



**Date:** 1 September 2023

**To:** Shire President  
All Councillors

**Copy:** Directors  
Managers  
Staff

**SPECIAL COUNCIL MEETING  
NOTICE AND AGENDA**

**A Special Council meeting of the Shire of Waroona will be held in the Shire of Waroona Council Chamber at 4.00 pm Tuesday 5 September 2023 to consider and resolve the matters set out in the attached Agenda.**

A handwritten signature in blue ink, consisting of stylized, cursive letters that appear to read "MG".

**MARK GOODLET  
CHIEF EXECUTIVE OFFICER**

## **PUBLIC QUESTION TIME**

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

**TABLE OF CONTENTS**

1. DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS .....4

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

3. PUBLIC QUESTION TIME .....4

4. DISCLOSURES OF INTEREST .....4

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

    5.1 DIRECTOR CORPORATE & COMMUNITY SERVICES..... 5

    5.1.1 Shire of Waroona Cat Local Law 2023..... 5

6. MEETING CLOSED TO THE PUBLIC.....6

    6.1 CONFIDENTIAL ITEM – Tender – RFT2324-01 – Supply And Delivery Of Gravel  
Base Course Material..... 6

    6.2 CONFIDENTIAL ITEM – Tender – RFT 2324-02 – Supply And Delivery Of Crushed  
Limestone..... 6

    6.3 CONFIDENTIAL ITEM – Tender – RFT2324-03 – Provide Traffic Management  
Services..... 7

7. MEETING OPENED TO THE PUBLIC .....7

8. CLOSURE OF MEETING.....7

## **AGENDA**

- 1. DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**
- 2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
- 3. PUBLIC QUESTION TIME**
- 4. DISCLOSURES OF INTEREST**

(Disclosure of interest MUST ALSO be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)

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

### 5.1 DIRECTOR CORPORATE & COMMUNITY SERVICES

<b>5.1.1 Shire of Waroona Cat Local Law 2023</b>	
<b>File Ref:</b>	LE.1 - LAWS AND ENFORCEMENT - LOCAL LAWS - CATS
<b>Previous Items:</b>	Item 11.2.6 28 February 2023 OCM23/02/015 Item 11.2.5 23 May 2023 OCM23/05/064
<b>Applicant:</b>	N/A
<b>Author</b>	Corporate Planning & Governance Officer
<b>Responsible Officer</b>	Director Infrastructure & Development Services Director Corporate & Community Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Appendix Number</b>	5.1.1 A - Shire of Waroona Cat Local Law 2023 5.1.1 C – Proposed Shire of Waroona Cat Amendment Local Law 2023

### **RECOMMENDATION**

That Council:

1. in respect to the *Shire of Waroona Cat Local Law 2023*, resolves to undertake to the Joint Standing Committee on Delegated Legislation that it will:
  - a. within 6 months:
    - i. delete clause 4.4(f);
    - ii. delete clause 2.2, Part 3 and Schedule 3;
  - b. not enforce the Local Law to the contrary before it is amended in accordance with undertaking 1;
  - c. ensure all consequential amendments arising from the undertakings will be made;
  - d. where the Local Law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking;
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 Cat Amendment Local Law 2023 (Cat Local Law), as detailed at Appendix 5.1.1 C, in accordance with section 79 of the *Cat Act 2011*;
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 Cat Amendment Local Law 2023, that being:

- a. The purpose of the local law is to correct errors in the Shire of Waroona Cat Local Law 2023; and
  - b. The effect of making the proposed local law is that the Shire of Waroona Cat Local Law 2023 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 Minister for Local Government; and
  - d. prepare a further report on the proposed local law for Council consideration after the closing date for submissions.

*This item originally contained confidential information and on advice from the Joint Standing Committee on Delegated Information, this information has now been redacted.*

## 6. MEETING CLOSED TO THE PUBLIC

### RECOMMENDATION

That Council proceeds behind closed doors as per Section 5.2.3(2) of the Local Government Act for the purpose of considering Confidential Items 6.1, 6.2 and 6.3.

<b>6.1 CONFIDENTIAL ITEM – Tender – RFT2324-01 – Supply And Delivery Of Gravel Base Course Material</b>	
<b>File Ref:</b>	CM.8 CORPORATE MANAGEMENT
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	N/A
<b>Author:</b>	Senior Technical and Waste Officer
<b>Responsible Officer:</b>	Manager Works and Waste Services
<b>Declaration of Interest:</b>	N/A
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number:</b>	Nil

A confidential report has been provided under separate cover.

<b>6.2 CONFIDENTIAL ITEM – Tender – RFT 2324-02 – Supply And Delivery Of Crushed Limestone</b>	
<b>File Ref:</b>	RFT 2324-02 CM.8 CORPORATE MANAGEMENT
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	N/A
<b>Author:</b>	Senior Technical and Waste Officer

<b>Responsible Officer:</b>	Manager Works and Waste Services
<b>Declaration of Interest:</b>	N/A
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number:</b>	Nil

A confidential report has been provided under separate cover.

<b>6.3 CONFIDENTIAL ITEM – Tender – RFT2324-03 – Provide Traffic Management Services</b>	
<b>File Ref:</b>	RFT 2324/03 CM.8 CORPORATE MANAGEMENT
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	N/A
<b>Author:</b>	Senior Technical and Waste Officer
<b>Responsible Officer:</b>	Manager Works and Waste Services.
<b>Declaration of Interest:</b>	N/A
<b>Voting Requirements:</b>	Simple Majority
<b>Appendix Number:</b>	Nil

A confidential report has been provided under separate cover.

**7. MEETING OPENED TO THE PUBLIC**

**RECOMMENDATION**

**That the meeting resume in public.**

**8. CLOSURE OF MEETING**