are clear, workloads and deadlines are appropriately managed, performance issues are addressed fairly and promptly, and managers are equipped to identify and respond to genuine psychosocial risks.

The Conference provided valuable practical knowledge that will assist officer's in reviewing the Shire's existing approach to workers compensation, injury management, return to work and psychosocial risk. It reinforced the value of early intervention, good communication, meaningful and appropriately structured return-to-work arrangements, sound documentation and maintaining a strong focus on achieving outcomes that are sustainable for both the employee and the organisation.

Given the Shire's recent increase in workers compensation claims and associated investigations, the Conference was timely and provided both reassurance regarding existing practices and opportunities to strengthen the Shire's approach to prevention and management of workplace injury. The learnings will be used to support the Shire in balancing its responsibilities as an employer with the need to maintain a productive, accountable, safe and supportive workplace.

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

Nil

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

| <b>13.1 WA Police vGRID SaferCity Project – Review</b> |                                                                                                                                                                                                                            |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Ref</b>                                        | ET.1 – Energy Supply & Telecommunications – Service Providers – Telecommunications & CCTV                                                                                                                                  |
| <b>Previous Items</b>                                  | OCM25/12/202 – WA Police vGRID SaferCity Project - Item laid on the table<br>OCM26/03/028 – WA Police vGRID SaferCity Project - Council did not support participation<br>OCM26/08/112 – Notice of Motion requesting review |
| <b>Applicant</b>                                       | N/A                                                                                                                                                                                                                        |
| <b>Author and Responsible Officer</b>                  | Director Corporate & Community Services                                                                                                                                                                                    |
| <b>Declaration of Interest</b>                         | Nil                                                                                                                                                                                                                        |
| <b>Voting Requirements</b>                             | Simple Majority                                                                                                                                                                                                            |
| <b>Appendix Numbers</b>                                | 13.1 A – MOU Access to Local Government Live CCTV Feeds – WALGA & WA Police Force<br>13.1 B – MOU Schedule – Shire of Waroona & WA Police Force<br>13.1 C – Information to the LG Community Safety Manager                 |

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

OCM26/09/133

Moved: Cr Walmsley

Seconded: Cr Mason

That following its review of the WA Police vGRID SaferCity Project, Council:

1. supports the Shire of Waroona's participation in the Western Australia Police Force vGRID SaferCity Project; and
2. authorises the Chief Executive Officer to execute the Memorandum of Understanding Schedule – Shire of Waroona & WA Police Force as per Appendix 13.1 B.

**CARRIED 7/0****ALTERNATIVE RECOMMENDATION**

That following its review of the WA Police vGRID SaferCity Project, Council does not support the Shire of Waroona's participation in the Western Australia Police Force vGRID SaferCity Project.

**IN BRIEF**

Council previously considered participation in the Western Australia Police Force vGRID SaferCity Project at its December 2025 and March 2026 Ordinary Council Meetings.

At the March 2026 Ordinary Council Meeting, Council resolved not to support the Shire's participation in the initiative.

Subsequent to this decision, senior representatives from Western Australia Police attended a Councillor Briefing Session to provide further information and respond to questions regarding the operation, privacy, governance and intended use of the vGRID SaferCity platform.

At the August 2026 Ordinary Council Meeting, Council supported a motion from the Shire President requesting the Chief Executive Officer to review and report on the project. This report is presented in response to that request and provides Council with an opportunity to reconsider its position having regard to the additional information provided.

## **BACKGROUND**

The vGRID SaferCity Project provides Western Australia Police Force with secure access to selected live CCTV feeds from participating local governments and other organisations to assist with incident response, crime prevention and community safety operations.

Council first considered the project at its Ordinary Council Meeting held on 16 December 2025. The original Officer recommendation was to support participation in principle, subject to technical discovery, review of the applicable Memorandum of Understanding and amendment of Council Policy CGP030 – Closed-circuit Television (CCTV). Council instead resolved:

### ***OCM25/12/202***

*That Council lays item 11.3.3 on the table for the purpose of further discussion at a Councillor Briefing Session.*

The December 2025 report identified that participation was voluntary, the Shire would retain control over which cameras were made available, and all Police access would be logged and auditable.

Further information was subsequently provided to elected members through Councillor Briefing Sessions held in December 2025 and February 2026. Questions were raised to explore the ramifications of the vGRID SaferCity project, including privacy, use and distribution of footage and governance arrangements.

The matter was reconsidered at the Ordinary Council Meeting held on 24 March 2026, at which Council resolved:

### ***OCM26/03/028***

*That Council:*

- 1. considers the Shire of Waroona's potential participation in the Western Australia Police Force vGRID SaferCity Project; and*
- 2. does not support the Shire's participation in the initiative.*

Following Council's March decision, further discussions have occurred with Western Australia Police regarding the project.

Senior Western Australia Police representatives, including Assistant Commissioners, the South West Superintendent and Waroona Sergeant, subsequently attended a Councillor Briefing Session to provide elected members with further information regarding the project and respond directly to questions and concerns.

At the August 2026 Ordinary Council Meeting, Council resolved under OCM26/08/112 to note the following motion for consideration at the 22 September 2026 Ordinary Council Meeting, brought by Shire President Mike Walmsley:

**OCM26/08/112**

*That Council requests the Chief Executive Officer to review and report on the vGRID SaferCity Project previously considered by Council at the December 2025 and March 2026 Ordinary Council Meetings.*

This report responds to that request.

**REPORT DETAIL**

The fundamental operation of the vGRID SaferCity Project remains consistent with the proposal previously presented to Council. Participation involves the installation of a secure vGRID Gateway device within the Shire's CCTV network. The device enables authorised WA Police Officers to access selected live CCTV feeds through a secure interface.

The Shire retains ownership and control of its CCTV infrastructure and determines which cameras are made available through the platform. The previous reports also identified that the platform does not itself record footage and that Police access is logged and auditable.

The arrangement is governed through the overarching WALGA–WA Police Force Memorandum of Understanding, together with a Schedule entered into by each participating local government. The MOU addresses governance, privacy, data security and operational arrangements.

**Further engagement with Western Australia Police**

Following Council's March 2026 decision, Western Australia Police provided elected members with a further opportunity to consider the project through a Councillor Briefing Session.

The attendance of senior WA Police representatives provided elected members with an opportunity to directly raise questions regarding the intended operation of the platform, Police access to CCTV, privacy and security arrangements and the broader community safety objectives of the project.

This additional engagement has occurred subsequent to Council's March 2026 determination and is the principal reason the matter is now being returned to Council for reconsideration.

**Matters previously considered by Council**

The previous reports identified both potential benefits and considerations associated with participation.

Potential benefits include improved situational awareness for Police during incidents, faster access to relevant live CCTV footage, improved coordination between the Shire and WA Police and the potential to strengthen community safety outcomes.

Council has previously also considered concerns regarding community expectations of privacy and surveillance, reputational considerations, cybersecurity and data governance, and whether participation represents an appropriate strategic use of the Shire's CCTV infrastructure.

Participation remains voluntary and Council retains the ability to determine whether the benefits of participation are sufficient to support changing its previous position.

#### Implementation should participation be supported

Should Council now determine to support participation, implementation would not occur immediately following Council's decision.

Further work would be required to:

- complete technical discovery between WA Police, SaferCities and the Shire's CCTV provider;
- confirm cybersecurity and network compatibility;
- review and finalise the Schedule to the WALGA–WA Police Force MOU;
- determine which Shire CCTV cameras, if any, would be made available through vGRID; and
- review Council Policy CGP030 – Closed-circuit Television (CCTV) to ensure that the policy appropriately provides for live access arrangements.

Should Council maintain its March 2026 decision not to participate, no further implementation action would be required, and the Shire's CCTV network would continue to operate under its existing arrangements.

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

| <b>Focus Area</b> | <b>Our Community</b>                                                                                                                                  |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Aspiration</b> | To have a connected and involved community that improves our quality of life through developing quality places and implementing quality town planning |
| <b>Objective</b>  | 1.1 Create a connected, safe and cohesive community with a strong sense of community pride                                                            |
| <b>Strategy</b>   | 1.1.6 Ensure the safety of our community                                                                                                              |

### **OTHER STRATEGIC LINKS**

WALGA–WA Police Force Memorandum of Understanding.

### **STATUTORY ENVIRONMENT**

Nil

### **SUSTAINABILITY & RISK CONSIDERATIONS**

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

Minimal financial impact. The vGRID Gateway device is supplied by WA Police under warranty. Minor variable data usage costs may arise when Police access live CCTV feeds.

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

Participation has the potential to improve Police situational awareness and emergency response through timely access to selected Shire CCTV cameras.

Council should balance these potential community safety benefits against community expectations regarding the use of public CCTV infrastructure, privacy and surveillance.

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

Nil

**Policy Implications**

Council Policy CGP030 – Closed-circuit Television (CCTV) currently provides for limited Police access to recorded footage for criminal investigation purposes.

The existing policy does not provide for the proposed ongoing capability for authorised WA Police officers to access selected live CCTV feeds through vGRID.

Should Council support participation, Policy CGP030 will require review and amendment prior to implementation.

**Risk Management Implications**

|                                 |                                                                                                                                                                                                                                                                                                                |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context / Risk Category         | Reputation - Public perception, poor customer service, sub standard work, corruption                                                                                                                                                                                                                           |
| Risk                            | Community concern regarding surveillance or privacy, together with risks associated with providing external access to Shire CCTV infrastructure.                                                                                                                                                               |
| Consequence                     | 2 - Minor                                                                                                                                                                                                                                                                                                      |
| Likelihood                      | 3 - Possible                                                                                                                                                                                                                                                                                                   |
| Risk Rating, prior to treatment | Moderate (4-9)                                                                                                                                                                                                                                                                                                 |
| Key Controls / Treatment        | Formal MOU and participation Schedule; Shire control over participating cameras; logged and auditable Police access; technical and cybersecurity review prior to implementation; appropriate CCTV policy framework; and transparent community communication regarding the purpose and operation of the system. |
| Risk Acceptance                 | Accept - Risk acceptable                                                                                                                                                                                                                                                                                       |

**CONSULTATION**

- Elected Members
- Chief Executive Officer, Director Corporate & Community Services
- Western Australia Police Force
- Sapio – Shire's CCTV Provider

**Aboriginal Consultation**

Nil

**RESOURCE IMPLICATIONS****Financial**

There is no upfront cost to the Shire for the vGRID Gateway device, which is supplied by WA Police under warranty.

Minor variable data usage costs may be incurred when Police access live feeds. As previously reported to Council, replacement of the gateway device following the initial five-year period was estimated at approximately \$3,000–\$4,500 and possibly, may need to be considered through a future budget process.

**Workforce**

Should Council support participation, some Officer time will be required to coordinate the technical discovery process, review the MOU Schedule, liaise with the Shire's CCTV provider and WA Police, and review Council Policy CGP030.

Following implementation, ongoing administrative requirements are expected to be minimal.

### **CONCLUSION**

Council has considered the vGRID SaferCity Project on two previous occasions. In December 2025, Council deferred the matter to enable further consideration, and in March 2026 Council determined not to participate in the initiative.

Since that decision, senior representatives of Western Australia Police have attended a Councillor Briefing Session and provided elected members with further information regarding the project and an opportunity to directly raise questions regarding its operation, governance and community safety objectives.

Council has subsequently requested that the Chief Executive Officer review and report on the project.

The matter is therefore returned to Council to determine whether, having considered the additional information provided by Western Australia Police, it wishes to support participation in the vGRID SaferCity Project or maintain its previous decision not to participate.

One member of the public left the meeting, the time being 4.34pm

#### **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. CLOSURE OF MEETING**

The meeting was closed, the time being 4.40pm

The audio recording was stopped.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD Tuesday 27 October 2026 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....  
PRESIDING MEMBER

.....  
DATE