

Notice of Meeting



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Dear Elected Member

The next Ordinary meeting of the Shire of West Arthur will be held on Tuesday 13th December 2022 in the Council Chambers commencing at 7.00pm.

Schedule

7.00pm Ordinary Council Meeting

Vin Fordham Lamont
Chief Executive Officer

A handwritten signature in black ink, appearing to read "Vin Fordham Lamont", written over a white background.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of West Arthur for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of West Arthur disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of West Arthur during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of West Arthur. The Shire of West Arthur warns that anyone who has an application lodged with the Shire of West Arthur must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of West Arthur in respect of the application.

AGENDA

Shire of West Arthur
Ordinary Council Meeting
13 December 2022

MISSION STATEMENT

To value and enhance our community lifestyle and environment through strong local leadership, community involvement and effective service delivery.

DISCLAIMER

INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

Please Note:

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

Meeting Procedures:

1. All Council meetings are open to the public, except for matter raised by Council under "confidential items".
2. Members of the public may ask a question at an ordinary Council Meeting under "public question time".
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceeding, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council's standing orders, policies and decision of the Shire of West Arthur.

Council Meeting Information:

Your Council generally handles all business at Ordinary or Special Council Meetings.

From time to time Council may form a Committee to examine subjects and then report back to Council.

Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters under "confidential items". On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.

Public Question Time. It is a requirement of the *Local Government Act 1995* to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the presiding member.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and the response is included in the meeting minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next ordinary meeting of Council.

Councillors may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter trivial, insignificant or in common with a significant number of electors or ratepayers. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the presiding member of the meeting will advise the Officer if he/she is to leave the meeting.

Agendas, including an Information Bulletin, are delivered to Councillors within the requirements of the *Local Government Act 1995*, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by a Shire Officer. An Agenda item, including a recommendation, will then be submitted to Council for consideration. The Agenda closes the Friday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

Agendas for Ordinary Meetings are available at the Shire of West Arthur Office and on the Shire website seventy-two (72) hours prior to the meeting and the public are invited to view a copy at the Shire Office.

Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 2).

Public Inspection of Unconfirmed Minutes (Regulation 13).

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection from the Shire of West Arthur Office and the Shire of West Arthur website within ten (10) working days after the Meeting.

Vin Fordham Lamont
Chief Executive Officer



SHIRE OF WEST ARTHUR - QUESTIONS FROM THE PUBLIC

Name: _____

Residential Address: _____

Phone Number: _____ Meeting Date: _____

Signature: _____

Council Agenda Item Number: _____

*If applicable-see below**

Name of Organisation Representing: _____

If applicable

QUESTION

Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. A total of 15 Minutes is allotted to Public Question Time at Council Meetings. If submitting questions to the Council, they are to relate to the Agenda Item tabled at that meeting.

Please Note: Members of the public must be in attendance at the Council Meeting to which they have submitted a question(s) for response. If this is not the case, the questions(s) will be treated as 'normal business correspondence' and the question / response will not appear in the Council Minutes.

Please see Notes on Public Question Time on Pages 4 and 5 above

* **Council Meetings:** Questions are to relate to a matter affecting the Shire of West Arthur.



APPLICATION FOR LEAVE OF ABSENCE

(Pursuant to Section 2.25 of the *Local Government Act 1995* (as amended))

- (1) A council may, by resolution, grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect to more than 6 consecutive ordinary meetings of the Council without the approval of the Minister.
- (3) The granting of the leave is to be recorded in the minutes of the meeting.
- (4) A member who is absent without first obtaining leave of the Council throughout 3 consecutive ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the Council does not constitute absence from an ordinary meeting of Council –
 - (a) if no meeting of the Council at which a quorum is present is actually held on that day;
or
 - (b) if the non-attendance occurs while –
 - (i) the member has ceased to act as a member after which written notice has been given to the member under Section 2.27 (3) and before written notice has been given to the member under Section 2.27 (5);
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending;
or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.

I, _____ hereby apply for Leave of Absence from the
 West Arthur Shire Council from _____ to _____ for the
 purpose of _____

Signed: _____ Date: _____



WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

(1) I, _____ wish to declare an interest in the following item to be considered by council at its meeting to be held on

(2) _____

(3) Agenda item _____

(4) The type of interest I wish to declare is;

- Financial pursuant to Sections 5.60A of the *Local Government Act 1995*.
- Proximity pursuant to Section 5.60B of the *Local Government Act 1995*.
- Indirect Financial pursuant to Section 5.61 of the *Local Government Act 1995*.
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007.

(5) The nature of my interest is

(6) The extent of my interest is

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

DECLARATION BY:

Signature

Date

RECEIVED BY:

Chief Executive Officer

Date

- (1) Insert your name.
- (2) Insert the date of the Council Meeting at which the item is to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box to indicate the type of interest.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act).

DISCLOSURE OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR INTEREST AFFECTING IMPARTIALITY

Financial pursuant to Sections 5.60A of the Local Government Act 1995

5.60A – Financial Interest

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995

5.60B – Proximity Interest

- (1). For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
 - (a). a proposed change to a planning scheme affecting land that adjoins the person's land;
 - (b). a proposed change to zoning or use of land that adjoins that person's land; or
 - (c). a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.
- (2). In this section, land ("**the proposal land**") adjoins a person's land if –
 - (a). the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b). the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c). the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3). In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

5.61 – Indirect financial interest

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

11 – Disclosure of interest

- (1). In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship friendship or membership of an association.
- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose nature of the interest –
 - (a). in a written notice given to the CEO before the meeting;
 - or
 - (b). at the meeting immediately before the matter is discussed.

- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –
 - (a). A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
 - (b). A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5). If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
 - (a). Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b). At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6). If –
 - (a). Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b). Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under the s.5.68 of the act)

5.68 – Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1). If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
 - (a). may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b). may allow , to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers.
- (2). A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3). This sections does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.



Shire of West Arthur

Notice of Ordinary Council Meetings

In accordance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* Reg 12 (2) it, is hereby notified that as from January 2022 to December 2022, Ordinary Council meetings of the Shire of West Arthur will be held as follows:

DATE		LOCATION	TIME
January 2022	No meetings Scheduled		
15 February 2022	Council Meeting	Council Chambers	7.00pm
15 March 2022	Council Meeting	Council Chambers	7.00pm
12 April 2022	Council Meeting	Council Chambers	7.00pm
17 May 2022	Council Meeting	Council Chambers	7.00pm
21 June 2022	Council Meeting	Council Chambers	7.00pm
26 July 2022	Council Meeting	Council Chambers	7.00pm
16 August 2022	Council Meeting	Council Chambers	7.00pm
20 September 2022	Council Meeting	Council Chambers	7.00pm
18 October 2022	Council Meeting	Council Chambers	7.00pm
15 November 2022	Council Meeting	Council Chambers	7.00pm
13 December 2022	Council Meeting	Council Chambers	7.00pm

SHIRE OF WEST ARTHUR

Agenda for the Ordinary Meeting of Council to be held in the Council Chambers on Tuesday 13 December 2022 – commencing at 7.00pm.

Contents

1.	DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS	11
2.	ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	11
3.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	11
4.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	11
5.	PUBLIC QUESTION TIME	11
6.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	11
7.	APPLICATIONS FOR LEAVE OF ABSENCE	11
8.	DISCLOSURES OF INTEREST	11
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS HELD	12
9.1	Ordinary Council Meeting Minutes 15 November 2022.....	12
10.	REPORTS OF COMMITTEES OF COUNCIL	12
11.	REPORTS FROM COUNCILLORS	12
12.	CHIEF EXECUTIVE OFFICER	13
12.1	2023 Council Meeting Dates	13
12.2	Asbestos Management Plan.....	16
12.3	WALGA Best Practice Governance Review	48
12.4	WALGA Central Country Zone Emergency Management MOU.....	73
12.5	Shire Logo.....	83
12.6	Burrowes Street Streetscaping Project.....	86
12.7	Reconciliation Action Plan	89
13.	FINANCE.....	93
13.1	Financial Reports – November 2022	93
13.2	Accounts For Payment – November 2022	103
13.3	Out of Budget Expenditure – Loader Repairs	109
14.	PLANNING AND TECHNICAL SERVICES	115
14.1	Rajander Road Subdivision	115
14.1	Application for Second Dwelling – Trigwell Bridge Rd	123
15.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	128
16.	NEW OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING.....	128
16.1	Elected Members	128
16.2	Officers	128
17.	MATTERS BEHIND CLOSED DOORS	128
18.	CLOSURE OF MEETING	128

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The Presiding Member to declare the meeting open.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

COUNCILLORS: Cr Neil Morrell (Shire President)
Cr Graeme Peirce (Deputy Shire President)
Cr Neil Manuel
Cr Adam Squires
Cr Robyn Lubcke
Cr Karen Harrington
Cr Duncan South

STAFF: Vin Fordham Lamont (Chief Executive Officer)
Gary Rasmussen (Manager Works & Services)
Kerryn Chia (Projects Officer)

APOLOGIES: Rajinder Sunner (on leave) (Manager Corporate Services)

ON LEAVE OF ABSENCE:

ABSENT:

MEMBER OF THE PUBLIC:

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER**4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****5. PUBLIC QUESTION TIME****6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. DISCLOSURES OF INTEREST**

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS HELD**9.1 Ordinary Council Meeting Minutes 15 November 2022****Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

Recommendation:

That the Minutes of the Ordinary Meeting of Council held in the Council Chambers on 15 November 2022 be confirmed as true and correct.

Moved: _____ Seconded: _____

10. REPORTS OF COMMITTEES OF COUNCIL**11. REPORTS FROM COUNCILLORS**

Cr Neil Morrell (President)

Cr Graeme Peirce (Deputy President)

Cr Neil Manuel

Cr Adam Squires

Cr Robyn Lubcke

Cr Karen Harrington

Cr Duncan South

12. CHIEF EXECUTIVE OFFICER**12.1 2023 Council Meeting Dates**

File Reference:	ADM 048
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont – Chief Executive Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	25 October 2022
Disclosure of Interest:	Nil
Attachments:	Nil

Summary:

Council is requested to consider the proposed dates and time for its 2023 Ordinary Meetings.

Background:

In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996, Council needs to set dates for Ordinary Meetings of Council for 2023.

Council Meetings are currently held on the third Tuesday of every month with adjustments made around public holidays. The July meeting is usually held later in the month to enable the budget to be prepared prior to the meeting.

Meetings currently commence at 7pm.

Comment:

It is proposed that, moving forward, Ordinary Meetings of Council are held on the fourth Thursday of the month to enable officers more time to finalise agenda items and, potentially, to provide councillors with additional time to read the agendas.

Proposed meeting dates for 2023 are:

January No Meeting
 23 February
 23 March
 27 April
 25 May
 22 June
 27 July
 24 August
 28 September
 26 October
 23 November
 21 December (third Thursday to avoid Christmas)

Note that Special Meetings of Council can be called as required to address urgent matters.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995
 s5.3 Ordinary and special council meetings

Local Government (Administration) Regulations 1996
 Reg. 12 Publication of meeting details

Policy Implications:

Nil

Financial Implications:

The annual budget provides for the expense associated with preparation of meeting agendas and for meeting fee expenses associated with Councillors' attendance.

Strategic Implications:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Councillors represent the community and are well trained

Strategy: Council process is open and transparent to the general community

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failure to correctly advertise Ordinary Meeting of Council dates
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (2)
Risk Likelihood (based on history and with existing controls)	Rare (1)
Risk Consequence	Minor (2)
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Advertise council meeting dates as per legislative requirements

Voting Requirements:

Simple majority

Officer Recommendation:

That Council set the following Ordinary Meeting of Council dates for 2023:

Thursday 23 February
 Thursday 23 March
 Thursday 27 April
 Thursday 25 May
 Thursday 22 June
 Thursday 27 July
 Thursday 24 August
 Thursday 28 September
 Thursday 26 October
 Thursday 23 November
 Thursday 21 December

Moved: _____

Seconded: _____

12.2 Asbestos Management Plan

File Reference:	ADM 261
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont – Chief Executive Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	4 December 2022
Disclosure of Interest:	Nil
Attachments:	1. Asbestos Management Plan 2. Weekly Facility Inspection Report

Summary:

Council is requested to note and endorse the attached Asbestos Management Plan.

Background:

Earlier this year, the Shire was licensed by the Department of Water and Environmental Regulation (DWER) to accept asbestos at the Darkan Waste Management Facility. A condition of this license was that the Shire prepare an appropriate Asbestos Management Plan.

Comment:

The Shire of West Arthur (the Shire) engaged ASK Waste Management (ASK) to produce an Asbestos Management Plan (AMP) for the Darkan Waste Management Facility (the Facility). Asbestos is a hazardous material that was utilised extensively in the construction of buildings and structures up to the 1990s. As a result, there is a risk that demolition waste received at waste management facilities may contain asbestos, asbestos-containing material (ACM), fibrous asbestos (FA) or asbestos fines/fibres (AF), which can present serious health risks to people exposed to it.

The Facility is currently able to accept asbestos onto the premises; however this is by appointment only. There remains a risk of illegal dumping due to the Facility being unstaffed during opening hours.

Management considers the attached AMP to be appropriate for the Facility.

Consultation:

Nil

Statutory Environment:

This AMP has been prepared considering the following documents:

- Health (Asbestos) Regulations 1992;
- Occupational Safety and Health Regulations 1996;
- Work Health and Safety (General) Regulations 2022;
- Environmental Protection Act 1986;
- Environment Protection Regulations 1987;
- Environmental Protection (Controlled Waste) Regulations 2004; and
- Environmental Protection (Rural Landfill) Regulations 2002.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

West Arthur Towards 2031

Theme: Natural Environment

Outcome: Waste is minimised, and environmentally sustainable practices are employed

Strategy: Provide an effective waste management service

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failure to have in place appropriate arrangements to manage asbestos and related safety of community members
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	High (16)
Risk Likelihood (based on history and with existing controls)	Likely (4)
Risk Consequence	Major (4)
Principal Risk Theme	Inadequate environmental management
Risk Action Plan (Controls or Treatment Proposed)	Adopt Asbestos Management Plan and implement recommendations

Voting Requirements:

Simple majority

Officer Recommendation:

That Council note and endorse the attached Asbestos Management Plan.

Moved: _____

Seconded: _____



Asbestos Management Plan

Darkan Waste Management Facility

Shire of West Arthur



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Acknowledgements

ASK Waste Management acknowledges the Traditional Owners of the land in which we work and live, and pays respects to Elders past, present, and emerging.

ASK also gratefully acknowledge the cooperation of the Shire of West Arthur staff that provided information and assistance in the development of this report.

Disclaimer

Information in this document is current as of November 2022. While all professional care has been undertaken in preparing the document, ASK Waste Management accepts no liability for loss or damages incurred as a result of reliance placed on its content.

Any plans, designs or otherwise contained in this report are schematic and are provided for general guidance only. No reliance should be made by any user on this material for construction purposes. Advice must be sought from a suitably qualified engineer, prior to any construction, excavation or otherwise.

The mention of any company, product or process in this report does not constitute or imply endorsement by ASK Waste Management.

Document Control			
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1C	1/11/2022	Draft for internal review	FF
2A	1/11/2022	Draft version for Shire review	SBG
2B	2/11/2022	Final Version	FF

Report produced by:

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www.askwm.com



Table of Contents

1	INTRODUCTION	4
1.1	Objectives and Scope.....	4
1.1.1	Revisions and Updates	4
1.2	Facility Overview	4
1.2.1	Facility Location	5
1.2.2	Surrounding Land Uses	6
1.2.3	Waste Types Accepted	6
2	OPERATIONAL MANAGEMENT	7
2.1	Facility Access and Security.....	7
2.1.1	Security Infrastructure	7
2.1.2	Facility access and security protocols	8
2.2	Facility Inspections.....	8
2.3	Pre-acceptance Procedures.....	8
2.4	Acceptance Procedures.....	9
2.5	Disposal of Asbestos	9
2.6	Handling of On-site Asbestos.....	10
3	STAFF COMPETENCE AND TRAINING.....	11
4	RECORD KEEPING.....	12
4.1	Asbestos Register.....	12
	REFERENCES.....	13
	APPENDIX A – ASBESTOS EMERGENCY RESPONSE PROCEDURE.....	14
	APPENDIX B – ASBESTOS REGISTER	15
	APPENDIX C – RURAL LANDFILL REGULATIONS.....	16

List of Figures

Figure 1.1 - Facility Location (Premises boundary highlighted in yellow)	5
Figure 1.2 - Facility layout (Aerial Image from Nearamap October 2022)	6
Figure 2.1 - Signage at the entrance gate	7

List of Tables

Table 1.1 - Facility Overview	5
Table 3.1 - Roles and Responsibilities.....	11

1 INTRODUCTION

The Shire of West Arthur (the Shire) engaged ASK Waste Management (ASK) to produce an Asbestos Management Plan (AMP) for the Darkan Waste Management Facility (the Facility).

Asbestos is a hazardous material that was utilised extensively in the construction of buildings and structures up to the 1990s. As a result, there is a risk that demolition waste received at waste management facilities may contain asbestos, asbestos-containing material (ACM), fibrous asbestos (FA) or asbestos fines/fibres (AF), which can present serious health risks to people exposed to it.

The Facility is currently able to accept asbestos onto the premises; however it hasn't made this available to the public as of yet. There remains a risk of illegal dumping due to the Facility being unstaffed during opening hours.

This AMP has been prepared considering the following documents:

- Health (Asbestos) Regulations 1992;
- Occupational Safety and Health Regulations 1996;
- Work Health and Safety (General) Regulations 2022;
- Environmental Protection Act 1986;
- Environment Protection Regulations 1987;
- Environmental Protection (Controlled Waste) Regulations 2004; and
- Environmental Protection (Rural Landfill) Regulations 2002.

1.1 OBJECTIVES AND SCOPE

This AMP has been developed to ensure that any waste that potentially contains asbestos material is managed safely and in accordance with the *Rural Landfill Regulations* (WA Government, 2002).

The objectives of the AMP are to:

- Minimise the potential for asbestos or ACM to be received or illegally disposed of at the Facility; and
- Outline the required steps to safely manage asbestos disposal at the Facility.

The Shire shall ensure that all staff and sub-contractors at the Facility are familiar with the relevant requirements described in this AMP. A copy of this AMP shall be kept at the Shire offices and shall be made available for inspection by the Department of Water and Environmental Regulation (DWER) upon request.

1.1.1 REVISIONS AND UPDATES

The Shire will review and update the AMP (as necessary) at least every three years. The purpose of the review is to:

- Update the AMP to reflect any changes to Facility operations;
- Update the AMP to reflect regulatory changes;
- Update the AMP to reflect any changes to Best Practice guidelines; and
- Update the AMP to incorporate all changes arising from the review process.

1.2 FACILITY OVERVIEW

The Darkan Putrescible Landfill site services the Shire of West Arthur, receiving the weekly kerbside waste along with residential drop-off four days a week. It is registered as a Category 89 prescribed premises, operating under the *Rural Landfill Regulations* (WA Government, 2002).

Table 1.1 - Facility Overview

Facility address:	Reserve 31890 Coalfields Road, Darkan, WA 6392
Ownership:	Shire of West Arthur
Operator:	Shire of West Arthur
Landfill class:	Category 89 – Registered landfill
Waste types received:	<ul style="list-style-type: none"> • Putrescible • Inert waste • Green waste • Special waste type 1 (asbestos) • Clean fill
Tonnage per annum:	Estimated at 100 - 200 tonnes per annum
Size:	50.26 hectares
Population serviced:	The Facility services the Shire of West Arthur, which has a population of 773 (2021 Census QuickStats).
Method of construction:	Above and below-ground cells
Type of liner:	No liner
Opening hours:	Friday, Saturday, Sunday and Monday from 07:30 am to 4:00 pm.

1.2.1 FACILITY LOCATION

The Facility covers an area of approximately 50.26 hectares and is located 8.2km southeast of Darkan Town Centre, accessed directly off Coalfields Road. The premises address is Crown Reserve 31890 Coalfields Road in Darkan.

Figure 1.1 - Facility Location (Premises boundary highlighted in yellow)



The layout of the Facility's key features is provided in **Figure 1.2** below.

Figure 1.2 - Facility layout (Aerial Image from Nearmap October 2022)



1.2.2 SURROUNDING LAND USES

The area enveloping the landfill consists of mixed-use farming properties, with Darkan town centre 8km east of the Facility. Numerous dams are located in the vicinity, the closest being 180m north of the site boundary. The nearest residence is situated 1.4km east of the landfill.

1.2.3 WASTE TYPES ACCEPTED

As the Facility is registered as a Category 89 prescribed premises, it must adhere to the *Rural Landfill Regulations* (WA Government, 2002). This allows for the disposal of the following wastes:

- Clean fill;
- Inert Waste Type 1;
- Uncontaminated fill;
- Neutralised acid sulfate soil; and
- Putrescible wastes.

The acceptance of any waste outside of these categories would require an application to be lodged with DWER and adherence to any rules and regulations surrounding the approval of this application.

The Shire has expressed the intention to receive ACM in order to dispose of any asbestos found illegally dumped within the Shire. This would be handled and wrapped to specification by a third party and disposed of by an appointed operator, following all instructions in **Section 2.5**. The Shire is also considering allowing for the disposal of asbestos by appointment only.

2 OPERATIONAL MANAGEMENT

2.1 FACILITY ACCESS AND SECURITY

The Shire considers that unauthorised access and illegal dumping present the most significant risk of asbestos-containing waste being deposited at the Facility in an uncontrolled manner. Provision and maintenance of security infrastructure and adherence to security protocols are therefore considered essential to minimising the risk of uncontained asbestos being deposited at the Facility.

At a minimum, the Shire shall implement the following security measures at the Facility:

- Erect and maintain suitable fencing to prevent unauthorised access to the site;
- Ensure that any entrance gates to the premises are securely locked when the facility is closed; and
- Undertake regular inspections of all security measures and repair damage as soon as practicable.

2.1.1 SECURITY INFRASTRUCTURE

The Facility is secured by a ringlock perimeter fence and entrance gate located in the northeast corner of the facility, directly off Coalfields Road, as seen in **Figure 1.2**.

To further improve security at the Facility and reduce the risk of illegal dumping, it is recommended that the Shire consider the installation of CCTV cameras at the Facility entrance, tipping area, and sections of the perimeter fence that may be prone to forced entry. The installation of CCTV cameras and signage notifying site users of their presence can realise the following benefits:

- Reduced likelihood of unauthorised entry when the Facility is closed;
- Reduced likelihood of people accessing the Facility during opening hours with the intention of disposing uncontained asbestos materials and other unacceptable waste types;
- Improved behaviour and compliance of people utilising the Facility during opening hours; and
- Ability for the Shire to remotely monitor activity at the Facility to improve safety and assess site usage.

Figure 2.1 - Signage at the entrance gate



2.1.2 FACILITY ACCESS AND SECURITY PROTOCOLS

The Shire shall ensure that any entrance gates to the Facility are securely locked when the Facility is closed.

The keys required for accessing the Facility shall be kept at the Shire Office in Darkan under the custody of the Manager Works and Services when the Facility is not being utilised.

The keys and lock for accessing the Facility shall be changed as soon as practicable if it is apparent that unauthorised access to the Facility has occurred without forced entry (i.e. via a copied, lost, or stolen key).

2.2 FACILITY INSPECTIONS

The Shire shall ensure that the Facility's security infrastructure is inspected on at least a weekly basis. These inspections should include but not be limited to the following actions:

- Inspection of the entrance gate and lock for damage or evidence of forced entry;
- Inspection of the perimeter fencing for damage or evidence of forced entry; and
- Inspection of the Facility for evidence of unauthorised waste dumping.

The following information shall be recorded in a Facility Inspection Report (FIR) during each inspection:

- Name of person undertaking the inspection;
- Date and time of inspection;
- Location and description of any damage, evidence of forced entry or illegal dumping; and
- Photos of any damage, evidence of forced entry, or illegal dumping identified during the inspection.

The person undertaking the inspection shall submit the report to the Manager Works and Services by the end of the working day. The Manager Works and Services shall retain copies of inspection reports for at least 12 months and make them available to DWER Officers if requested.

If damage or evidence of forced entry is identified during an inspection, the Manager Works and Services shall undertake actions to repair the damage as soon as practicable. Any reparative actions taken shall be recorded and made available to DWER Officers if requested.

If illegally dumped waste is believed to contain asbestos, the procedures detailed in **Section 2.4** shall be implemented.

2.3 PRE-ACCEPTANCE PROCEDURES

The Shire shall implement the following systems and procedures to prevent the acceptance of asbestos at the Facility that the Shire has not approved:

- Advising all customers and potential customers that asbestos or potentially asbestos-contaminated material is not accepted at the Facility without prior approval from the Shire. This information should be communicated during phone enquiries and other documentation, such as the Shire website, rates notices, and fees and charges list.
- Communicating the Shire's asbestos acceptance policy with building contractors undertaking works within the Shire.
- Installation of a clearly visible sign at the Facility entrance stating 'No Asbestos' and specifying the applicable penalty.

2.4 ACCEPTANCE PROCEDURES

The Shire shall implement the following waste acceptance procedures to ensure that asbestos-containing waste is accepted at the Facility in accordance with the *Rural Landfill Regulations* (WA Government, 2002) and the *Controlled Waste Regulations* (WA Government, 2004).

The Shire shall only accept ACM, or potential ACM if the following conditions are met:

- The individual or organisation seeking to dispose of the ACM contacts the Shire in writing with a request that details:
 - The type and estimated quantities of ACM that require disposal
 - Where the ACM is being transported from
 - When the ACM will likely require disposal
 - Who will be transporting the ACM to the Facility.
- The Shire responds in writing, agreeing to receive the ACM if the Facility has the physical capacity to safely dispose of the quantities requiring disposal, the Shire has the necessary staff and plant resources available to safely dispose of the ACM at the required time, and it is in the Shire's interest to receive the ACM. This communication should be signed by the CEO and specify the following:
 - Date and time disposal can occur
 - Packing and transportation requirements
 - Fees and charges that will be incurred for the disposal of the ACM.

The Shire is to ensure that whoever is depositing the waste has correctly wrapped and packaged the asbestos to reduce the risk of any asbestos fibres becoming airborne whilst handling it. Section 44 of the *Controlled Waste Regulations* (WA Government, 2004) states that all loads with ACM must be:

- Separated from other material for disposal, where that is reasonably practicable;
- Wrapped or otherwise contained in a manner that prevents asbestos fibres from entering the atmosphere during transportation on the road; and
- Labelled or marked with the words "CAUTION ASBESTOS" in letters not less than 50 mm high.

2.5 DISPOSAL OF ASBESTOS

The Shire will adhere to all requirements of the *Rural Landfill Regulations* (WA Government, 2002) (**Appendix C**) in relation to the disposal of ACM at the Facility.

As approval has been granted by DWER to receive asbestos at the facility, Section 15 of the *Rural Landfill Regulations* has already been met.

The following is taken directly from Section 16 of the *Rural Landfill Regulations* and must be followed:

1. The occupier of a landfill site is to ensure that clinical waste and material containing asbestos disposed of at the site is disposed of under the occupier's personal supervision or the personal supervision of a person nominated by the occupier.
2. The person supervising the disposal of clinical waste or material containing asbestos at a landfill site is to ensure that it is covered as soon as is practicable after its disposal —
 - (a) with a dense, inert, and incombustible material; and
 - (b) to a depth of at least one metre.
3. The occupier of a landfill site is to ensure that there is kept at the landfill site an accurate and up to date —
 - (a) register of clinical waste and material containing asbestos disposed of at the landfill site; and

- (b) a plan of the landfill site showing the position of clinical waste and material containing asbestos disposed of at the landfill site.
4. The person supervising the disposal of clinical waste or material containing asbestos at a landfill site is to make an entry in the register within 2 hours of supervising the covering of waste under subregulation (2), stating —
 - (a) the date;
 - (b) the person's name;
 - (c) that the waste has been covered in accordance with that subregulation; and
 - (d) where more than one square metre of waste was covered, grid coordinates with reference to the plan of the landfill site so that the position of the waste can be easily and accurately ascertained.
 5. The occupier of a landfill site is to ensure that the grid references entered in the register are marked on the plan of the landfill site.

2.6 HANDLING OF ON-SITE ASBESTOS

There may be instances where the Shire's security measures and waste acceptance controls (**Section 2.1** and **Section 2.4**) fail to detect or prevent asbestos-containing waste loads from being deposited at the Facility by authorised personnel or illegal dumping.

If asbestos-containing material is identified at the Facility, it presents a significant occupational health and safety hazard; such events require immediate action and are treated as an emergency.

In the event that asbestos, or material potentially containing asbestos, is identified at the Facility, Shire personnel are to:

- Stop work immediately;
- Evacuate all public and non-essential personnel away from the area; and
- Notify the Manager Works and Services and implement the Shire's Asbestos Emergency Response Procedure (**Appendix A**).

3 STAFF COMPETENCE AND TRAINING

The Shire provides personnel to manage, supervise, operate, and maintain the Facility in accordance with this AMP and other relevant regulatory requirements.

To maintain compliance, the Shire shall ensure that:

- Any person accessing the Facility for asbestos disposal purposes has access to and is aware of the conditions of this AMP; and
- The Shire shall ensure that all staff utilising the Facility are appropriately trained, qualified and experienced. Training shall be undertaken to ensure that personnel operate the Facility in accordance with this AMP and other relevant guidelines and legislation.

The roles, responsibilities, and required skills of relevant personnel (**Table 3.1**) will be defined within their Job Description documentation.

Table 3.1 - Roles and Responsibilities

Position	Responsibilities
Shire CEO	<ul style="list-style-type: none"> • Ensuring implementation of the AMP • Ensuring facility access and security protocols are adhered to in accordance with Section 2.1 • Ensuring facility inspections are undertaken in accordance with Section 2.2 • Ensuring repairs to security infrastructure are undertaken as soon as practicable • Record keeping • DWER notification
Manager Works and Services	<ul style="list-style-type: none"> • Ensuring implementation of the AMP • Ensuring facility access and security protocols are adhered to in accordance with Section 2.1 • Maintaining custody of Facility access keys • Implementing asbestos emergency response procedures
Machine Operators	<ul style="list-style-type: none"> • Ensuring that the Facility is securely locked outside of opening hours • Inspection and recording of waste loads • Reporting illegal dumping and damage to security infrastructure to the Manager of Works and Services

4 RECORD KEEPING

Operation of the Facility requires a range of information to be accurately recorded and retained by the Shire to maintain compliance with legislative reporting requirements, this AMP and the Asbestos Guidelines.

The following records should be kept and retained by the Shire and made available for inspection to DWER, WorkSafe, and Department of Health officers:

- A copy of this AMP;
- Facility inspection records;
- Security infrastructure repair records;
- A complaints register;
- Work Orders requesting access to the Facility;
- Records of waste loads accepted and dispatched from the Facility;
- Controlled Waste Tracking Forms; and
- Training records.

4.1 ASBESTOS REGISTER

An Asbestos Register must also be kept to track the details of the asbestos loads disposed of and any incidents involving the unexpected discovery of ACM. This must include the following details.

- Date;
- Name;
- Contact details;
- Vehicle registration;
- Source of asbestos;
- Estimated quantity of asbestos; and
- Whether accepted or rejected.

Any incidents reported in this register must be held for 40 years due to the elongated latency period associated with asbestos-related illnesses.

An example of an Asbestos Register is provided in **Appendix B**.

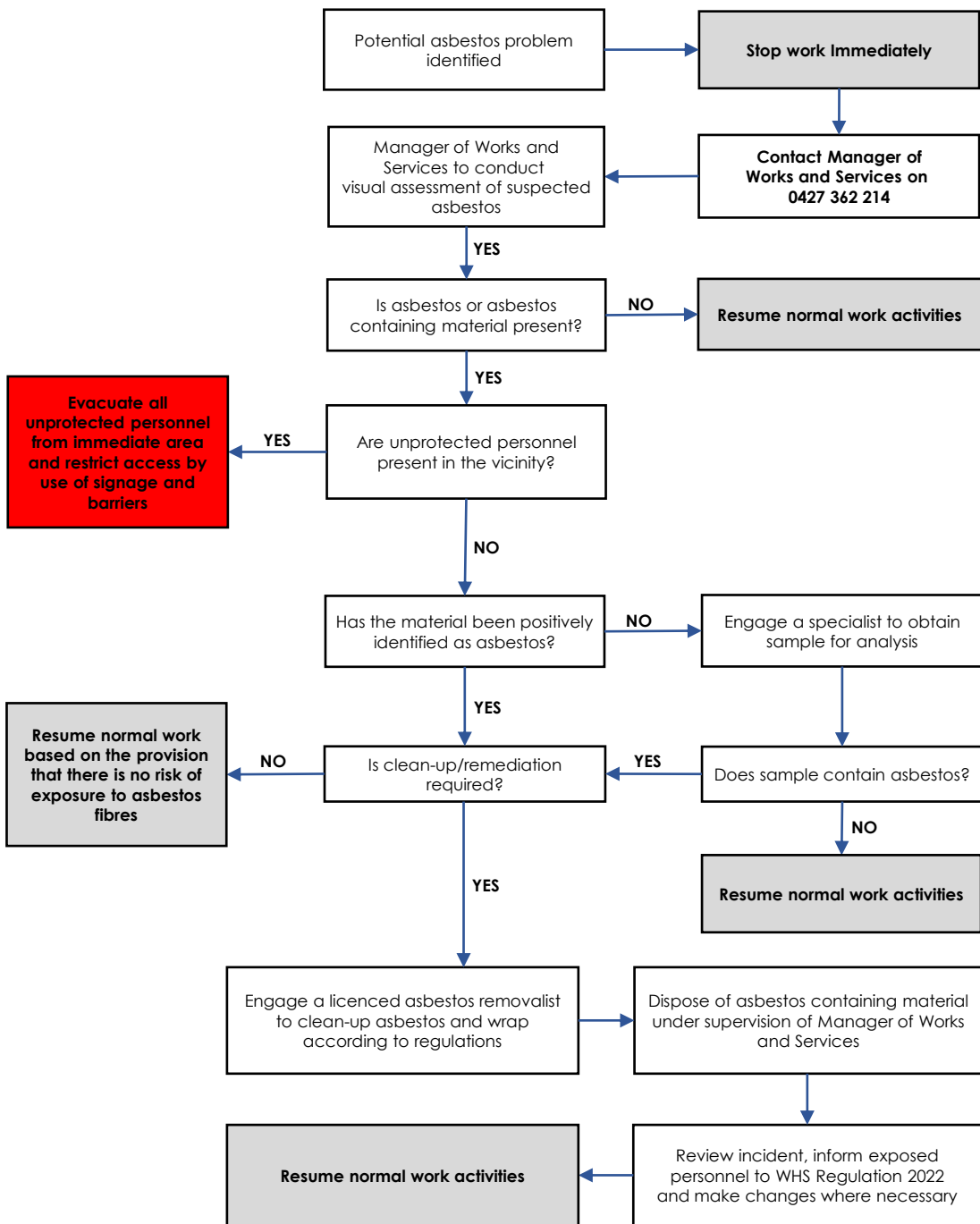
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APPENDIX A – ASBESTOS EMERGENCY RESPONSE PROCEDURE



Shire of West Arthur Asbestos Emergency Response Plan



APPENDIX B – ASBESTOS REGISTER



Darkan Waste Management Facility
ASBESTOS REGISTER
Shire of West Arthur

Revision History Log			
Version #	Revision Date	Author	Changes

APPROVALS

Version 1.A

This document may only be signed by a person(s) with legal authority to sign it.

Approved by: _____

Date: _____

APPENDIX C – RURAL LANDFILL REGULATIONS

Environmental Protection Act 1986

**Environmental Protection (Rural Landfill)
Regulations 2002****1. Citation**

These regulations may be cited as the *Environmental Protection (Rural Landfill) Regulations 2002*.

2. Commencement

These regulations come into operation on 1 July 2002.

3. Interpretation

In these regulations —

approved means approved in writing by the Chief Executive Officer;

clinical waste has the same meaning as in the *Environmental Protection (Controlled Waste) Regulations 2001*;

Fire Control Officer, in relation to a landfill site, means a person who has such qualifications in fire fighting or fire control as are approved, appointed to that position by the occupier of the landfill site;

landfill site means a landfill site to which these regulations apply, in accordance with regulation 4;

Landfill Waste Classification and Waste Definitions 1996 means the document entitled “Landfill Waste Classification and Waste Definitions 1996” published by the Chief Executive Officer, as amended from time to time;

material containing asbestos has the same meaning as in regulation 41 of the *Environmental Protection (Controlled Waste) Regulations 2001*;

Environmental Protection (Rural Landfill) Regulations 2002**r. 4**

putrescible waste means putrescible waste as defined in the *Landfill Waste Classification and Waste Definitions 1996*;

surface water body means a watercourse or wetland (as those terms are defined in the *Rights in Water and Irrigation Act 1914*) and any other surface water, whether artificial or natural;

tipping area means the area of a landfill site where waste currently being brought to the site is being deposited.

4. Landfill sites to which these regulations apply

These regulations apply to and in respect of premises specified in Schedule 1 Part 2 of the *Environmental Protection Regulations 1987* as category 89 premises and registered under regulation 5B of those regulations.

5. Tipping area

The occupier of the landfill site must ensure that the tipping area of the site is not greater than —

- (a) 30 metres in length; and
- (b) 2 metres above ground level in height.

Penalty: \$5 000.

6. Covering of waste

- (1) The occupier of a landfill site must ensure that waste in the tipping area of the site is covered —

- (a) at least as often as is specified in the Table to this regulation; and
- (b) in accordance with subregulation (2).

Penalty: \$5 000.

- (2) Waste is to be —

Environmental Protection (Rural Landfill) Regulations 2002**r. 7**

- (a) covered with a dense, inert and incombustible material, or such other material as is approved in respect of a particular landfill site; and
 - (b) totally covered, so that no waste is left exposed.
- (3) The occupier of a landfill site must ensure that there is enough cover material at any time stored and readily available on the site for the tipping area of the site to be covered, in accordance with this regulation, at least twice.

Penalty: \$5 000.

Table

Tonnes of waste received per year	Frequency waste is to be covered
Less than 500 tonnes	Monthly
Between 500 and 2 000 tonnes	Fortnightly
Between 2 000 and 5 000 tonnes	Weekly

7. Fencing of landfill site

The occupier of a landfill site must ensure that there is a fence around the boundary of the site which is an effective barrier to cattle, horses and other stock.

Penalty: \$5 000.

8. Waste to be contained on landfill site

The occupier of a landfill site must ensure that —

- (a) waste does not get washed, or blown, outside the site; and
- (b) waste that has been washed, or blown, away from the tipping area of the site is returned to the tipping area at least once in each month.

Penalty: \$5 000.

Environmental Protection (Rural Landfill) Regulations 2002**r. 9**

9. Separation of waste from water and site boundary

Unless otherwise approved in writing, the occupier of a landfill site must ensure that there is no waste within —

- (a) 35 metres from the fence surrounding the site;
- (b) 100 metres of any surface water body at the site; or
- (c) 3 metres of the highest level of the water table aquifer at the site.

Penalty: \$5 000.

10. Stormwater management

The occupier of a landfill site must ensure that stormwater on the site is adequately managed so that —

- (a) it is diverted from areas of the site where there is waste; and
- (b) water that has come into contact with waste is to be diverted into a sump on the site, or otherwise retained on the site.

Penalty: \$5 000.

11. Dust suppression

The occupier of a landfill site must ensure that no visible dust escapes from the landfill site.

Penalty: \$5 000.

12. Firebreaks

The occupier of a landfill site must ensure that there is a firebreak of at least 3 metres around the boundary of the site.

Penalty: \$5 000.

Environmental Protection (Rural Landfill) Regulations 2002

r. 13

13. Burning of greenwaste only

- (1) The occupier of a landfill site must ensure that waste is not burnt at the site, other than greenwaste burnt in accordance with this regulation.

Penalty: \$5 000.

- (2) Greenwaste may be burnt if —
- (a) it is dry and seasoned for at least 2 months before it is burnt;
 - (b) it is burnt in a designated burning area of the landfill site;
 - (c) it is burnt in trenches or windrows;
 - (d) it is burnt quickly and in such a way that the generation of smoke is minimised;
 - (e) burning does not commence before 8 a.m. and the Fire Control Officer for the landfill site declares the area safe by 12 noon on the same day; and
 - (f) there is present in the area from the time burning commences until the Fire Control Officer for the landfill site declares the area safe —
 - (i) a fire fighting vehicle carrying at least 500 litres of water, fitted with at least 30 metres of 19 mm diameter rubber hose and with a pump capacity capable of delivering a minimum of 250 litres of water per minute at a minimum of 700 kPA through a nozzle capable of projecting water by spray or by jet; and
 - (ii) 2 persons, who have such qualifications in fire fighting as are approved.

- (3) In this regulation —

designated burning area means an area of a landfill site that has been designated by the occupier of the site as a designated burning area and which —

Environmental Protection (Rural Landfill) Regulations 2002**r. 14**

- (a) is at least 50 metres from the boundary of the site;
- (b) has no inflammable material on it, other than the greenwaste and live trees, for a radius of 50 metres;
- (c) is positioned on an area of the site where waste (other than the greenwaste to be burnt) has not been deposited; and
- (d) is at least 500 metres from any person's residence or place of employment (other than the landfill site) or an educational institution, hospital or other public place;

greenwaste means waste that originates from flora.

14. Outbreak of fire

- (1) The occupier of a landfill site must ensure that there are appropriate procedures in force at the site so that —
 - (a) any unauthorised fire on the site is promptly extinguished; and
 - (b) appropriate alarm and evacuation procedures are in place.
- (2) The occupier of a landfill site must ensure that an unauthorised fire on the site is extinguished as soon as possible.
- (3) Within 14 days of an unauthorised fire at a landfill site, the occupier of the site must give to the Chief Executive Officer a report on the fire containing —
 - (a) details of the date, time and location of the fire;
 - (b) the time the location of the fire was declared safe by the Fire Control Officer for the site; and
 - (c) the cause, or suspected cause, of the fire.

Penalty: \$5 000.

15. Approval for disposal at landfill site of clinical waste or material containing asbestos

- (1) The occupier of a landfill site must ensure that clinical waste or material containing asbestos is not disposed of at the site unless the site is approved for the disposal of that waste or material, as is relevant.
- (2) The occupier of a landfill site must ensure that clinical waste and material containing asbestos is disposed of in accordance with the relevant approval.
Penalty: \$5 000.
- (3) Where there is a conflict between a requirement of regulation 16 and a requirement of an approval, the requirement of regulation 16 prevails.

16. Disposal of clinical waste and material containing asbestos

- (1) The occupier of a landfill site is to ensure that clinical waste and material containing asbestos disposed of at the site is disposed of under the occupier's personal supervision or the personal supervision of a person nominated by the occupier.
- (2) The person supervising the disposal of clinical waste or material containing asbestos at a landfill site is to ensure that it is covered as soon as is practicable after its disposal —
 - (a) with a dense, inert and incombustible material; and
 - (b) to a depth of at least one metre.
- (3) The occupier of a landfill site is to ensure that there is kept at the landfill site an accurate and up to date —
 - (a) register of clinical waste and material containing asbestos disposed of at the landfill site; and
 - (b) a plan of the landfill site showing the position of clinical waste and material containing asbestos disposed of at the landfill site.

Environmental Protection (Rural Landfill) Regulations 2002**r. 17**

- (4) The person supervising the disposal of clinical waste or material containing asbestos at a landfill site is to make an entry in the register within 2 hours of supervising the covering of waste under subregulation (2), stating —
- (a) the date;
 - (b) the person's name;
 - (c) that the waste has been covered in accordance with that subregulation; and
 - (d) where more than one square metre of waste was covered, grid coordinates with reference to the plan of the landfill site so that the position of the waste can be easily and accurately ascertained.
- (5) The occupier of a landfill site is to ensure that the grid references entered in the register are marked on the plan of the landfill site.
- Penalty: \$5 000.

17. Post-closure plan

- (1) The occupier of a landfill site must prepare and submit to the Chief Executive Officer for approval a post-closure rehabilitation plan, in accordance with subregulation (2), for the site within 18 months of the site being registered under regulation 5B of the *Environmental Protection Regulations 1987*.
- Penalty: \$5 000.
- (2) A post-closure rehabilitation plan is to set out a plan for the rehabilitation of the site after it has ceased to be a landfill site and, in particular, is to specify —
- (a) options for the use of the site after it has ceased to be a landfill site, and is to specify the preferred option;
 - (b) a conceptual design of the infrastructure needed for the preferred option for the use of the site after it has ceased to be a landfill site;

Environmental Protection (Rural Landfill) Regulations 2002

r. 17

- (c) the estimated final contours of the site, after allowing for settlement, and specifying to what extent settlement has been allowed for;
- (d) the capping materials proposed to be used on the site;
- (e) a proposed system of drainage of the site;
- (f) measures proposed for the protection of the environment and the monitoring of the site; and
- (g) the estimated period for which the site will require protection and monitoring.



WEEKLY FACILITY INSPECTION REPORT

Date:		Time completed:	
Completed by:		Signature:	

SECURITY AND ACCESS	YES / NO / N/A	LOCATION/DESCRIPTION OF FINDINGS
Are fences and gates in good condition and suitable for prohibiting access?		
Is there evidence of forced entry at the gate, or anywhere along the perimeter fence?		
Is there any evidence of unauthorised dumping of waste in the vicinity?		
Have photos been taken of any forced entry or illegal dumping?		
Is there any waste present that is suspected to contain asbestos?		
GENERAL	YES / NO / N/A	LOCATION/DESCRIPTION OF FINDINGS
Is the tipping area no greater than 30m in length and no more than 2m above ground level?		
Has waste in the tipping area been covered within the last month?		
Has any waste that escaped tipping area been returned in the last month?		
Is any stormwater being effectively managed and retained on site?		
Is any dust being generated escaping from the site?		
Is there a sufficient firebreak being maintained of at least 3m around the site boundary?		
Is all burning of greenwaste being managed according to Rural Landfill Regulations?		
Has there been any unauthorised fires on the premises?		
Has the Manager of Works and Services been notified of these findings where required?		

12.3 WALGA Best Practice Governance Review

File Reference:	ADM 145
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont – Chief Executive Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	7 December 2022
Disclosure of Interest:	Nil
Attachments:	1. WALGA Background Paper

Summary:

Council is requested to consider endorsing the recommended models in relation to the Best Practice Governance Review of the WA Local Government Association (WALGA).

Background:

WALGA developed its Corporate Strategy 2020-25, and in doing so, identified a key strategic priority, to undertake a Best Practice Governance Review. The objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members. Other drivers for the review included:

- Misalignment between key governance documents; Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from varying amendments.
- State Council's 3 September 2021 resolution requesting amendment to the Constitution to "deal with matters related to State Councillors' Candidature for State and Federal elections".
- Proposed legislative reforms to remove WALGA from being constituted under the Local Government Act 1995 (WA).
- Constitutional requirements for WALGA to become a registered organisation under the Industrial Relations Act 1979 (WA), which would enable WALGA to make applications in its own right to the Western Australian Industrial Relations Commission.

In March 2022, WALGA State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review.

The BPGR Steering Committee had its first meeting on 5 May 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change. At the meeting, five comparator organisations were identified to be used in a governance model comparative analysis. Steering Committee meetings 2 to 5 had a focus on the development of governance model principles.

Councillors are requested to read the attached Background and Consultation Papers, which were prepared by WALGA, and assess the model options.

Comment:

WALGA's Corporate Strategy 2020-2025 identifies its governance model as a key enabler of performance, with the following description: "*We have contemporary governance and engagement models.*" Member and stakeholder feedback from a range of sources over several years has highlighted dissatisfaction with the current governance model. Specifically:

- Structure – WALGA's governance structure is seen by members and stakeholders as creating roadblocks, hindering decision-making, and holding WALGA back;
- Responsiveness – there is a perception among members and stakeholders that WALGA's governance model is slow and bureaucratic in an environment that requires agility;

- Prioritisation and Focus – members and stakeholders acknowledge the challenges of developing unified Local Government policy positions and advocacy priorities given the diversity of Local Government sector interests;
- Transparency and Accountability – feedback from members and stakeholders suggests that WALGA should be more transparent about its decision-making processes; and
- Zones – Feedback from members and stakeholders in relation to Zones and Zone meetings is mixed. A proportion of WALGA's membership believes that Zones are not as representative, strategic nor effective as they potentially could be.

The following principles were endorsed at the State Conference Annual General Meeting which was held on 2 October 2022:

- Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies;
- Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders; and
- Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.

WALGA is now seeking formal feedback by 23 December 2022, via a Council decision, on governance model options as presented in the Consultation Paper.

In addition, WALGA will be undertaking independent consultations from CEOs and Elected Members.

The Consultation Paper provides for 5 options:

1. Two Tier Model, Existing Zones. The Board would comprise 11 members: 8 representative members elected from and by the Policy Council (4 Metro, 4 Country). The Board then elect the President from the representative members. The Board will appoint up to 3 independent, skills or constituency directors. The Policy Council would comprise 24 members plus President. Members elected by and from the Zones (12 from 5 Metro Zones, 12 from 12 Country Zones).
2. Board and Regional Bodies model. The Board would comprise 11 members: 8 representative members elected from and by the Regional Bodies (4 Metro, 4 Country). The Board then elect the President from the representative members. The Board will appoint up to 3 independent, skills or constituency directors. The proposed Regional Bodies are Metro: North, South, East and Central, and Country: Mining & Pastoral, Agricultural, Peel / South West / Great Southern, Regional Capitals. Policy Teams, Forums and Committees are formed to carry out specific functions.
3. Board and Amalgamated Zones model. The Board would comprise 15 members: 12 elected from the Zones (6 Metro/Peel, 6 Country). The Board then elect the President from the representative members. The Board will appoint up to 2 independent, skills or constituency directors. The proposed Zones are Central Metropolitan, East Metropolitan, North Metropolitan, South Metropolitan, South East Metropolitan, Peel, Wheatbelt South, Wheatbelt North, Mid West / Murchison / Gascoyne, Pilbara/Kimberley, South West / Great Southern, Goldfields/Esperance. Policy Teams, Forums and Committees are formed to carry out specific functions.
4. Member Elected Board and Regional Groups model. The Board would comprise 11 members: 8 representative members elected via direct election, with each member Local Government to vote (4 elected by and from Metropolitan Local Governments, 4 elected by and from Country Local Governments). President elected by the Board from among the representative members. The Board will appoint up to 3 independent, skills or constituency directors. Policy Teams, Forums and Committees are formed to carry out specific functions. Regional Groups determined by members to suit needs.

E.g. Regional Capitals, GAPP (Growth Areas Perth and Peel), VROCs, CEO Group, existing Zones.

5. The current model incorporating a 25-person State Council comprising 24 state councillors and a President. The State Council represents 5 metropolitan (12 members) and 12 country Zones (1 member per zone). Policy Teams, Forums and Committees are formed to carry out specific functions.

The following points are presented by the CEO subjectively but may aid councillors to choose between the proposed options:

- WALGA represents 139 member local governments, whose size, scale, location and diversity are very extreme. For this reason it is often difficult to obtain a view on some issues that is 'acceptable' to all. That is the primary reason WALGA has always had an equal representation from metropolitan based local governments versus non-metro (Country), with the President alternating from year to year, notwithstanding that this goes against the principles of one vote one value.
- WALGA originally (2001) was formed from the merger of the Western Australian Municipal Association, Country Shire Council's Association, the Local Government Association of WA and Country Urban Councils Association.
- Option 5 is known and whilst cumbersome, represents the best way to address the diversity of viewpoints across the State and size and scale of local governments.
- Sometimes there is safety in the known compared to the unknown.
- The existing Option is sometimes frustrating and time consuming to obtain a consensus, but it could be argued that it can provide a more balanced view given the diversity of members.
- Options 1, 2, 3 and 4 all introduce the concept of a Board (elected still) and between two (2) to three (3) independent Board Members. This might add cost but also add 'value' and professional viewpoints (Accountant, Lawyer etc).
- Options 1 and 5 retain the current zones. That might be relevant as an issue given likely travel times and distance, compared to the other Options, which would probably result in the tendency to use teleconferencing as opposed to face to face meetings and meet less frequently.
- WALGA Consultation Paper notes that the Options meet the Principles as follows (highlighting arguably WALGA's position that there is an argument for change):
 - Option 1 score of 8/10
 - Option 2 score of 8/10
 - Option 3 score of 7/10
 - Option 4 score of 7/10
 - Option 5 score of 4/10.

In summary, it could be argued that local governments haven't utilised or seen value in zones for many years. They have tended to go directly with an issue, given the diversity and clumsiness of the zone and board system of the current model.

What has worked well, from the view of the Chief Executive Officer, is advocacy for the sector for many years, particularly given the complexity and diversity of its members' perspectives and needs.

If, however, there was no WALGA, would we be the poorer as an industry and individual local government? The Chief Executive Officer is of the view that is the case.

The only question remains then is what is the preferred model moving forwards? Does West Arthur recommend the status quo, which its own Association is indicatively saying is no longer functional or fit for purpose? Does West Arthur take a risk and vote for change? Can West

Arthur be guaranteed a better option? Or is it better to vote for what one knows versus what isn't tried and tested? There is perhaps no right answer, without the benefit of hindsight.

The key is to determine which option best suits West Arthur and its community and interest first and foremost, secondly those of the Wheatbelt of WA and lastly those of regional WA.

On balance the Chief Executive Officer believes that Option 1, Two Tier Model with existing zones is worth pursuing, noting that allowing up to three (3) independents on an 11 person Board could be potentially dangerous to meeting the needs of members (if those independent Board Members aren't selected carefully). However, there is safety in the status quo, if the Council wishes to go with Option 5.

Consultation:

The CEO has sought information from other rural local government CEOs, and it appears as though most councils prefer the current model (option 5).

Member Local Governments have been asked to consider this paper and the governance model options put forward and provide a Council endorsed position to WALGA.

It is suggested that Councils endorse a preferred model (which could be the Current Model) and provide a ranking in terms of an order of preference.

Submissions to WALGA are sought by **23 December 2022**.

Statutory Environment:

Proposed Legislative reforms could also impact WALGA's governance arrangements.

The Minister for Local Government's reforms to the Local Government Act 1995 proposes to remove WALGA from being constituted under the Local Government Act.

A review of WA's Industrial Relations Act 1979 provides an opportunity for WALGA to be constituted as a registered employer organisation, which would enable WALGA to make applications in its own right on behalf of the sector.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Nil
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	N/A
Risk Likelihood (based on history and with existing controls)	N/A
Risk Consequence	N/A
Principal Risk Theme	N/A
Risk Action Plan (Controls or Treatment Proposed)	N/A

Voting Requirements:

Simple majority

Officer Recommendation:

That Council support Option 5, followed in order of preference by Option 1, then Option 3, Option 2 and, finally, Option 4.

Moved: _____

Seconded: _____

Best Practice Governance Review

Background Paper

Contents

Item	Section	Page
1	Background, Approach and Timeline	<u>3</u>
2	Jurisdictional Analysis	<u>6</u>
3	Comparator Organisations	<u>9</u>
4	Governance Principles	<u>17</u>

Best Practice Governance Review

1. Background, Approach and Timeline

Background and Approach

PAGE 56

Background and approach that led to the development of the governance principles for the Best Practice Governance Review.

Background

The Western Australian Local Government Association (WALGA) developed its Corporate Strategy 2020-25, and in doing so identified a key strategic priority, to undertake a Best Practice Governance Review. The objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members. Other drivers for the review included:

- Misalignment between key governance documents; Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from varying amendments.
- State Council's 3 September 2021 resolution requesting amendment to the Constitution to "deal with matters related to State Councillors' Candidature for State and Federal elections".
- Proposed legislative reforms to remove WALGA from being constituted under the *Local Government Act 1995 (WA)*.
- Constitutional requirements for WALGA to become a registered organisation under the *Industrial Relations Act 1979 (WA)*, which would enable WALGA to make applications in its own right to the Western Australian Industrial Relations Commission

In March 2022 State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review.

The BPGR Steering Committee had its first meeting on 5 May 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change. At the meeting, five comparator organisations were identified to be used in a governance model comparative analysis. Steering Committee meetings 2 to 5 had a focus on the development of governance model principles.

This document

This document presents the key insights from the jurisdictional and comparator organisation analysis that supported the development of the governance principles. The final section presents the endorsed governance principles.

Jurisdictional Analysis – This section compares WALGA to equivalent jurisdictional associations (e.g. LGASA). This provides key insights into the size and election processes of WALGA compared to equivalent associations.

Comparator Organisations – This section compares WALGA's governance arrangements to five comparator organisations that were agreed at the BGPR Steering Committee meeting 1. This provides key insights into the size, election processes and recent governance changes of these five comparator organisations.

Governance Model Principles – The governance model principles were developed through BPGR Steering Committee meetings 2 to 5. This provides a structure for understanding how the current governance model of WALGA and any future governance model aligns to these principles.

The following slide outlines the timeline of key events and meetings that formed part of the BPGR.



Timeline of key events with a focus on the BPGR Steering Committee meetings throughout May to August 2022

WALGA Corporate Strategy 2020-25

In 2019, a five-year Corporate Strategy was developed and identified that a governance model was key to delivery of the strategy. 19 interviews and 2 workshops covering 20 Local and State Government leaders informed the strategy.

Stakeholder Engagement Project, GRA Partners, 2021

45 responses received from Federal and State Government and Opposition.

Commissioning of Best Practice Governance Review

In March 2022, WALGA commissioned PwC to support the BPGR Project.

First BPGR Steering Committee meeting held

On 22 May 2022, the first meeting of the BPGR Steering Committee identified five comparator organisations for the Review.

Third BPGR Steering Committee meeting held

On 28 June 2022, an options paper was reviewed.

State Council updated

On 3 August 2022, an update on the BPGR was provided to State Council.

Principles shared

In September 2022 agreement on the next steps for sharing the principles with Local Government members.

2019 Governance Review

A governance review was undertaken in 2019 that led to numerous process changes.

WALGA Stakeholder Engagement Project, Marketforce 2021

105 survey responses and 42 interviews were facilitated across 95 Local Governments.

State Council Performance Assessment, 2020

17 survey responses and comments received from State Councillors.

Second BPGR Steering Committee meeting held

On 8 June 2022, the initial draft of comparator organisations was presented and assessment criteria was identified.

Fourth BPGR Steering Committee meeting held

On 18 July 2022, core principles were decided to guide the BPGR.

Fifth BPGR Steering Committee meeting held

On 10 August 2022, core principles for the BPGR were finalised.



Best Practice Governance Review

2. Jurisdictional Analysis

Analysis: Jurisdictional equivalents to WALGA

PAGE 59

Jurisdictional equivalents of WALGA have been analysed according to their size and election methods.

Background

Prior to the BPGR Project commencing in March 2022, work was undertaken to understand governance arrangements in other jurisdictions. The focus of this work was on associations from other Australian states, as well as New Zealand.

The full list of associations are:

- Local Government NSW (LGNSW)
- Municipal Association Victoria (MAV)
- Local Government Association of Tasmania (LGAT)
- Local Government Association of South Australia (LGASA)
- Local Government Association of Queensland (LGAQ)
- Local Government Association of Northern Territory (LGANT)
- Local Government Association of New Zealand (LGNZ)

The assessment of these associations focused on providing insights into the following domains:

- **Size of Board:** How many board members are there in comparison to the 25 WALGA board members?
- **Method of Election of President:** How is the President elected to the board?
- **Method of Election of Board Members:** How are board members elected?

Key Insights

Key insights following the comparison of WALGA to equivalent associations are outlined below:

- **Size of Board** – while WALGA's board (State Council) contains the largest number of representatives, it can be seen that boards of Local Government Associations tend to be relatively large. The average board size (using Queensland's policy executive, not board) is 15.4.
- **Method of Election of President** – WALGA is an outlier: all other Presidents are elected directly by the membership. Perhaps this is a reflection of the prevalence of Council elected Mayors and Presidents in WA.
- **Method of Election of Board Members** – The majority of associations use regional groupings (equivalent to our Zones) to elect board members. The New Zealand hybrid model of electing representatives from geographic zones and sector groups (metro, provincial, rural, regional) is of interest.

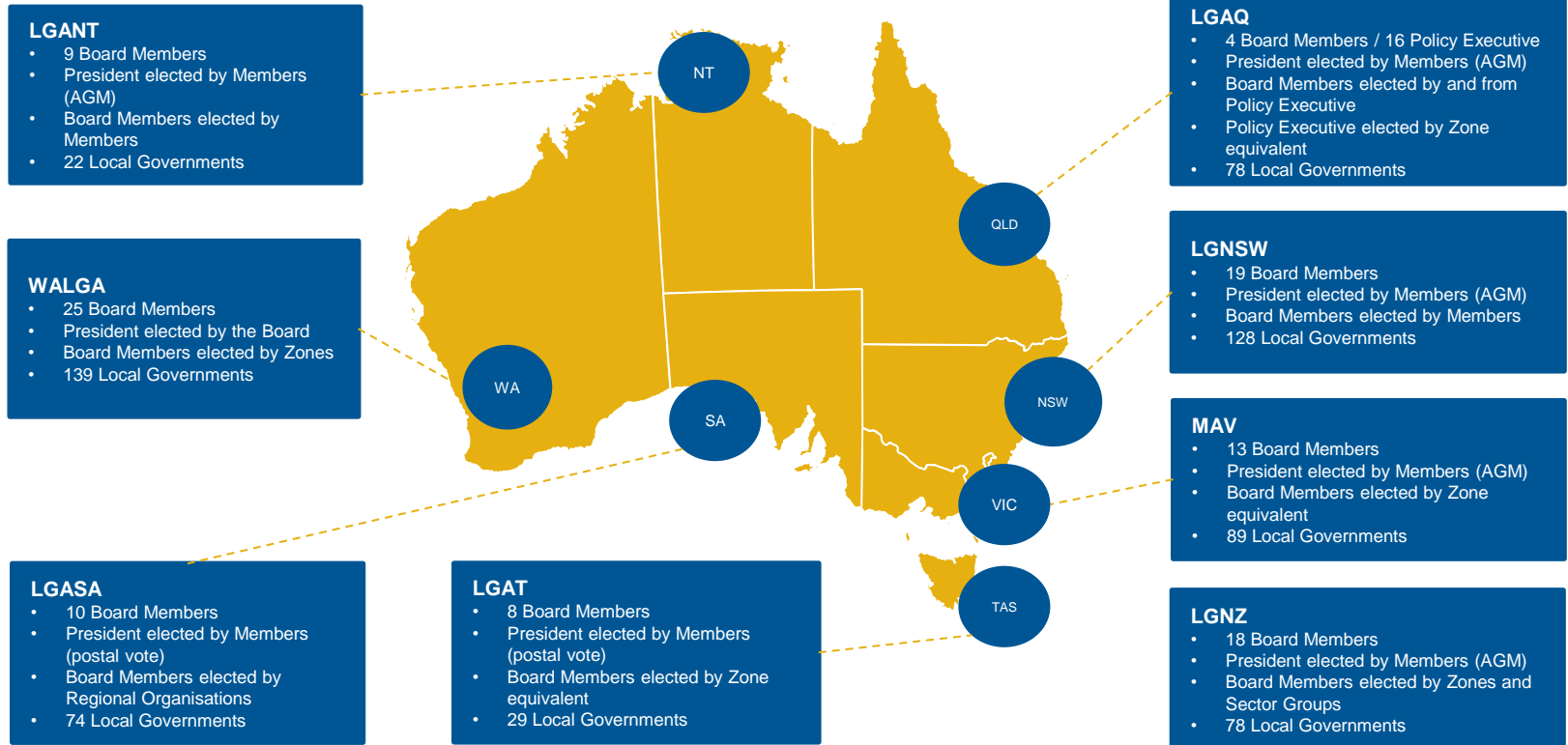
The following slide presents this information for each of the seven associations.



Summary: Jurisdictional equivalents to WALGA

PAGE 60

Summary of jurisdictional analysis of WALGA equivalents in relation to their Board membership, election methods and number of Local Governments.



Best Practice Governance Review

3. Comparator Organisations

Comparison of WALGA's governance model to the governance models of five comparator organisations.

Background

The BPGR Steering Committee had its first meeting on the 5 May 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change.

At the meeting, five comparator organisations were identified to be used in a governance model comparative analysis. The organisations were selected on the basis of their similarity to WALGA as WA member-based peak industry organisations.

The selected organisations were: Australian Medical Association (AMA) WA, Chamber of Commerce and Industry (CCI) WA, Chamber of Minerals and Energy (CME), Australian Hotels Association (AHA) WA and Pharmacy Guild (PG) WA Branch.

Process

WALGA supplied a range of background documents to assist in undertaking the initial desktop comparison. This included the Constitution, Corporate Governance Charter, Corporate Strategy 2020-2025, Standing Orders, Elected Member Prospectus, Flow Chart – WALGA Zone and State Council Process, Final Report – State Councils and Zone Structure and Process Working Group.

The documentation used for the comparator organisations were typically the:

- Constitution – which serves as the instrument for establishment of the association;
- Annual reports – which contains information about an association's performance over a 12-month period; and
- Organisational website – which may outline the structure and current composition of the board, council and the leadership team of the organisations.

Interviews were successfully arranged with three of the five organisations. They were AMA WA, CCI WA and CME WA. The document analysis and interviews provided insights into the size, election methods and recent changes within these organisations.

Key insights

Key insights through the comparison of WALGA to the five comparator organisations are outlined below:

- **Size of Board** – WALGA's board (State Council) was larger than all other comparator organisation's boards.
- **Election methods** – election methods varied across the comparator organisations but many involved election through the membership.
- **Change** – three of the five organisations had recently undergone changes or reviews of their governance structures. There were a range of drivers for this change including: to increase the decision making ability of the board; to use specific working groups to focus on specific topics of interest and to increase representativeness of specific groups (e.g. Aboriginal and Torres Strait Islanders).

The following slide presents summary information on the size and election methods of the five comparator organisations. This is then followed by more detailed background into each organisation, their governance structure and any outcomes from conversations with these organisations.



Summary: Governance structure analysis

PAGE 63

WALGA's governance structure was analysed in comparison to five comparator organisations

Organisational Comparisons	Number of Board Members	President Elected by	Board Members elected by
WA Local Government Association (WALGA)	25	The Board	Zones
Australian Medical Association (AMA)	9	AMA WA Members	Members of the Association
Chamber of Commerce and Industry WA (CCIWA)	7 to 10	The Board	<ul style="list-style-type: none"> Up to 12 elected by Members Up to 8 appointed by the Board Up to 8 appointed by the Council
Chamber of Minerals and Energy (CME)	6 to 11	Ordinary Members	Executive Councillors
Australian Hotels Association (AHA) WA	17	The Branch Committee of Management	The Branch Committee of Management
Pharmacy Guild (PG) – WA branch	16 to 22	The Branch	Financial Members from the same region as the Branch

Note: The Council, Branch, or Board chosen from the organisations above were chosen for how appropriate their structure is as a comparison to the WALGA State Council.



Organisational Analysis: Australian Medical Association (AMA) WA

With over 5,000 members, the AMA (WA) is the largest independent professional organisation for medical practitioners and medical students in the State. Total revenue and other income for AMA nationally in 2020 was reported as \$21,928,000.

Organisational Information

The AMA (WA) Board was created in 2017 and is comprised of the President, Immediate Past President, two Vice Presidents and five members of Council who are elected to sit on the Board (9 in total).

The AMA (WA) Council consists of four office bearers (President, Immediate Past President, two Vice Presidents). Additionally, there are the Specialty Group Representatives (e.g. General practice, surgery); Practice Group Representatives (e.g. rural doctors, public hospital doctors); Ordinary Council Members; and, Co-opted Council Members. Majority of the representatives and members represent their speciality (e.g. anaesthetics) or group of representative (e.g. medical student society).

The AMA Federal Council meets quarterly and is the AMA's main policy-making body. It is a forum to identify and debate emerging issues of relevance to the membership. The Federal Council's primary role is to: Form the policy of the AMA; Propose changes to existing policy; and Elect representatives to roles and committees. There is one State and one Area nominee from WA on the Federal Council.

The Leadership team consists of seven staff. CEO, CFO, COO, General Manager Training and Recruitment, Operations Manager, General Manager Financial Services and an HR manager.

Governance Structure*

The Board comprises of approximately 9 members.

The Board may increase or decrease the number of Advisory Council members as needed. However, it currently has 4 members.

The Board and Council is also supported by Specialty Group Representatives, Practice Group Representatives, Ordinary Council Members, and Co-Opted Council Members.

The Board focuses on governance, managing the Association's conduct and business, and ensuring conformity with the constitution.

The General Council focuses on advocacy, policy making, and representation of the association.

Outcomes of Organisation Discussion

- **Governance Review:** The 2020 annual report mentions that an organisation-wide review was undertaken with the transformation in the process of being implemented until March 2020 (COVID).
- **Representation:** It is more important to restrict the number of Board members than Councillors. Board members are involved in making policy and governance decisions, requiring a greater decision-making capability; Councillors are more involved in stakeholder engagement and solving specific issues through working groups, therefore Council size has less impact to efficiency and effectiveness of the model.
- **Engagement:** The president is the spokesperson when it comes to policy issues. Councillors represent the views of Specialty Groups, Practice Groups, and the medical profession as a whole.
- **Feedback on the current model:** Board members have previously taken the role because they are passionate, but do not necessarily have the right expertise, resulting in poor governance. Board members who have leadership and governance experience have proven to be effective in the updated model. The Board would benefit from an independent audit partner and increased diversity in speciality, a simplified purpose of the Board and Council Advisory, and a reduced number of meetings each year.

*The AMA WA Constitution does not specify the number of Board or Council members. Member numbers are indicative and have been taken from the current Board & Council.



Organisational Analysis: Chamber of Commerce and Industry (CCI) WA

CCIWA is a not-for-profit member organisation providing information, professional services and support for businesses in Western Australia, with over 2,000 WA members. Total revenue and other income for 2021 was reported as \$34,270,130.

Organisational Information

The CCIWA operates as a company limited by guarantee. This came into effect on 11 January 2019. The change in status means that CCIWA is now incorporated under the *Corporations Act 2001* (Cth) rather than the State legislation covering incorporated associations.

Based on the constitution, the number of board members can be between 9-12 (including President & Vice President). The current board has only 6 members including the President and Vice President.

There is a General Council. The constitution states that Councillors can be up to certain numbers depending on who they were elected by. The resulting effect is a council that does not have consistent numbers of members and does not need to fill all positions. This is unlike WALGA's governance model where representatives are elected by zones.

The Board is responsible for the sound governance of the organisation, whereas the General Council provides input to the organisations policy; provides advice to the Board; acts as a point of interface; elects and appoints Council Elected Directors; and passes resolutions relating to specific handling of assets and raising and borrowing funds.

Governance Structure

The Board comprises of 9 – 12 members.

The Board focuses on strategic priorities, financial performance and compliance issues.

The General Council consists of up to 28 Councillors.

The General Council focuses on developing and being spokespersons on public policy frameworks and positions.

The governance structure is supported by bespoke working groups, formed from Councillors as relevant for specific strategic and policy issues.

Outcomes of Organisation Discussion

- **Governance Review:** CCIWA conducted a review of their 2018 Constitution, resulting in changes contained in the 2021 Constitution, including: The governance model was revised to increase the decision-making capability of the board; The structure of the General Council was determined to be too generic causing low Councillor attendance. After the review, Councillors were split into bespoke working groups for specific policy issues for the upcoming 12-month period. This resulted in higher councillor attendance, than the previous governance model.
- **Representation:** In the new revision of the constitution, two new types of Councillors were included to increase representation for their respective groups. Future Leader Councillors, from members of University business schools; and First Nations Business Councillors, elected from First Nations Members.
- **Feedback on the current model:** In the current governance model, when a board member leaves, a temporary team member is appointed since board members can only be elected in general meetings.

Organisational Analysis: The Chamber of Minerals and Energy (CME) WA

AGENDA
13 DECEMBER 2022

CME WA is the peak resources sector representative body in Western Australia whose member companies generate 95% of all mineral and energy production and employ 80% of the sector's workforce in the State.

Organisational Information

The Corporate Governance Charter (Charter) provides guidance on the respective roles, responsibilities and authorities of members of the Executive Council (Executive Councillors) and members of the Advisory Board (Advisory Board Members) in setting the direction, management and control.

The number of Vice Presidents is determined by the Executive Council, the constitution contains no limit on the number of Vice Presidents and so the number of Vice Presidents is excluded from the diagram to the right.

Executive Councillors are elected by Ordinary Members, and there can be no less than 10.

The Role of the Advisory Board is to act as a traditional board providing strategic oversight on behalf of the Chamber. Key interface with the Executive Management Team on organisational matters, including strategy, operating accounts, governance and risk.

Governance Structure

Advisory Board comprises of 5-10 members.

The Advisory Board provides strategic oversight and acts as the key interface with the Executive Management team on strategy, operating accounts, governance and risk.

Executive Council (10+ members).

The Executive Council most senior interface to guide and prioritise the agenda of the Chamber and its respective committees and holds final decision-making authority re: annual financial reports/statements.

The governance structure is supported by committees including bespoke working groups, appointed by Executive Council as relevant for specific strategic and policy issues.

Outcomes of Organisation Discussion

- **Governance Review:** CME recently engaged in a governance review. In April 2020, CME put in place a governance charter. This codified processes and structures, clarified lines of accountability and included a director's code of conduct.
- **Representation:** Members who express an interest, get a seat at the table for the Executive Council. There are approximately 60 ordinary members with 16-20 regularly attending council meetings. This group is intended to provide a litmus check that the broader membership needs are being met.
- **Engagement:** Although the board is strongly engaged in the work and responsibilities it holds, there is the varying engagement of the executive council – this is broadly because due to the large array of issues it covers – the organisation would love to see stronger engagement in this area.
- **Feedback on the current model:** Based on the age of the organisation, the current pyramid structure works. This is successful largely due to the governance charter which provides clarity in role and structure for the organisation.



Organisational Analysis: Australian Hotels Association (WA)

The Australian Hotels Association (AHA) represents more than 5,000 members across Australia serviced by a network of branches based in every state and territory, plus a Canberra-based National Office. Total revenue and other income for AMA nationally in 2020 was reported as \$2,257,963.

Organisational Information

AHA was founded in 1892 and now represents more than 80% of the Western Australian hotel and hospitality industry.

The organisation has a branch in each state and territory, including a division in each branch known as the National Accommodation Hotels Division. The organisation and each of its branches have their own set of rules by which they are governed. However, ultimate authority is deferred to the National Board of the organisation.

All issues and opportunities are addressed by The Branch Committee of Management (The Branch). Consisting of six ordinary members, elected by members of the branch, and the president from each of the Territorial and Non-Territorial Divisions of the Branch. This includes a President, Senior Vice President, Vice President, Treasurer, Accommodation President and Country Representative. The President, Senior Vice President (SVP) and Vice President (VP) are elected by The Branch.

AHA developed a subsidiary known as 'Tourism Accommodation Australia (TAA)'. TAA publicly represents and lobbies specifically for accommodation hotels separately from the AHA's general hospitality members. However, membership to both AHA and TAA is granted to accommodation properties. There are 11 Divisional Presidents – 7 represent different Areas/Regions and 4 represent different membership groups.

Governance Structure*

Branch Committee of Management has 6 Ordinary members & the president of each Territory/Non-Territory Division (11).

Focuses on staff remuneration/conditions, branch transactions, disbursements, funds and resolves delegated Commonwealth industrial disputes.

There is no council or other governing entity to provide support to the Branch Committee of Management.

Relevance to WALGA BPR

AHA was contacted to schedule an interview; however, there was no response following multiple requests. The following insights have been made by research on their publicly available governance information and documentation.

- **Composition:** Similar to WALGA's State Council, the AHA Governance structure only has one governing entity, The Branch Committee of Management. The number of branch members (17) is smaller than WALGA (25).
- **Responsibilities:** The AHA Branch Committee of Management is responsible for financial activities; however, the Rules document does not mention that they are responsible for activities that other comparator organisations governing entities are, such as policy creation or ensuring compliance.
- **Lack of compliance with constitution:** The Rules of the AHA WA Branch document acts as the Association's constitution. However, there are many conflicts between the governance structure in the Branch Rules document, and the governance structure depicted on AHA WA's website. For example, in the document the supreme governing body of the Branch is the Branch Committee of Management, whereas on the website it is the Executive Management team. Additionally, there is no mention of a board in the Rules document, but there is a Board of Management on the website.

**The governance structure has been taken from the Rules of the AHA WA Branch document instead of the current governance structure depicted on the website, due to conflicting information.*



Organisational Analysis: Pharmacy Guild (WA Branch Focus)

Pharmacy Guild supports over 5,800 pharmacies across Australia. It is broken up into Territory Branches with more than 600 pharmacies as members in WA (est. 2017).

Organisational Information

The Pharmacy Guild's WA Branch's Annual Report can only be viewed by Members of the Organisation.

The Branch consists of the Branch Executive, and the Branch Committee. Where the Branch Executive consists of the Branch President, Branch Vice President(s) and the National Councillor(s). Additionally, in the Branch Executive, the position of Branch President and Vice President can also be held by a National Councillor, resulting in different numbers of Branch Executives between states.

The National council has the power to determine and direct policy, settle disputes, control the national fund, appoint an auditor and other activities relating to being the supreme governing entity.

The constitution does not specify who exactly elects the Branch President, or the Branch Vice Presidents, only that they are elected from the Branch. Whereas Branch Committee Members are elected by financial members in that region.

The Branch and the National Council shall appoint their own auditor. Resulting in potential conflicts of interest, as hypothetically the Branch and the National Council can appoint an auditor who audits in their favour.

Governance Structure*

Branch Executive consists of 2 – 6 Executive Members.

All powers and functions of the Branch Committee between meetings of the Branch Committee.

Branch Committee consists of 7 - 14 committee members (excluding the Branch executive).

Control the Branch fund, decide the agenda for and attend special meetings.

There is only one governing entity in WA for Pharmacy Guild, however the WA Branch consists of National Councillors, from the National Council which is the supreme governing body for the Pharmacy Guild. However, the Branch Committee can create subcommittees to carry out particular functions.

Relevance to WALGA BPGR

Pharmacy Guild WA was contacted to schedule an interview; however, they responded that they do not have time to discuss their governance model. The following insights have been made by research on their publicly available governance information and documentation.

- **Representation:** The interests of members are represented by the Branch Committee Members who are elected by the financial members of the same regions. Additionally, the interests of the National Council are represented in Branches by the National Councillors appointed in each Branch.
- **Composition:** The governance structure of the Branches of the Pharmacy Guild is adaptable to the needs of the Branch. Since the Branch Committee members can decide the number of Committee members needed in their branch, they can do so based on the needs of the Branch at any point in time, making the composition and size of the Branch adaptable to emerging needs. Also, the creation of additional branches and amalgamations of current branches is up to the decision of the National Council, enabling the National Council to alter the composition of the governance model nation-wide as needed. Branches can also create subcommittees as needed.

*Since the number of members in governance entities is mentioned in the Constitution, the numbers have been estimated based on the current membership as per the Guild's website.



Best Practice Governance Review

4. Governance Principles

BPGR Steering Committee (SC) meetings and how they lead to the development of the proposed governance principles.

BPGR Steering Committee meetings

The BPGR Steering Committee (SC) was established by State Council to guide the review. SC Meetings 2 through to 5 acted as key inputs into the development of the Governance Model principles. The focus of SC Meetings two through to five led to the development of the governance principles.

SC Meeting 2 - On 8 June 2022, the initial draft of the comparator organisations and their governance structures was presented. The SC identified four assessment criteria for the purposes of assessing potential governance models. The assessment criteria were: (1) representation, (2) efficiency, (3) contemporary, and (4) sustainable. An Options Paper was then developed, using the assessment criteria against two governance model options.

SC Meeting 3 - On 28 June 2022, a discussion of the DRAFT Options Paper took place. The SC decided that a workshop was required to take a step back and develop the core governance principles (rather than assessment criteria) that needed to underpin any future governance model for WALGA.

SC Meeting 4 - On 18 July 2022, the SC discussed the principles and identified four principles that should guide WALGA's governance. They were Representative, Responsive, Results Oriented and Renewal. Renewal was the principle that some SC members deemed as optional and is not included as a separate principle. Some elements of renewal are incorporated into the other three principles.

SC Meeting 5 - On 10 August 2022, the SC discussed and finalised the proposed principles. Discussion focused on the principle components and their likely governance implications. Several activities also occurred around this SC meeting. This include an update to State Council at the Information Forum on 3 August 2022, finalisation of principles on 17 August 2022 to inform AGM Item and finalisation of Agenda Item for 2022 AGM, including approval by State Council.

Key outcomes

The SC agreed on the proposed governance model principles, their component parts and the implications of these principles. Specifically:

- **Principle definition** – the definition of each of the three principles.
- **Principle component** – the key component parts of each principle.
- **Principle component description** – a description of each principle component.
- **Governance implications** – the governance implications of each of the principle components.

The following slide presents the principles, their components and a description and their governance implications.

Endorsed Governance Principles

PAGE 71

AGENDA
13 DECEMBER 2022

The principles for assessing WALGA's governance model options and governance implications

Representative

Responsive

Results Oriented

Principle	Principle component	Component description	Governance implications
WALGA unites and represents the entire local government sector in WA and understands the diverse nature and needs of members, regional communities and economies.	Composition	The composition of WALGA's governance model represents Local Government members from metropolitan and country councils.	The governing body will maintain equal country and metropolitan local government representation.
	Size	An appropriate number of members/representatives oversees WALGA's governance.	Potential reduction in the size of the overarching governing body.
	Diversity	WALGA's governance reflects the diversity and experience of its Local Government members.	Potential for the introduction of a mechanism to ensure the governance model comprises an appropriate diversity of skills and experience.
	Election Process	Considers the processes by which WALGA's governance positions are elected and appointed.	Consideration of alternative election and appointment arrangements, with the President to be elected by and from the governing body.
WALGA is an agile association which acts quickly to respond to the needs of Local Government members and stakeholders.	Timely Decision Making	WALGA's governance supports timely decision making.	WALGA's governance model facilitates responsive decision making.
	Engaged Decision Making	WALGA's Local Government members are engaged in decision making processes.	WALGA's governance model facilitates clear and accessible processes for Local Government members to influence policy and advocacy with consideration to alternatives to the existing zone structure.
	Agility	Considers the flexibility of WALGA's governance to adapt to changing circumstances.	WALGA's governance model is agile and future proofed for external changes.
WALGA dedicates resources and efforts to secure the best outcomes for Local Government members and supports the delivery of high-quality projects, programs and services.	Focus	Considers the clarity and separation of responsibilities and accountabilities of WALGA's governance.	Governance bodies have clearly defined responsibilities and accountabilities, with the capacity to prioritise and focus on strategic issues.
	Value Added Decision Making	Facilitates opportunities for value to be added to decision making.	Adoption of best practice board processes, and introduction of governance structures that are empowered to inform decisions.
	Continuous Improvement	Considers regular review processes for components of the governance model, their purpose and achieved outcomes.	WALGA's governance is regularly reviewed every 3 to 5 years to ensure the best outcomes are achieved for Local Government members.

Thank you

For more information, visit our [website](#) or contact Tim Lane, Manager Association and Corporate Governance, at tlane@walga.asn.au or 9213 2029.

12.4 WALGA Central Country Zone Emergency Management MOU

File Reference:	ADM 145
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont – Chief Executive Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	6 December 2022
Disclosure of Interest:	Nil
Attachments:	1. WALGA Central Country Zone Emergency Management MOU

Summary:

Council is requested to consider extending the period of the WALGA Central Country Zone Emergency Management Memorandum of Understanding (MOU) for another two years to 31 December 2024.

Background:

On 21 February 2020, all local governments in the WALGA Central Country Zone signed an MOU for emergency management.

The MOU has the following aim and purpose:

Aim

This MOU sets out a basic framework for cooperation between the local governments named, to promote cooperation in a disaster event which affects one or more of the partnering LGs. The guiding principle of this MOU is that any support given to a partnering LG in a particular emergency event shall be voluntary and of a level that will not unduly compromise the operability of the partnering LG providing the support.

Purpose

- *To facilitate the provision of mutual aid between partnering LGs during emergencies and post incident recovery.*
- *To enhance the capacity of our communities to cope in times of difficulty.*
- *To demonstrate the capacity and willingness of participating LGs to work cooperatively and share resources within the region.*

Comment:

The Zone Executive recently wrote to all local governments in the Zone to see if they are prepared to extend the MOU for a further two years. At the December Zone meeting, it was suggested that participating local governments may also want to consider extending the MOU indefinitely so that we do not have to keep extending it every couple of years.

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

West Arthur Towards 2031

Theme: Community

Outcome: A safe place to work. Live and visit

Strategy: Support for the provision of emergency services and volunteers

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Nil
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	N/A
Risk Likelihood (based on history and with existing controls)	N/A
Risk Consequence	N/A
Principal Risk Theme	N/A
Risk Action Plan (Controls or Treatment Proposed)	N/A

Voting Requirements:

Simple majority

Officer Recommendation:

That Council support the extension of the WALGA Central Country Zone Emergency Management Memorandum of Understanding (MOU) for a minimum of another two years to 31 December 2024 and, if supported by other member councils, indefinitely.

Moved: _____

Seconded: _____

Local Government MoU

This Memorandum of Understanding is made on the 21st day of February 2020.

Parties to the Agreement

Shire of Beverley,
Shire of Brookton
Shire of Corrigin
Shire of Cuballing,
Shire of Dumbleyung,
Shire of Kulin,
Shire of Lake Grace,
Shire of Narrogin,
Shire of Pingelly,
Shire of Quairading,
Shire of Wagin,
Shire of Wandering,
Shire of West Arthur,
Shire of Wickepin,
Shire of Williams

Hereinafter called the 'partnering LGs' 'parties' or 'partners'

Aim

This Memorandum of Understanding (MOU) sets out a basic framework for cooperation between the Local Governments named, to promote cooperation in a disaster event which affects one or more of the partnering LGs.

The guiding principle of this MOU is that any support given to a partnering LG in a particular emergency event shall be voluntary and of a level that will not unduly compromise the operability of the partnering LG providing the support.

Purpose

To facilitate the provision of mutual aid between partnering LGs during emergencies and post incident recovery.

To enhance the capacity of our communities to cope in times of difficulty.

To demonstrate the capacity and willingness of participating LGs to work co-operatively and share resources within the region.

Partnering Objectives

Partners to this MOU, in times of community distress due to an emergency incident, agree where possible to:

1. Provide whatever resources may reasonably be available within the capacity of that LG to respond to the emergency incident if requested;
2. Provide at its absolute discretion, whatever resources may be available within the means of that LG to assist with post incident recovery in the community.

Allocation of Resources

1. This MOU acknowledges that the allocation of a partnering LG's personnel and plant resources is an operational issue, and as such is the responsibility of the CEO of the LG seeking to offer aid.
2. This MOU seeks to demonstrate that the CEO's commitment to supporting other LGs in need is supported by the Elected Members of each participating Council.

Responsibilities

The partners to this MOU recognise their responsibilities to have adequate arrangements in place in order to be in a position to respond to non-natural and natural disasters.

This MOU recognises that each LG will have its own LEMPs in place in accordance with the *Emergency Management Act 2005*. However, the intention of this MOU is to improve the efficiency of joint response to a disaster, share experiences, enhance cooperation between partnering LGs and improve regional resilience to disaster events.

The parties acknowledge that the provisions of this document are not intended to create binding legal obligations between them.

The parties acknowledge that:

1. nothing in this document authorises a party to incur costs or expenses on behalf of the other party; and
2. a party has no authority to act for, or to create or assume any responsibility obligation or liability on behalf of, the other party.

Partnering Expectations

1. To provide where possible both physical and human resources to assist with the immediate response and recovery. Ongoing protracted assistance may be needed,

this may be subject to further negotiation and agreement in writing between the partners concerned.

2. Where possible, and if appropriate, the affected LG must utilise internal resources and local contractors before requesting assistance from another LG. This will ensure LGs are not seen to be competing with local businesses or offers of assistance.
3. All requests for support will be made through the Incident Controller (IC) of the designated Hazard Management Agency (HMA) for the incident, in consultation with the designated Local Recovery Coordinator (LRC) and the Local Emergency Coordinator (LEC).
4. All equipment provided must be covered by the partners own insurance, each LG is responsible for ensuring insurance policies allow for the provision of mutual aid.
5. Each individual Council will be responsible for continued salary and any workers compensation insurance for their own staff regardless of where they are operating during the disaster event.
6. Each LG will be responsible for any loss, damage or cost associated with the provision of support unless otherwise agreed in writing.
7. The LG requesting support will be responsible for all incidental costs associated with the provider's personnel and equipment such as catering, accommodation, OHS issues, transport, fuel and storage.

Cost Recovery

The Disaster Recovery Funding Arrangements, Western Australia (DRFAWA) guidelines provide for the reimbursement of expenditure incurred by partnering LGs during a disaster event. Each partnering LG is responsible for maintaining an accurate record of its expenditure during an event.

In the event the emergency is declared a Disaster, State and Commonwealth funding assistance will be sought in compliance with relevant State and Commonwealth Policies.

The affected partnering LG area will claim these costs accordingly under the DRFAWA guidelines.

In the event a partnering LG's resources and/or equipment are required to assist another partnering LG, these costs may not be claimable via DRFAWA. Therefore, any intended claim for reimbursement is a matter between partnering LGs.

Duration and Amendment

The MOU will come into effect at the date which all parties have signed the agreement.

This MOU can be reviewed at any time but cannot be amended except with the written consent of all partners.

Term

Unless mutually extended, terminated or parties withdraw, this MOU will expire on 31 December 2022.

Withdrawal

Any partner may withdraw from this MOU by giving 90 days written notice to the partnering LG's and the State Emergency Management Committee.

Notices

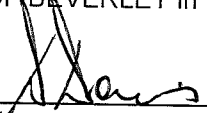
Communications in relation to this MOU should be addressed to:

The Executive Officer, Central Country Zone of WALGA.


Execution

EXECUTED by the Parties

SHIRE OF BEVERLEY in the presence of:

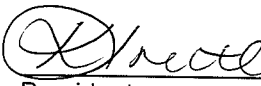


President




Chief Executive Officer

SHIRE OF BROOKTON in the presence of:



President




Chief Executive Officer

SHIRE OF CORRIGIN in the presence of:

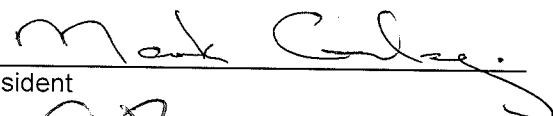


President




Chief Executive Officer

SHIRE OF CUBALLING in the presence of:



President




Chief Executive Officer

SHIRE OF DUMBLEYUNG in the presence of:



President




Chief Executive Officer

SHIRE OF KULIN in the presence of:

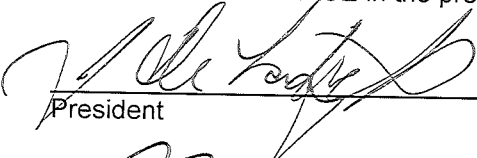


President




Chief Executive Officer

SHIRE OF LAKE GRACE in the presence of:




President



Chief Executive Officer

SHIRE OF NARROGIN in the presence of:

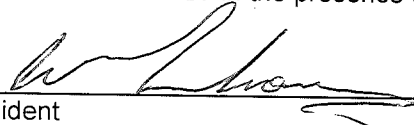


President




Chief Executive Officer

SHIRE OF PINGELLY in the presence of:

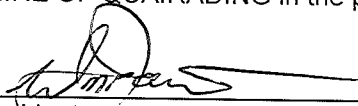


President




Chief Executive Officer

SHIRE OF QUAIRADING in the presence of:

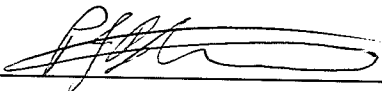


President

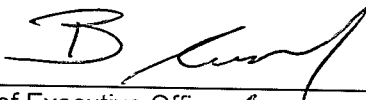


Chief Executive Officer

SHIRE OF WAGIN in the presence of:




President

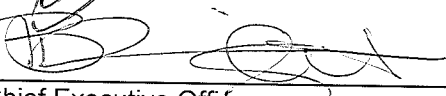


Chief Executive Officer (ACTING)

SHIRE OF WANDERING in the presence of:

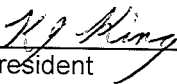


President

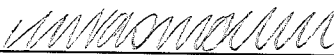


Chief Executive Officer

SHIRE OF WEST ARTHUR in the presence of:



President

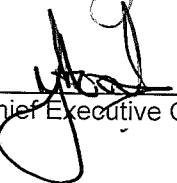


Chief Executive Officer

SHIRE OF WICKEPIN in the presence of:



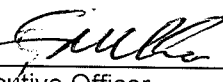
President



Chief Executive Officer

SHIRE OF WILLIAMS in the presence of:

President



Chief Executive Officer

12.5 Shire Logo

File Reference:	ADM 070
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont – Chief Executive Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	6 December 2022
Disclosure of Interest:	Nil
Attachments:	1. Logo design options

Summary:

Council is requested to consider the public submissions received and select an appropriate design for a refreshed Shire logo.

Background:

Earlier this year, Council established that the current Shire logo would benefit from a small refresh to modernise the design and make it clearer. Existing colours and elements were to remain largely unchanged. Castledine and Castledine were contracted to provide a range of designs, which were subsequently provided to the community for feedback.

Comment:

Three designs were advertised on the Shire website and in The Bleat. Submissions closed at 4pm on 6 December 2022. 2 submissions were received via email, 5 were dropped in to the Shire office and 46 were made on Facebook.

Of those 53 submissions, 6 selected design B2, 6 selected design C3, and the remaining 41 respondents selected design C2.

Consultation:

See Comments section above.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil – existing supplies of stationery/signage will be used until they run out or require renewal.

Strategic Implications:

West Arthur Towards 2031

Theme: Community

Outcome: A unique identity and a strong connection to our past.

Strategy: Provide an effective waste management service

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Nil
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	N/A
Risk Likelihood (based on history and with existing controls)	N/A
Risk Consequence	N/A
Principal Risk Theme	N/A
Risk Action Plan (Controls or Treatment Proposed)	N/A

Voting Requirements:

Simple majority

Officer Recommendation:

That Council endorse design C2 as the preferred design for the updated Shire logo and authorise the Administration to take the necessary steps to implement this change.

Moved: _____

Seconded: _____



DESIGN B-2



DESIGN C-2



DESIGN C-3

12.6 Burrowes Street Streetscaping Project

File Reference:	ADM 106/A744
Location:	Burrowes Street, Darkan
Applicant:	N/A
Author:	Kerryn Chia – Projects Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	7 December 2022
Disclosure of Interest:	Nil
Attachments:	Nil

Summary:

The Shire of West Arthur is proposing to encourage the local community to upgrade the main street prior to the visitation of the Back Roads TV program in February as part of Sheepfest through the offer of a \$100 cashback for painting shop frontages and the painting of a mural on a private building. As these funds are to be spent on private properties, Council approval is sought for the project.

Background:

The Shire of West Arthur has been advised by the Sheepfest committee that the Back Roads TV show will be filming in the town for two weeks (one week either side of Sheepfest). In order to support the Sheepfest committee, the Shire is suggesting sending a letter to all owners of main street properties advising them that there will be a film crew in the district.

The Shire would like to offer a \$100 cashback incentive to local businesses to paint their building's street frontage. This could be managed through the presentation of a before and after photo, and a copy of the paint receipt. Ryan Wilkie has offered to provide the paint for these businesses at a reduced cost as part of the program.

In addition, the Shire has considered painting the old photography studio between Putland Motors and Rarebits (37 Burrowes Street). The suggestion has been to paint the wall to look like a shearing shed and to install a photo of a shearer in the window. This will cost \$2150 for local artist Jane Neil-Smith to paint and for the production of a large scale photo for the window. It should be noted that this building is currently for sale.

Comment:

Nil

Consultation:

Pam Stockley, Sheepfest Chair
Carolyn Telfer, Building Owner
Jane Neil-Smith, Artist
Fitzgerald Photo Imaging
Community Building Team

Statutory Environment:

N/A

Policy Implications:

N/A

Financial Implications:

\$100 cash back offered to seven main street businesses (six on Burrowes street and one on Coalfields Hwy) to be funded from the Townscaping budget. It is unlikely that all businesses will take up the offer.

\$2150 to be spent on a mural/window photo on photography studio at 37 Burrowes Street. To be funded from the Cultural budget.

Strategic Implications:

West Arthur Towards 2031

Outcome 1.3 – A unique identity and a strong connection to our past

Strategy – Support community events and cultural activities that connect to our history and culture

Action – Continue to support the annual Sheepfest event

Outcome 2.2 – A growing and diverse business community

Strategy – Investigate tourism opportunities and support this growing sector

Action – Promote the region at events such as Sheepfest to the wider community

Strategy – Maintain and Enhance our existing assets to encourage visitation

Action – Maintain and upgrade the appearance of major arterial roads and reserves in Darkan, Duranillin and Arthur River, with streetscaping and landscaping appropriate to the area

Action – Encourage landowners to maintain their properties

Outcome 4.2 – Our built infrastructure is well maintained and inviting

Strategy – Our townscapes are attractive and well developed with consideration given for current and future use

Action – Encourage owners of buildings on the main street of Darkan to update and maintain buildings to ensure the street is attractive

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management

- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Nil
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	N/A
Risk Likelihood (based on history and with existing controls)	N/A
Risk Consequence	N/A
Principal Risk Theme	N/A
Risk Action Plan (Controls or Treatment Proposed)	N/A

Voting Requirements:

Simple majority

Officer Recommendation:

That Council approve the expenditure of:

- \$100 per main street business as a “paint cash back” offer for up to seven businesses; and
- \$2,150 on the painting of number 37 Burrowes Street with a mural and installation of a window size photograph.

Moved: _____

Seconded: _____

12.7 Reconciliation Action Plan

File Reference:	ADM 253
Location:	N/A
Applicant:	N/A
Author:	Kerryn Chia – Projects Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	6 December 2022
Disclosure of Interest:	Nil
Attachments:	Nil

Summary:

The Shire of West Arthur is proposing to establish a working group and implement a Reflect Reconciliation Action Plan to guide reconciliation and Aboriginal engagement within the Shire of West Arthur. Council is requested to consider endorsing these actions.

Background:

The Shire of West Arthur has recently been engaging with Aboriginal people living in the district and also those from outside the district who used to live in the area. This has highlighted issues around the understanding of Aboriginal culture, engagement and inclusion.

As a result, Shire staff have engaged with various training programs to determine the most appropriate way to address these issues. The Shire Projects Officer has attended workshops on being Reconciliation Action Plan (RAP) Ready as well as Reconciliation Networking forums to determine if the development and implementation of a Reconciliation Action Plan is appropriate for the Shire of West Arthur.

Reconciliation Australia defines reconciliation as:

“Reconciliation is about strengthening relationships between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples, for the benefit of all Australians.”

The link below link leads to a video that helps to understand the journey of Aboriginal people from colonisation to today.

<https://ww2.health.wa.gov.au/News/The-journey-of-health-and-wellbeing>

The process of Reconciliation is a journey, not a destination, and our Council has already commenced this journey through discussions centred around Aboriginal Issues with Elders from the Aboriginal Community. A recent presentation to Council by Wayne Coles about the role Council can play in relation to making Aboriginal people feel more comfortable in the Shire offices and about Welcome to, and Acknowledgements of, Country led to the discussion about the Shire having a RAP.

A RAP is a strategic document with practical plans for action. It sets out how an organisation is committing to contribute to reconciliation with Aboriginal and Torres Strait Islander peoples. The aim of a RAP is to speed the transition to recover and aids in building trust and relationships. It holds the organisation to account for the actions proposed.

There are four levels of RAPs:

1. Reflect RAP – a 12 month process where the organisation scopes and develops relationships with Aboriginal and Torres Strait Islander stakeholders, decides on its vision for reconciliation and explores its sphere of influence. A Reflect RAP is internally focused.

2. Innovate RAP – runs for 2 years and allows the organisation to gain a deeper understanding of its sphere of influence and establish the best approach to advance reconciliation.
3. Stretch RAP – covers a two to three year period, and is focused on longer-term strategies, and working towards defined measurable targets and goals.
4. Elevate RAP - Elevate RAP organisations have a strong strategic relationship with Reconciliation Australia and actively champion initiatives to empower Aboriginal and Torres Strait Islander peoples and create societal change.

The organisation does not have to go through all of these steps and can stay at the Reflect level for as long as it chooses.

Many Shires already have RAPs, although very few smaller Shires have the resources available to undertake the development and implementation of a RAP. Shires in rural WA that currently have a RAP or are in the process of developing a RAP include Northam, Toodyay, and East Pilbara. An example of a RAP can be found at: <https://www.toodyay.wa.gov.au/documents/master-plans>.

The development of a RAP will require a working group (including Shire staff, both indigenous and non-indigenous, and community members) to be established. The framework (including tool kit, templates and resources) for a RAP is provided by Reconciliation Australia which also needs to endorse the RAP.

Comment:

Currently the Shire staff have no guidance when it comes to cultural awareness. The implementation of a RAP will provide staff with a guided process and will also allow staff to access resources and expertise to help resolve issues and guide decision making to ensure that we are an inclusive community.

Consultation:

Reconciliation WA
WALGA Reconciliation Network
Alina Hobson, WALGA Policy Officer, Community
Susan Moir, WALGA Policy Manager, Resilient Communities
Shire of Narrogin CEO
Michelle Cockie, Aboriginal Elder

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

There is a cost associated with signing up with Reconciliation Australia. The cost to sign up to a Reflect RAP is \$250 (a discount maybe applicable for local government). Reconciliation Australia is the mandated body to endorse RAPs.

Reconciliation WA is a membership based organisation that charges based on the number of FTE staff in the organisation and also provides a discount for local government. Reconciliation WA provides the support for navigating the processes involved in the RAP. Membership (without the discount) is \$750 for an organisation with 1-19 FTE staff and \$1500 for organisations with 20-199 FTE staff.

There will be financial implications in relation to staff time to organise a working group, develop a RAP and to implement the actions that are outlined in the RAP. In addition, there could be

costs associated with the use of consultants to deliver training and facilitate meetings. There is also a need to report on the RAP on a quarterly basis.

Strategic Implications:

Outcome 1.3 – A unique identity and a strong connection to our past

Strategy – Reconnect with our Aboriginal Heritage

Action – Develop a Reconciliation Action Plan to formalise reconciliation within our Shire and develop pride in our Indigenous and non-Indigenous community to recognise and respect our Indigenous heritage.

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failing to engage those community members of Aboriginal and/or Torres Strait Islander heritage
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(10) High
Risk Likelihood (based on history and with existing controls)	(5) Medium
Risk Consequence	(2) Minor
Principal Risk Theme	Inadequate engagement practices
Risk Action Plan (Controls or Treatment Proposed)	Commence the reconciliation process by developing a Reflect Reconciliation Action Plan

Voting Requirements:

Simple majority

Officer Recommendation:

That Council, subject to the necessary funds being available in the mid-year budget review, or the 2023/24 annual budget, endorse:

1. the development of a Reconciliation Action Plan and the establishment of a working group as outlined above;

and

2. obtaining membership of Reconciliation WA.

Moved: _____

Seconded: _____

13. FINANCE**13.1 Financial Reports – November 2022**

File Reference:	ADM 339
Location:	N/A
Applicant:	N/A
Author:	Melinda King – Manager Financial Reporting
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	8 December 2022
Disclosure of Interest:	N/A
Attachments:	Financial Reports – November 2022

Summary:

Consideration of the financial reports for the period ending 30 November 2022

Background:

The financial reports for the periods ending 30 November 2022 are included as attachments.

Comment:

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

Consultation:

Not applicable.

Statutory Environment:

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

Policy Implications:

Not applicable.

Financial Implications:

Not applicable.

Strategic Implications:

Not applicable.

Risk Implications:

Risk	Nil
Risk Likelihood (based on history and with existing controls)	N/A
Risk Impact / Consequence	N/A
Risk Rating (Prior to Treatment or Control)	N/A
Principal Risk Theme	N/A
Risk Action Plan (Controls or Treatment Proposed)	N/A

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple majority

Officer Recommendation:

That the financial report for the period ending 30 November 2022 as presented be accepted.

Moved: _____

Seconded: _____

SHIRE OF WEST ARTHUR
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 November 2022

	Note	Annual Budget 2022/2023 \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a) \$	Var. % (b)-(a)/(a) %	Var.
Opening Funding Surplus (Deficit)	2	1,481,341	1,481,341	1,481,231	(110)	(0%)	
Revenue from operating activities							
Rates		1,885,423	1,881,716	1,882,104	388	0%	
Operating Grants, Subsidies and Contributions	6	550,100	244,159	315,964	71,805	29%	▲
Fees and Charges		295,450	160,426	165,944	5,518	3%	
Interest Earnings		118,897	6,191	7,814	1,623	26%	
Other Revenue		68,353	10,324	11,654	1,330	13%	
Profit on Disposal of Assets		20,676	7,986	4,341	(3,645)		
		2,938,899	2,310,803	2,387,821	77,019		
Expenditure from operating activities							
Employee Costs		(1,996,848)	(981,087)	(916,824)	64,263	7%	
Less overhead and wage allocations			97,621	90,976	(6,645)		
Materials and Contracts		(1,131,500)	(491,680)	(465,955)	25,725	5%	
less Pdepn and POC allocations			40,758	37,984	(2,774)		
Utility Charges		(90,405)	(37,669)	(40,134)	(2,465)	(7%)	
Depreciation on Non-Current Assets		(2,217,441)	(254,315)	(259,117)	(4,802)	(2%)	
Interest Expenses		(25,062)	(5,524)	(5,524)	0	0%	
Insurance Expenses		(117,423)	(117,423)	(116,509)	914	1%	
Other Expenditure		(48,000)	(11,250)	(4,697)	6,553	58%	
Loss on Disposal of Assets		(17,355)	0	0	0		
		(5,644,034)	(1,760,568)	(1,679,800)	80,768		
Operating activities excluded from budget							
Add back Depreciation		2,217,441	254,315	259,117	4,802	2%	
Adjust (Profit)/Loss on Asset Disposal		(3,321)	(7,986)	(4,341)	3,645	(46%)	
Adjust Provisions and Accruals		0	(38,807)	(38,807)	0	0%	
Amount attributable to operating activities		(491,015)	757,756	923,990	166,234		
Investing activities							
Grants, Subsidies and Contributions	6	1,200,962	250,000	249,118	(882)	(0%)	
Proceeds from Disposal of Assets		144,050	84,050	80,000	(4,050)	(5%)	
Land and Buildings	7	(734,749)	(4,149)	(4,199)	(50)	(1%)	
Infrastructure Assets - Roads	7	(1,083,221)	(107,425)	(109,582)	(2,157)	(2%)	
Infrastructure Assets - Other	7	(627,656)	(215,000)	(214,913)	87	0%	
Plant and Equipment	7	(635,696)	(178,700)	(186,953)	(8,253)	(5%)	
Furniture and Equipment	7	0	0	0	0		
Amount attributable to investing activities		(1,736,310)	(171,224)	(186,529)	(15,305)		
Financing Activities							
Proceeds from Self Supporting Loan - repayments		29,031	7,168	7,168	0	0%	
Transfer from Reserves	5	993,650	0	0	0		
Repayment of Debentures		(101,198)	(22,027)	(22,027)	0	0%	
Proceeds from new borrowings		270,000	0	0			
Transfer to Reserves	5	(445,499)	(1,300)	(1,288)	12	1%	
Amount attributable to financing activities		745,984	(16,159)	(16,147)	12		
					0		
Closing Funding Surplus (Deficit)	2	0	2,051,714	2,202,545	150,830	7%	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 1 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2022

Note 1: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2022/23 year is \$10,000 or 10% whichever is the greater.

Operating Grants, Subsidies and Contributions

46,541 WALGGC - General Purpose Grant additional received	Permanent variance
22,126 WALGGC - Local Roads Grant additional received	Permanent variance

Employee Costs

64,263 Employee costs are below budget.

Materials and Contracts

39,566 There are several non reportable timing variances.

(13,841) Plant operation costs are above budget ytd.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2022

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	Current
	Note	30 June 2022	30 Nov 2022
		\$	\$
Current Assets			
Cash Unrestricted	3	1,331,333	1,904,568
Cash Restricted - reserves	5	2,834,020	2,835,308
Cash Restricted - unspent grants		512,197	406,555
Receivables - Rates	4	131,031	356,408
Receivables - Other	4	174,351	45,413
Inventories		17,256	17,256
		5,000,188	5,565,508
Less: Current Liabilities			
Payables		(172,740)	(121,100)
Unspent grants, contributions and reimbursements 21/22		(512,197)	(327,195)
Unspent grants, contributions and reimbursements current 22/23		0	(79,360)
		(684,937)	(527,655)
Less: Cash Reserves	5	(2,834,020)	(2,835,308)
Net Current Funding Position		1,481,231	2,202,545

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2022

Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	141,247			141,247	NAB	0.01%	At Call
Municipal Bank - Bendigo	23,775			23,775	Bendigo	0.01%	At Call
Municipal Cash Maximiser	460,000			460,000	NAB	0.95%	At Call
Trust Bank Account			1,715	1,715	NAB	0.01%	At Call
Trust Cash Maximiser			5,269	5,269	NAB	0.95%	At Call
Reserve Cash Maximiser		180		180	NAB	0.95%	At Call
Bendigo Reserve		537		537	Bendigo	0.80%	At Call
(b) Term Deposits							
Municipal term deposit	800,000			800,000	BOQ	3.45%	13/02/2023
Municipal term deposit	600,000			600,000	NAB	3.50%	18/01/2023
Bendigo term deposit	286,000			286,000	Bendigo	4.05%	28/04/2023
Trust term deposit			65,000	65,000	NAB	3.64%	17/02/2023
Reserve term deposit		1,214,591		1,214,591	BOQ	3.45%	13/02/2023
Reserve term deposit		1,620,000		1,620,000	Bendigo	3.30%	11/02/2023
Total	2,311,022	2,835,308	71,984	5,218,314			

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2022

Note 4: Receivables

Receivables - Rates Receivable	30 Nov 2022	30 June 2022	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Years	200,216	237,534	Receivables - General	12,673	3,728	64	28,948	45,413
Levied this year (incl rubbish & ESL)	1,989,821	1,876,228						
<u>Less Collections to date</u>	(1,769,386)	(1,919,009)	Balance per Trial Balance					
Equals Current Outstanding	420,651	194,753	Sundry Debtors					0
Add paid in advance	4,942	5,463	Receivables - Other					0
Net Rates Collectable	425,593	200,216	Total Receivables General Outstanding					45,413
% Collected	80.79%	90.79%						
Less Recognised as doubtful	(69,185)	(69,185)	Amounts shown above include GST (where applicable)					

90+ day amount includes funding including \$26,497 LRCI to be received when annual report/acquittal finalised and accepted.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2022

Note 5: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	121,149	3,634	55	0	0	0	0	124,783	121,204
Plant Reserve	454,017	13,620	206	290,178	0	(194,650)	0	563,165	454,223
Building Reserve	734,309	22,029	334	0	0	(565,000)	0	191,338	734,643
Town Development Reserve	1,528	46	1	0	0	0	0	1,574	1,529
Recreation Reserve	163,284	4,900	74	0	0	0	0	168,184	163,359
Heritage Reserve	6,091	183	3	300	0	0	0	6,574	6,094
Community Housing Reserve	169,135	5,074	77	20,000	0	(50,000)	0	144,209	169,212
Waste Management Reserve	122,753	3,683	56	0	0	(100,000)	0	26,436	122,809
Darkan Swimming Pool Reserve	49,219	1,477	22	5,000	0	0	0	55,696	49,241
Information Technology Reserve	66,549	1,996	30	3,000	0	(14,000)	0	57,545	66,580
Darkan Sport and Community Centre Reserve	325,422	9,763	148	30,000	0	0	0	365,185	325,570
Arthur River Country Club Renewal Reserve	40,150	1,205	18	6,000	0	0	0	47,355	40,168
Museum Reserve	128,701	3,861	58	0	0	(5,000)	0	127,562	128,759
Moodiarrup Sports Club Reserve	17,581	527	8	5,000	0	0	0	23,108	17,589
Landcare Reserve	32,989	990	15	0	0	(5,000)	0	28,979	33,004
Corporate Planning and Valuation Reserve	19,945	598	9	0	0	(16,000)	0	4,543	19,954
Kids Central Members Reserve	7,156	215	3	0	0	0	0	7,371	7,159
The Shed Reserve	12,824	385	6	0	0	0	0	13,209	12,830
Recreation Trails Reserve	1,218	36	1	0	0	0	0	1,254	1,218
Community Gym Reserve	12,003	360	5	1,000	0	(9,000)	0	4,363	12,009
Economic Development Reserve	113,847	3,415	52	0	0	(35,000)	0	82,262	113,899
Road Reserve	234,148	7,024	106	0	0	0	0	241,172	234,255
	2,834,020	85,021	1,288	360,478	0	(993,650)	0	2,285,869	2,835,308

Note: Reserve transfers are generally completed at year end unless funds are required sooner.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2022

Note 6: Grants and Contributions	Grant Provider	Type	Opening Balance	Budget Operating	Capital	Revenue Current year	YTD Actual Revenue Carried Forward	(Expended)	Unspent Grant	Comment
			(a)	(b)	(c)	(f)		(g)	(a)+(f)+(g)	
				\$	\$	\$		\$	\$	
General Purpose Funding										
Grants Commission - General	WALGGC - General Purpose Grant	Operating	0	55,000	0	74,041	0	0	0	
Grants Commission - Roads	WALGGC - Local Roads Grant	Operating	0	80,000	0	62,126	0	0	0	
Law, Order and Public Safety										
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Services	Operating - Tied	0	49,844	0	24,922	0	(24,922)	0	
FESA Grant - Arthur River Fire Shed	Dept. of Fire & Emergency Services	Non-operating	0	0	3,649	0	0	0	0	
Purchase of generators		Non-operating	0	0	13,498	0	0	0	0	
Education and Welfare										
Covid-19 Youth Recovery Grants Program	Department of Communities Dept. of Infrastructure, Transport, Regional Development and Communications	Operating - Tied	0	5,000	0	0	0	0	0	0 Youth grant carried forward to 22/23 Received prior year recognised as a 0 liability until spent.
Federal Road & Community Infrastructure - Phase 3	Dept. of Infrastructure, Transport, Regional Development and Communications	Non-operating	0	0	476,544	0	177,521	(177,521)	0	
Federal Road & Community Infrastructure - Phase 3	Dept. of Infrastructure, Transport, Regional Development and Communications	Operating - Tied	0	214,000	0	0	7,481	(7,481)	0	
Operating grant		Non-operating	0	1,000	0	0	0	0	0	
Other small grants - events										
Transport										
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	329,877	0	0	0	0	
RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	377,394	150,957	0	(71,597)	79,360	
Direct Grant	Main Roads - Direct Grant	Operating	0	144,256	0	147,359	0	0	0	
TOTALS			0	549,100	1,200,962	459,405	185,002	(281,521)	79,360	
SUMMARY										
Operating	Operating Grants, Subsidies and Contributions		0	279,256	0	283,526	0	0	0	
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	268,844	0	24,922	7,481	(32,403)	0	
Non-operating	Non-operating Grants, Subsidies and Contributions		0	1,000	1,200,962	150,957	177,521	(249,118)	79,360	
TOTALS			0	549,100	1,200,962	459,405	185,002	(281,521)	79,360	

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2022

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$		
Land and Buildings									
Law, Order and Public Safety									
	Arthur River Fire Shed	0	(3,649)	(3,649)	0	(3,649)	(3,649)	0	Funded by ESL Capital Grant
Housing									
	Renovations to existing joint venture community housing units	0	0	0	(4,640)	(50,000)	(54,640)	54,640	
Recreation And Culture									
	Darkan Sports Precinct - Upgrade power	(550)	0	(550)		(90,000)	(90,000)	89,450	
Other Property & Services									
	Staff housing improvements/renovations	0	0	0	(3,360)	(25,000)	(28,360)	28,360	
	New staff house	0	0	0	(14,100)	(500,000)	(514,100)	514,100	
	Office - Shire Depot	0	0	0	(4,000)	(40,000)	(44,000)	44,000	
	Buildings Total	(550)	(3,649)	(4,199)	(26,100)	(708,649)	(734,749)	730,550	
Infrastructure									
Community Amenities									
	Darkan Refuse Site	(691)	0	(691)	(20,000)	(100,000)	(120,000)	119,309	
Recreation And Culture									
	Darkan Railway Reserve - redevelopment of play and youth area	(17,381)	(169,592)	(186,973)	(30,000)	(362,369)	(392,369)	205,396	
	Lake Towerrinning - Access improvement	(3,553)	0	(3,553)	(5,000)	(70,000)	(75,000)	71,447	
	Lake Towerrinning - Shade and landscaping	(5,255)	(7,928)	(13,183)	(8,000)	(12,287)	(20,287)	7,104	
Economic Development									
	Potable water Infrastructure	(367)	(10,146)	(10,513)	0	(20,000)	(20,000)	9,487	
	Infrastructure Total	(27,247)	(187,666)	(214,913)	(63,000)	(564,656)	(627,656)	412,743	
Plant , Equip. & Vehicles									
Transport									
	Loader	0	0	0	0	(320,000)	(320,000)	320,000	
	Water tanker	0	0	0	0	(70,000)	(70,000)	70,000	
	Passenger Vehicles	0	(104,162)	(104,162)	0	(96,300)	(96,300)	(7,862)	
	Mower	0	0	0	0	(40,000)	(40,000)	40,000	
	Trailer	0	(82,791)	(82,791)	0	(82,400)	(82,400)	(391)	
	Generators	0	0	0	0	(26,996)	(26,996)	26,996	
	Plant, Equip & Vehicles Total	0	(186,953)	(186,953)	0	(635,696)	(635,696)	448,743	
Roads									
Regional Road Group									
	Boyup Brook Arthur Road	(4,120)	0	(4,120)	(109,492)	(202,100)	(311,592)	307,472	
	Darkan Williams Road	(94,856)	(8,419)	(103,275)	(219,068)	(35,431)	(254,499)	151,224	
	Regional Road Group Total	(98,976)	(8,419)	(107,395)	(328,560)	(237,531)	(566,091)	458,696	
Roads to Recovery									
	Trigwell Bridge Road	(1,866)	0	(1,866)	(154,094)	(62,871)	(216,965)	215,099	
	Howie Road	(321)	0	(321)	(102,141)	(18,424)	(120,565)	120,244	
	Roads to Recovery Total	(2,187)	0	(2,187)	(256,235)	(81,295)	(337,530)	335,343	
Shire Funded									
	Dust Suppression	0	0	0	(12,600)	(7,000)	(19,600)	19,600	
	To be determined	0	0	0	(115,000)	(45,000)	(160,000)	160,000	
	Shire Funded Total	0	0	0	(127,600)	(52,000)	(179,600)	179,600	
	Roads Total	(101,163)	(8,419)	(109,582)	(712,395)	(370,826)	(1,083,221)	973,639	
	Capital Expenditure Total	(128,960)	(386,687)	(515,647)	(801,495)	(2,279,827)	(3,081,322)	2,565,675	

13.2 Accounts For Payment – November 2022

File Reference:	ADM 338
Location:	N/A
Applicant:	N/A
Author:	Renee Schinzig – Administration Officer
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	8 December 2022
Disclosure of Interest:	N/A
Attachments:	1. Cheque Listing – November 2022 2. Corporate Credit Card Summary – October 2022

Summary:

Council to endorse payments of accounts for November 2022 as listed, and note the attached credit card transactions.

Background:

The schedule of accounts for payment is included as an attachment for Council information.

Note that the transactions summary for the Corporate Credit Card facility for October has also been included as an attachment to this item, following a request by Council. There were no credit card transactions in November.

Comment:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

Consultation:

There has been no consultation.

Statutory Environment:

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making
 - (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
 - (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

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.

Policy Implications:

There are no policy implications.

Financial Implications:

There are no financial implications.

Strategic Implications:

There are no strategic implications.

Risk Implications:

Risk	Nil
Risk Likelihood (based on history and with existing controls)	N/A
Risk Impact / Consequence	N/A
Risk Rating (Prior to Treatment or Control)	N/A
Principal Risk Theme	N/A
Risk Action Plan (Controls or Treatment Proposed)	N/A

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple majority

Officer Recommendation:

That Council:

1. in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, note Municipal Fund vouchers 07112022.1 – 07112022.30, 17112022.1 – 17112022.13, Licensing, Salaries and Wages, EFT Transfers and Direct Debits totalling \$365,557.80 listed (attached) as approved for payment; and
2. note the attached transaction summary of the corporate Credit Card facility.

Moved: _____

Seconded: _____

Date	Num	Name	Original Amount
01/11/2022	DIRECT DEBIT	NATIONAL AUSTRALIA BANK	357.90
		MERCHANT FEE	
07/11/2022	DEBIT	SYNERGY	6,200.67
		ELECTRICITY USAGE AND SUPPLY CHARGES FOR VARIOUS SHIRE PROPERTIES	
07/11/2022	DEBIT	WATER CORPORATION	53.14
		WATER USAGE FOR HORWOOD STANDPIPE	
07/11/2022	07112022.1	AIR LIQUIDE	88.96
		FACILITY FEE ON GAS CYLINDERS	
07/11/2022	07112022.2	ASK WASTE MANAGEMENT	6,919.00
		ASBESTOS MANAGEMENT PLAN	
07/11/2022	07112022.3	AUSTRALIA POST	144.43
		RATES INSTALLMENT NOTICES & POST OFFICE BOX RENTAL AND MAIL REDIRECTION	
07/11/2022	07112022.4	CASTLEDINE AND CASTLEDINE DESIGNERS	2,252.25
		UPDATING BRANDING FOR SHIRE OF WEST ARTHUR STAGE 2 PAYMENT 2	
07/11/2022	07112022.5	CLOUD PAYMENT GROUP	1,221.00
		DEBT COLLECTION COSTS	
07/11/2022	07112022.6	COLLIE ELECTRICAL SERVICES	363.00
		REPLACE HEATING ELEMENT TO HOT WATER SYSTEM AT RAILWAY RESERVE TOILETS	
07/11/2022	07112022.7	COLLIE RIVER VALLEY BULLETIN	34.42
		CLASSIFIED LINAGE EMPLOYMENT AD FOR FULL TIME MECHANIC	
07/11/2022	07112022.8	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	17,465.40
		2022/2023 ESL 1ST QTR CONTRIBUTION	
07/11/2022	07112022.9	EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD	1,318.99
		SALARY SACRIFICE PAYMENTS	
07/11/2022	07112022.10	FLEAYS STORE	596.70
		FOOD SUPPLIES FOR SENIORS MEALS, MILK, TEA, SUGAR & COFFEE FOR SHIRE OFFICE	
07/11/2022	07112022.11	FORDHAM LAMONT, V	85.00
		HOME INTERNET BILL AS PER CEO CONTRACT	
07/11/2022	07112022.12	G & M DETERGENTS	600.00
		CLEANING SUPPLIES FOR LAKE, PUBLIC TOILETS, CARAVAN PARK, OFFICE, ETC.	
07/11/2022	07112022.13	GEOGRAPHE FORD BUNBURY	12,118.77
		2022 FORD EVEREST - TRADE MCS VEHICLE	
07/11/2022	07112022.14	INTEGRATED ICT	1,540.66
		SERVICE DESK/REMOTE MANAGEMENT, MONTHLY SUBSCRIPTION, MONTHLY MS OFFICE 365, SERVICE AGREEMENT	
07/11/2022	07112022.15	JI & LA RILEY	4,907.76
		DARKAN RAILWAY RESERVE SHADE SHELTER SECURE TEMPORARY POWER TO SHED, ORIGINAL CABLE AND CONDUIT RUN	
07/11/2022	07112022.16	LANDGATE	71.80
		MINIMUM CHARGE FEE	
07/11/2022	07112022.17	LUSH FIRE & PLANNING	1,930.50
		PLANNING ENQUIRIES	
07/11/2022	07112022.18	MARKET CREATIONS	429.00
		PROPOSAL #IU75 SSL WILDCARD 2 YEAR	
07/11/2022	07112022.19	PARKER BLACK & FORREST PTY. LTD.	504.90
		DURANILLIN REFUSE SITE KEYS	
07/11/2022	07112022.20	PHOENIX GLASS	1,671.00
		SUPPLY & INSTALL SCREEN DOOR & REPLACE MESH SLIDING SCREEN DOOR 15 NANGIP CRS, REGLAZE LOWER PANEL OUTER DOOR CHILDREN'S LOUNGE	
07/11/2022	07112022.21	RAJINDER S SUNNER.	23.22
		CARPARKING - WALGA PEOPLE AND CULTURE WORKSHOP	
07/11/2022	07112022.22	RAREBITS ON BURROWES 1	550.00
		LEMAC LITE SUPPER, CATERING FOR SEPTEMBER & OCTOBER COUNCIL MEETING	
07/11/2022	07112022.23	RESONLINE PTY LTD	220.00
		ROOM MANAGER SERVICES OCTOBER 22	
07/11/2022	07112022.24	SOS OFFICE EQUIPMENT	248.34
		METER READINGS FOR THE FUJI XEROX PRINTER FOR OCTOBER 2022	
07/11/2022	07112022.25	SOUTH WEST ISUZU	314.37
		PARTS FILTERS & REPAIRS FOR ISUZU	
07/11/2022	07112022.26	TOLL TRANSPORT PTY LTD	68.37
		SOS FREIGHT, CORSIGN FREIGHT, STATE LIBRARY FREIGHT, WATER EXAM FREIGHT - POOL	
07/11/2022	07112022.27	WA CONTRACT RANGER SERVICES PTY LTD	584.38
		RANGER SERVICES 25 OCT 22 AND 4 NOV 22	
07/11/2022	07112022.28	WARREN BLACKWOOD WASTE	2,726.58
		DOMESTIC, COMMERCIAL WASTE & RECYLING BINS	
07/11/2022	07112022.29	WEST ARTHUR COMMUNITY RESOURCE CENTRE	1,060.80
		DOCTORS HOURS FOR OCT 2022, SIGNAGE LAMINATION A4 & A3	
07/11/2022	07112022.30	WESTRAC BUNBURY	7,649.74
		TO INVESTIGATE ELECTRICAL FAULTS G10 ESTIMATE \$2000	
07/11/2022	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	46.74
		NAB CONNECT FEE SEPTEMBER 2022	
10/11/2022	EFT	SALARIES AND WAGES	56,161.28
		PAYROLL	
10/11/2022	DEBIT	BOND ADMINISTRATOR	912.00
		SECURITY BOND FOR 8 HILLMAN STREET, DARKAN (MERRETT)	
11/11/2022	DEBIT	ASGARD SUPER	231.51
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	AUSTRALIAN ETHICAL SUPER FUND	109.65
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	AUSTRALIAN RETIREMENT TRUST	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	AUSTRALIAN SUPER	1,904.89
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	AWARE SUPER	6,504.94
		FORTNIGHTLY SUPERANNUATION PAYMENT	

Shire of West Arthur
Accounts for Payment
November 2022

AGENDA
13 DECEMBER 2022

Date	Num	Name	Original Amount
11/11/2022	DEBIT	CBUS	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	COLONIAL FIRST STATE	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	D AND K MELBOURNE SUPERANNUATION FUND	274.97
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	GD & MA GOODING SUPERANNUATION FUND	21.68
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	HESTA SUPER FUND	170.32
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	HOSTPLUS	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
11/11/2022	DEBIT	PRIME SUPER	308.78
		FORTNIGHTLY SUPERANNUATION PAYMENT	
14/11/2022	DEBIT	SYNERGY	74.02
		ELECTRICITY USAGE AND SUPPLY CHARGE FOR THE DURA WATER SUPPLY	
17/11/2022	17112022.1	AUSQ TRAINING	1,500.00
		WORKS CREW REACCREDITATION COURSE	
17/11/2022	17112022.2	COHESIS PTY LTD	5,225.00
		PROVIDE THE FOLLOWING POLICY/PROCEDURE DOCUMENTS - RISK MANAGEMENT	
17/11/2022	17112022.3	COLLIE ELECTRICAL SERVICES	437.80
		REPAIR ELECTRICAL CABLES DAMAGED BY CONSTRUCTION WORK FOR NEW GAZEBO	
17/11/2022	17112022.4	DARDANUP BUTCHERING COMPANY	43.72
		SENIOR MEALS MEAT ORDER	
17/11/2022	17112022.5	DARKAN AGRI SERVICES	5,713.92
		PARKS & GARDENS, CLEANING AND BUILDING SUPPLIES, CLOTHES LINE FOR COMMUNITY HOUSING, BATTERIES, TABLE FOR CHALET ETC	
17/11/2022	17112022.6	DARKAN PRIMARY SCHOOL	50.00
		CONTRIBUTION TO DPS YEAR 6 DUX AWARD 2022	
17/11/2022	17112022.7	FUEL DISTRIBUTORS OF WA	35,566.06
		DIESEL & UNLEADED FUEL	
17/11/2022	17112022.8	IG & BM WOODRUFF	54.00
		OVERPAYMENT OF RATES	
17/11/2022	17112022.9	JI & LA RILEY	83,431.97
		DARKAN SHADE SHELTER - EARTHWORKS AND ADMINISTRATION, DIG FOOTINGS, SUPPLY AND INSTALL TIMBER CEILING	
17/11/2022	17112022.10	SMARTSHEET INC.	1,548.00
		SUBSCRIPTION SERVICE - BUSINESS PLAN PLUS PRO SUPPORT - LICENSED USERS	
17/11/2022	17112022.11	TALIS CONSULTANTS	1,687.13
		DURANILLIN LANDFILL CLOSURE PLAN	
17/11/2022	17112022.12	TOLL TRANSPORT PTY LTD	11.01
		SOS MAGENTA TONER FREIGHT	
17/11/2022	17112022.13	WEBB, JANELLE	12.00
		LONGLIFE MILK FOR CHALET	
17/11/2022	DEBIT	TELSTRA	10,030.63
		USAGE AND SERVICE CHARGES, ADMIN PHONE LINE CALLS & CHARGES ,NEW INTERNET & DATA SERVICE, TELEPHONE CALLS FOR THE CRC	
17/11/2022	DEBIT	WATER CORPORATION	24.88
		ADJUSTED CHARGES FOR GROWDEN PLACE DARKAN	
21/11/2022	DEBIT	TELSTRA	110.63
		USAGE AND SERVICE CHARGES	
	EFT	SALARIES AND WAGES	58,982.89
23/11/2022		PAYROLL	
23/11/2022	DEBIT	ATO	10,589.00
		OCTOBER BAS	
30/11/2022	DIRECT DEBIT	NATIONAL AUSTRALIA BANK	33.49
		NAB CONNECT FEES AND USAGE	
30/11/2022	DIRECT DEBIT	NATIONAL AUSTRALIA BANK	104.68
		MERCHANT FEE	
30/11/2022	DIRECT DEBIT	NATIONAL AUSTRALIA BANK	50.40
		ACCOUNT FEES	
30/11/2022	DIRECT DEBIT	NATIONAL AUSTRALIA BANK	13.40
		ACCOUNT FEES	
		VOUCHERS	AMOUNT
MUNICIPAL FUND			
		07112022.1 - 07112022.30	67,709.34
		17112022.1 - 17112022.13	135,280.61
		EFT/DEBIT/BPAY	38,735.98
		SALARIES & WAGES	115,144.17
		LICENSING NOVEMBER 2022 TRANSFERS	8,687.70
		TOTAL	365,557.80



**SHIRE OF WEST ARTHUR
NAB BUSINESS VISA CARD
PAYMENTS OF ACCOUNTS BY NAB VISA CARD**

FOR THE STATEMENT PERIOD: 29 September 2022 To 28 October 2022

DATE	PAYEE	DESCRIPTION	SOWA EXPENSE CODE	AMOUNT
1. CARD NUMBER 4336-XXXX-XXXX-9660				
03-Oct-22	The Partisan	Annual 4WDL Dinner	E043020	\$2,263.32
04-Oct-22	Crown Promenade Perth	Deposit on accommodation and meals WALGA week	E043015	\$514.34
06-Oct-22	Crown Promenade Perth	Remaining balance on accommodation and meals WALGA Week	E043015	\$256.66
07-Oct-22	City of Perth Parking	Parking whilst at WALGA week and visiting ICT to get computer set up	E143065	\$15.35
07-Oct-22	Crown Promenade Perth	Mini Bar	E043015	\$4.54
18-Oct-22	Caltex Collie	Fuel	E144015	\$130.02
24-Oct-22	Pak it Computers	Power Cord for Laptop	E142070	\$60.00
26-Oct-22	Booking.com (Ocean Beach Hotel)	Hotel for training for Kathy Rasmussen (Royal Life Saving Pool Chemical Training)	E112002	\$125.00
CARD 1 PAYMENTS				\$3,369.23
2. CARD NUMBER 4336-XXXX-XXXX-8951				
03-Oct-22	Officeworks	Stationery - Business Card Holder and insert and HDMI Cable	E142070	\$58.20
12-Oct-22	Darkan Post Office	Stationery for Depot staff	E142070	\$24.49
14-Oct-22	Darkan Post Office	Mailing costs	E142070	\$5.55
18-Oct-22	Puma Joondalup	Fuel	E144015	\$110.44
19-Oct-22	Shire of West Arthur	Change of licence plates on Raj's new vehicle	E144004	\$30.50
21-Oct-22	Shire of West Arthur	Change of licence plates on Gary's new Triton and between Gary and Raj's vehicles	E144004	\$37.00
CARD 2 PAYMENTS				\$266.18
3. CARD NUMBER XXXX-XXXX-XXXX-XXXX				
CARD 3 PAYMENTS				\$0.00
TOTAL NAB VISA CARD PAYMENTS 4336-XXXX-XXXX-7507				\$3,635.41
PAYMENT 3 OCT 22				\$4,000.00
Date Due for Payment				In Credit \$364.59

I, Kylie Whitaker, Finance Officer have reviewed the NAB visa card paymnnets and confirm that from the descriptions on the documentation provided that:

1. all transactions are expenses incurred by the Shire of West Arthur;
2. all purchases have been made in accordance with the Shire of West Arthur policies and procedures;
3. all purchases are in accordance with the Local Government Act 1995 and associated regulations;
4. no misuse of the corporate card is evident.

Kylie Whitaker: _____

DATE: ____/____/____

13.3 Out of Budget Expenditure – Loader Repairs

File Reference:	L15
Location:	N/A
Applicant:	N/A
Author:	Gary Rasmussen – Manager Works and Services
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	7 December 2022
Disclosure of Interest:	Nil
Attachments:	1. Approval of Shire President for Emergency Expenditure 2. Repair Estimate

Summary:

Council is requested to approve out of budget expenditure for emergency repairs to L90F Loader.

Background:

The Volvo L90F Loader recently experienced a serious fault with its transmission that required immediate attention. The main shaft in the centre of the gearbox is held in place with a bearing cap. This applies pressure to the tapered bearing which holds a drive shaft in place. When the loader is engaged in a gear, it pops the end cap off, and the shaft comes out of the transmission.

The loader is a key piece of plant that we can't afford to be out of action, particularly when we are carrying out tree works. We will require it on every job we do this year in the capital construction program; without it, I would need to spend about \$30,000 to hire a loader. Carrying out the repairs will benefit the Shire as we would only get about \$30,000 if we sold the loader as is. As running unit, however, the wholesale price range would be in the range \$110,000 to 120,000.

I would use this loader for tree works with the saw attachment until we get an excavator as this would protect the new loader. In the plant replacement program, I was looking to trade this loader on the excavator but till then we would be using it extensively.

Comment:

As there was some urgency in organising the repairs to the loader, pursuant to s6.8(1)(c) of the *Local Government Act 1995*, emergency approval was sought and obtained from the Shire President on 29 November to go ahead with the repairs. Council is now being requested to endorse the President's decision.

Consultation:

Shire President
CEO
Manager Corporate Services
CJD Equipment

Statutory Environment:

Local Government Act 1995
Section 6.8 Expenditure from municipal fund not included in annual budget

Policy Implications:

Nil

Financial Implications:

As shown in Attachment 2, the net cost of the repair of the loader is \$52,805 ex GST (\$76,309 less \$23,504 for the sale of the damaged transmission), which will be funded from the Plant Reserve.

Strategic Implications:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Not completing the current works programme because the loader is out of action
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	High (16)
Risk Likelihood (based on history and with existing controls)	Likely (4)
Risk Consequence	Major (4)
Principal Risk Theme	Business Disruption
Risk Action Plan (Controls or Treatment Proposed)	Carry out the necessary repairs to the item of plant

Voting Requirements:

Absolute majority

Officer Recommendation:

That Council, by absolute majority, endorses the Shire President's decision under emergency legislation, to approve out of budget expenditure of \$52,805 for emergency repairs to the Shire's Volvo L90F Loader.

Moved: _____

Seconded: _____

From: Neil Morrell <Cr.Morrell@westarthur.wa.gov.au>
Sent: Tuesday, 29 November 2022 7:38 AM
To: Rajinder Sunner <mcs@westarthur.wa.gov.au>
Cc: Vin Fordham Lamont <ceo@westarthur.wa.gov.au>; Gary Rasmussen <worksmanager@westarthur.wa.gov.au>
Subject: Re: Required approval of an urgent repair of Loader L90F - \$52,805

Hi Raj
Yes go ahead with repairs

Neil Morrell
President
West Arthur Shire

On 29 Nov 2022, at 5:59 am, Rajinder Sunner <mcs@westarthur.wa.gov.au> wrote:

Good morning, President Morrell.

Subject: Approval of Urgent Repair of Loader L90F for \$52,805

Summary: The president to approve an urgent repair on loader. The net cost of the repair of loader \$52,805 {\$76,309-\$23,504=\$52,805}, which will be funded from Plant Reserve. The budget amendment will be presented to December 2022 OCM.

Comments: The loaders transmission; there is main shaft in the centre of the gearbox that is heled in place with bearing cap. This applies pressure to the tapered bearing which holds a drive shaft in place.

When you engage the load in a gear it pops the end cap of, and the shaft comes out of the transmission .

The loader is a key piece of plant we cannot be with out it when we doing tree works . We require it on every job we do this year in the capital construction program without it I will have hire someone in about \$30,000 of hire .

The price of a repair would benefit the shire as trying to sell the loader without the repair we would not get a lot for it about \$30000 As running unit wholesale \$110,000 to 120,000.

I would use this loader for the tree works with the saw attachment to we get and excavator this would save damage to the new loader. In the near replacement program, I was looking to trade this loader on the excavator but till then we would be using it .

Statutory Environment:

Kind Regards

Rajinder S Sunner
Manager Corporate Services
Enquiries (08) 9736 2222
Mob: 0499 331 559
31 Burrowes Street, Darkan WA 6392
All correspondence to:
P.O.Box 112, Darkan WA 6392



CJD EQUIPMENT PTY LTD
10 Kerr Road,
Picton East WA 6229



08 9722 8100



www.cjd.com.au

ABN 63 008 754 523
PPFS Dealer 178762

REPAIR ESTIMATE

Customer address	
WEST ARTHUR SHIRE shire@westarthur.wa.gov.au 31 BURROWES ST DARKAN WA 6392 AUSTRALIA	
shire@westarthur.wa.gov.au	
Order number	Customer's ord
0070262290	AD 21/11/2022

Repair Estimate	0070262290
Valid To	
Responsible	ADICKSON
Str dt	26/07/17
Product	L90F
Lot number	VCE0L90FV00029648
Reg no/site	
Fleet	
Meter Reading	978 HOURS

Line			Service	Order qty	U/M	Service total	
1	REMOVE AND REPLACE TRANSMISSION		REPAIR ESTIMATE	1.00	EA	76,308.66	
Description	Op/Item	Lot/Ser no	Quantity	U/M	Price	Discount amt	Total
AT102,TRANS OIL 20L	CV15142868		2.00	EA	307.62		307.62
CONSUMABLES	SR0010		1.00	EA	150.00		150.00
ENVIRONMENTAL DISPOSAL	SR0020		1.00	EA	20.00		20.00
FILTER CARTRIDGE	V11448509		1.00	EA	41.36		41.36
O-RING	V13949574		2.00	EA	7.76		7.76
PLUG	V13960632		2.00	EA	39.18		39.18
SEALING RING	V14213676		4.00	EA	30.96		30.96
WIRING HARNESS	V16317241		1.00	EA	1,150.93		1,150.93
SEALING RING	V421158		1.00	EA	13.39		13.39
GASKET	V7011998		2.00	EA	0.98		0.98
CORE-HYDRAULIC TRANSMISSION	V8000022736		1.00	EA	23,503.91		23,503.91
HYDRAULIC TRANSMISSION	V9000022736		1.00	EA	46,058.50		46,058.50
O-RING	V925096		1.00	EA	7.55		7.55
O-RING	V926101		1.00	EA	69.27		69.27
PLUG	V926370		2.00	EA	27.90		27.90
HOSE CLAMP	V943476		2.00	EA	6.10		6.10
HOSE	V943827		1.00	EA	61.53		61.53
O-RING	V990737		4.00	EA	11.72		11.72
LABOUR - R & R TRANSMISSION	0063			HRS			4,800.00

S Payment
BSB 306 - 041
Account Number 4597342

Postal Address
PO Box 9045,
Picton WA 6229

Trading Terms & Conditions:
For customer support and a full list of terms and conditions please visit www.cjd.com.au or free call 1300 139 804.

RTA No. AU07950 MRB1342 DCODE 1239772



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Picton East WA 6229



08 9722 8100



www.cjd.com.au

ABN 63 008 754 523
PPFS Dealer 178762

REPAIR ESTIMATE

Order total	AUD	76,308.66
GST	AUD	7,630.87
Invoice total	AUD	83,939.53
Total	AUD	83,939.53

S **Payment**
BSB 306 - 041
Account Number 4597342

Postal Address
PO Box 9045,
Picton WA 6229

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RTA No. AU07950 MRB1342 DCODE 1239772

14. PLANNING AND TECHNICAL SERVICES**14.1 Rajander Road Subdivision**

File Reference:	A261
Location:	Lots 3629, 3630 Rajander Rd, Darkan
Applicant:	Harley Dykstra Pty Ltd
Author:	Geoffrey Lush – Planning Consultant
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	6 December 2022
Disclosure of Interest:	Nil
Attachments:	1. Existing Lots 2. Subdivision Plan

Summary:

Council is requested to consider a subdivision application (WAPC Ref No 162984) for the re-subdivision of two rural lots i.e. no additional lots being created. The application is not supported due to access and bushfire management issues.

Background:

The subject land is located 13kms south west from the Darkan Townsite. It is situated 830m west of Rajander Road and is owned by A Putland. The site is shown in Attachment 1 and consists of:

- Lot 3629 DP145162 having an area of 63.5 hectares; and
- Lot 3630 DP145162 having an area of 401 hectares.

The site is vacant and there is an unconstructed road reserve bisecting the northern portion of both lots. Lot 3629 contains some areas of remnant vegetation and there is a drainage line through the centre of the lot. Lot 3630 contains more than 200 hectares of bushland. The land to the west and south west of the site contains State Forest and other vegetated crown and private land.

The proposed subdivision is shown in Attachment 2 and will re-subdivide the property into two lots as follows:

- Lot A will have an area of 189 hectares land will be a bushland block with no cleared areas. It will have a 10m wide battle axe leg extending for 239m from the unconstructed road reserve. This will be on the north western corner of the lot approximately 3,200m from Rajander Road.
- Lot B will have an area of 275 hectares and is situated on both sides of the unconstructed road reserve.

Lot A is proposed to be an “offset” lot for the clearing of land associated with the expansion of the Talison lithium mine at Greenbushes. The actual details of this are still being confirmed by the applicant. The subject land is located within the catchment area for Wellington Dam.

Comment:

There are several issues with the application which are still subject to discussion with the Department and the applicant. The applicant’s justification for addressing these issues is that there are no additional lots being created and it is not proposed to have a dwelling on Lot A. However, as there will not be another Council Meeting until February the Department is seeking the formal views of Council now.

The main concern relates to proposed Lot A which:

1. Is effectively a conservation lot with an extreme bushfire hazard level;
2. There is no legal ability to prohibit a dwelling on the lot;
3. Has no suitable locations for a dwelling;
4. Has an inappropriate battle axe leg; and

5. Relies upon access via the unconstructed road reserve extending to 2 kilometres.

1 Conservation lot with an extreme bushfire hazard level.

As the subdivision is in bushfire prone land a bushfire assessment is normally required to be submitted with the application. The applicant has declined to do this on the basis that as there will not be any dwelling on the lot, there is no intensification of the use, and no bushfire assessment is required.

State Planning Policy SPP3.7 Planning in Bushfire Prone Areas has a clear presumption against development being located on land that has an extreme bushfire hazard level. Even if an area was cleared around a house site, the general location is not considered suitable and would not comply with the Bushfire Protection Criteria, including the access provisions.

At this time, it has not been confirmed or agreed by DBCA that Lot A will be accepted as an offset lot for Talison development.

2. There is no legal ability to prohibit a dwelling on the lot.

The applicant has submitted that a restrictive covenant would be used to prohibit a dwelling on Lot A.

A dwelling in the 'Rural' zone is a (P) permitted use but in this instance would require a planning approval as the subject land:

- Is located in the Wellington Special Control Area (Clause 6.2); and
- There is no constructed public road access (Clause 5.17).

The use of mechanisms, such as a restrictive covenant, to prevent development of the lot may have a questionable legal validity where development is otherwise lawful under a local planning scheme.

A further issue is that a restrictive covenant would most likely require the Council to be the beneficial party of the covenant. This means that it would be the Council's responsibility to take legal action to enforce the covenant.

3. No suitable locations for a dwelling.

As indicated in Item 1 above this is a function of the extreme bushfire hazard level for the site. In response to this the applicant has suggested that a potential site for a dwelling could be located on cleared land adjacent to the battle axe leg using a portion of proposed Lot B.

This would still be an isolated house location, with an extreme bushfire hazard on multiple sides and with poor road access.

The Department has advised that if Lot A becomes an offset lot, the inclusion of a developable area for a possible dwelling will be seen as a contingency measure. The inference being that the Department would not apply the normal level of scrutiny or justification to the proposed house site.

No possible house site should be considered even as a 'contingency measure' without being justified by a bushfire assessment / Bushfire Management Plan.

4. Lot A has an inappropriate battle axe leg.

The Bushfire Protection Criteria state that in bushfire prone areas, battle-axe access legs should be avoided unless it is demonstrated that it cannot be avoided due to site constraints.

Lots with battle-axe access legs should be avoided because they:

- do not enable the habitable building to be located close to a public road where it is visible to emergency services;
- result in longer than necessary access routes for evacuation and the response of emergency services;

- may be blocked by falling trees or debris; and
- may not provide certainty for emergency services regarding the width, length and ability to turn emergency services vehicle around.

The basis for the battle axe leg is because Lot A reflects the existing bushland area. The battle axe leg could be avoided by extending the northern boundary of Lot A north to the unconstructed road reserve which would then include a larger area of cleared land.

As the proposed battle axe leg is located the maximum distance away from Rajander Road on the western boundary of the subject land, the above issues are then exacerbated by the need to provide access along the unconstructed road reserve.

5. Relies upon access via the unconstructed road reserve.

Access to Lot A is required irrespective of whether there will be a future dwelling on the lot or not. The only means of access is via the unconstructed road reserve which extends for approximately 2.3kms through proposed Lot B.

As has been advised with other similar applications, the Shire is not under any legal obligation to construct any future access to this possible site along this road reserve, but once one is constructed then the Shire must maintain it. Clearly a future owner would have difficulty constructing this access to a satisfactory standard.

The concern is that agreement to the subdivision may place some obligation on Council to provide access to the new lot.

Consultation:

- Applicant
- Department of Planning Lands and Heritage
- Department of Planning Lands and Heritage (Bushfire Policy Unit)

Statutory Environment:

Local Planning Scheme No 2

The subject land is zoned Rural in Local Planning Scheme No 2. The objectives for the Rural zone include:

- to ensure the continuation of broad-hectare agriculture as the principal land use in the district, encouraging where appropriate the retention and expansion of agricultural activities.
- to provide for intensive agricultural uses and diversified farming which retain the rural character and amenity of the locality, and which are consistent with land suitability.

Clause 5.18.4 of the Scheme specifically deals with the subdivision of Rural zoned land stating when making recommendations to the Commission on applications for subdivision the local government will have regard to the relevant policies of the Commission and for:

- (a) Subdivision for Intensive Agriculture; and
- (b) Subdivision for Homestead Lots.

Clause 5.17 of the Scheme relates to the development of lots abutting an unconstructed road. Planning approval is required for development of land abutting an unconstructed road or a lot which does not have frontage to a constructed road. In considering an application the local government is to either:

- (a) refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be;
- (b) grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any conditions it thinks fit to impose; or
- (c) require such other arrangements are made for permanent access as are to the satisfaction of the local government.

Clause 6.2 of the Scheme relates to land that is located within the catchment area for Wellington Dam. It stipulates that any development requires Council's approval and referral to the Department of Water and Environmental Regulation.

State Planning Policy 3.7 Planning in Bushfire Prone Areas

All of proposed Lot A and portions of proposed Lot B are designated as being bushfire prone. State Planning Policy SPP3.7 Planning in Bushfire Prone Areas requires that any subdivision application must be accompanied by a bushfire assessment which includes:

- a) a Bushfire Attack Level (BAL) Assessment or a BAL Contour Map to show the expected BAL ratings for the developed site;
- b) the identification of any bushfire hazard issues arising from the BAL Contour Map or the BAL assessment; and
- c) an assessment against the bushfire protection criteria requirements contained within the Guidelines demonstrating compliance within the boundary of the development site.

State Planning Policy 2.5 Rural Land

State Planning Policy 2.5 Rural Land has a presumption against the subdivision of rural land except for specific circumstances being:

- a) A boundary re-alignment;
- b) To protect and actively conserve places of cultural and natural heritage;
- c) To allow for the efficient provision of utilities and infrastructure;
- d) Homestead lots; and
- e) For other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary to the public interest.

In addition to the provisions of the policy the WAPC will have due regard to:

- the provisions of a local planning scheme;
- a local planning strategy or local rural strategy;
- applicable region schemes;
- applicable regional strategies;
- relevant State planning and operational policies;
- the individual merits of the proposal; and
- existing precedent(s) or any potential precedent the proposal may create.

Policy Implications:

The issue of potential rural lots with no entitlements for a dwelling is likely to increase given the need for carbon plantings and environmental offsets for development projects.

Financial Implications:

Nil

Strategic Implications:

Shire of West Arthur Strategic Community Plan – Strategic Direction – Local Economy – supporting agriculture and local business.

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher

the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	That the subdivision of Lots 3629, 3630 leads to access issues
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	High (12)
Risk Likelihood (based on history and with existing controls)	Possible (4) based upon history of similar access issues in the Shire
Risk Consequence	Moderate (3) being the cost of the potential construction of access for 1.6kms
Principal Risk Theme	Inadequate safety or security practices
Risk Action Plan (Controls or Treatment Proposed)	Ensure that the DPLH and applicant are aware that the Shire is not responsible for constructing the access

Description of Key Risk	Poor location/siting of dwellings and access are major contributors to Bushfire Safety
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Extreme (20)
Risk Likelihood (based on history and with existing controls)	Likely (4) as it is expected that a bushfire will impact the site at some stage
Risk Consequence	Catastrophic (5) being the potential loss of a dwelling or fatality
Principal Risk Theme	Inadequate safety or security practices
Risk Action Plan (Controls or Treatment Proposed)	Ensure that the DPLH and applicant are advised that a bushfire assessment should be provided with the application.

Voting Requirements:

Simple majority

Officer Recommendation:

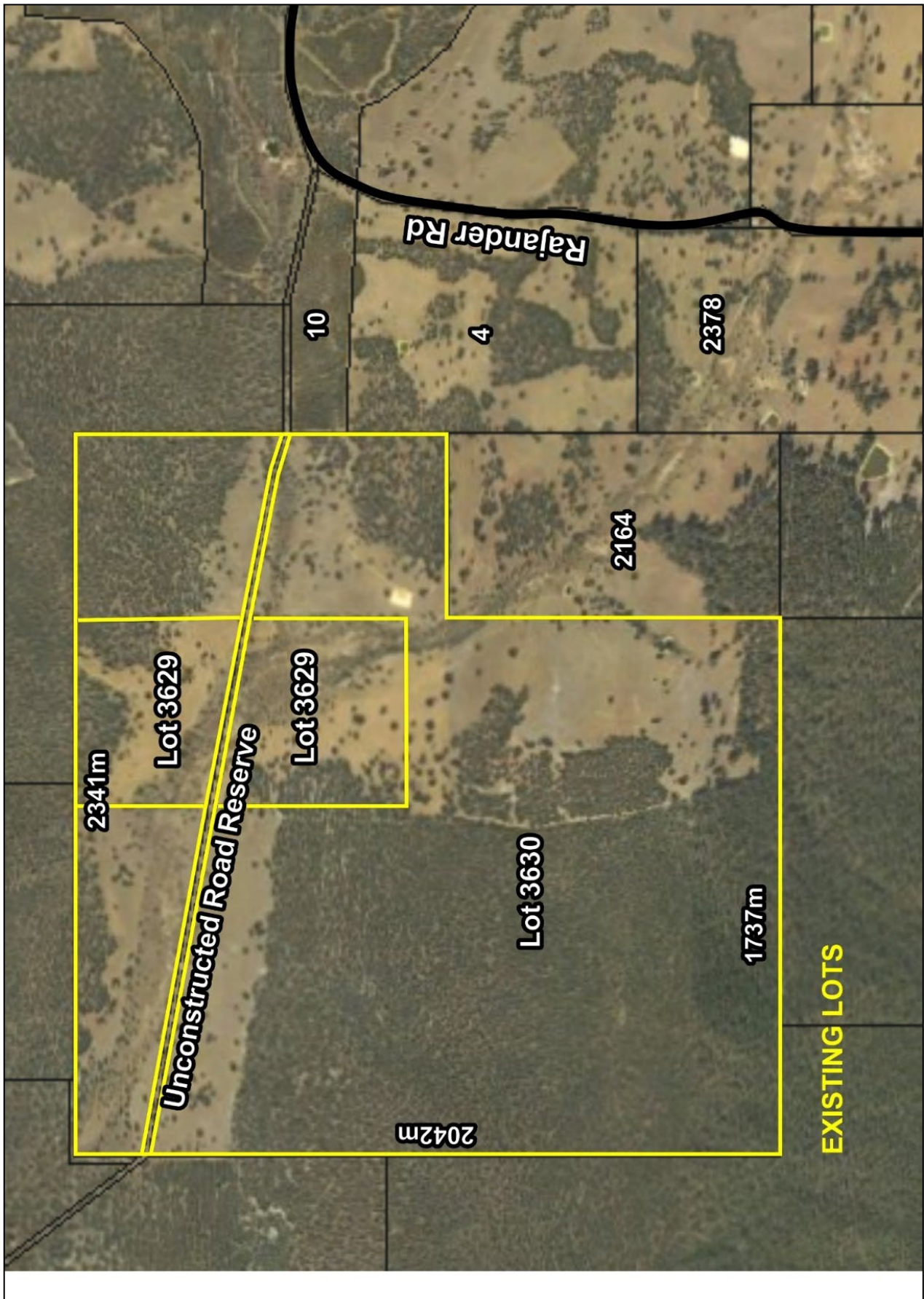
That Council advises the Western Australian Planning Commission that:

1. It objects to the subdivision application for Lots 3629 and 3630 DP162849 Rajander Road, Darkan (Ref No 162094) on the grounds that proposed Lot A:
 - a) Has not been confirmed as an offset / a conservation lot.
 - b) Has no acceptable means of prohibiting the construction of a dwelling which has been identified and the Shire would object to being the beneficiary of any restrictive covenant relating to this.
 - c) It has not been demonstrated that any potential site for a dwelling, even as a contingency measure, would comply with SPP3.7 Planning in Bushfire Prone Areas and the associated Guidelines through the preparation of a bushfire assessment / Bushfire Management Plan.
 - d) The Bushfire Protection Criteria (A3.5) has a presumption against the use of battle axe lots in bushfire prone areas. It has not been demonstrated what the site constraints are which justify this.
 - e) Irrespective of whether a house is potentially developed, there is no suitable access to Lot A. The Shire has no legal obligation to construct the adjacent road reserve which extends for over 2kms to the proposed battle axe access leg.
2. It is prepared to re-consider this matter subject to receipt of a detailed report addressing the above issues noting that:
 - a) Reasons should be given as to why the northern boundary of proposed Lot A cannot be extended up to the unconstructed road reserve as this would provide a larger cleared area of land for a potential house site, remove the need for a battle axe leg and reduce access distance along the unconstructed road reserve.
 - b) The construction of appropriate access along the unconstructed road reserve between Rajander Road and the eastern boundary of the subject land.
 - c) Access to Lot A should be via a carriageway easement over proposed Lot A extending to the north eastern corner adjoining the road reserve.
3. Approval of the subdivision does not fetter the Council's exercise of planning discretion under Local Planning Scheme No 2 or the Deemed Provisions and does not infer or bind Council to approve any application.

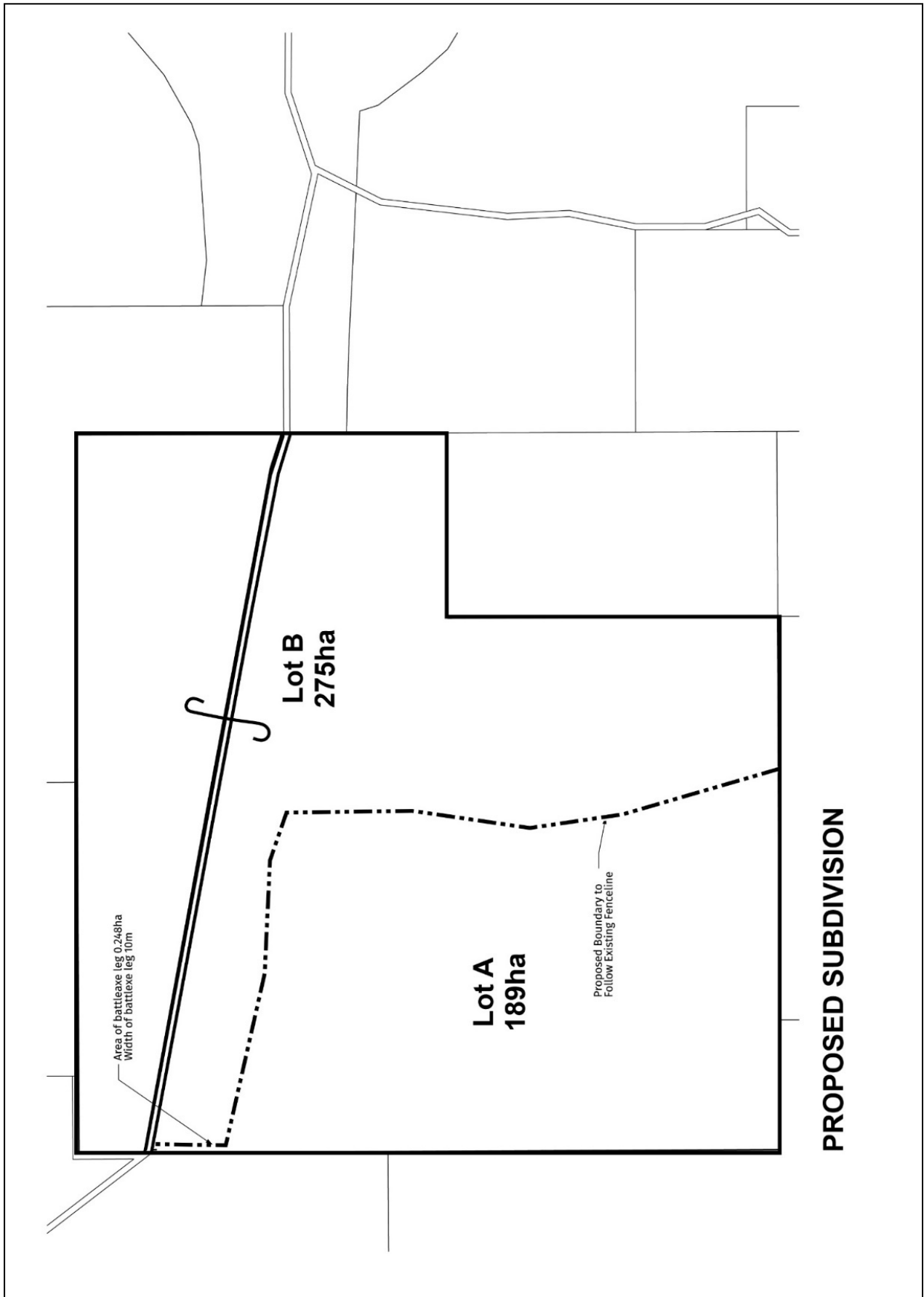
Moved: _____

Seconded: _____

Attachment 1 - Existing Lots



Attachment 2 - Subdivision Plan



14.1 Application for Second Dwelling – Trigwell Bridge Rd

File Reference:	A510
Location:	Lot 3751 Trigwell Bridge Road, Trigwell
Applicant:	Tim & James Plant
Author:	Geoffrey Lush – Planning Consultant
Authorising Officer	Vin Fordham Lamont – Chief Executive Officer
Date:	6 December 2022
Disclosure of Interest:	Nil
Attachments:	1. Floor Plan 2. Dwelling Plan Photos

Summary:

Council is requested to consider an application for a second dwelling on a rural lot.

Background:

The application is to construct a second dwelling on Lot 3751 (# 2142) Trigwell Bridge Road, Trigwell. The subject land has an area of 831 hectares and is situated on the western side of Trigwell Bridge Road, immediately south of Moodiarrup Road West.

The applicant is the brother of the property owner and has advised that:

A second dwelling is required on this property (Lot 3751 Trigwell Bridge Road) to function as the sole and permanent residence of a family member (brother of the current owner), enabling a return to the family farm but, continuing to live independently and with the ability to host regular visits from his own family and friends.

The dwelling will be located approximately 500m from the existing dwelling on cleared land. It will be setback from Trigwell Bridge Road by more than 600m. It is 150sqm in size and the floor plan is contained in Attachment 1. It is being relocated from another site and pictures of the building are shown in Attachment 2.

Comment:

Encouraging a family member to return to the district is beneficial and reflected in the Community Plan.

The provisions of Clause 5.10 requiring approval of relocated buildings only apply within the townsites and are not applicable to this application. The building has been inspected and certified by an independent building surveyor and is in good condition.

Consultation:

Nil

Statutory Environment:Local Planning Scheme No 2

The subject land is zoned Rural in Local Planning Scheme No 2. The objectives for the Rural zone include:

- to ensure the continuation of broad-hectare agriculture as the principal land use in the district, encouraging where appropriate the retention and expansion of agricultural activities.
- to provide for intensive agricultural uses and diversified farming which retain the rural character and amenity of the locality, and which are consistent with land suitability.

Group dwellings (more than one) are a (D) discretionary use in the Rural zone.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of West Arthur Corporate Plan – Strategic Direction - Outcome 1.2 – Support available for people of all ages and abilities.

- Investigate and instigate, where possible, support to enable seniors to stay in our community including, transport (e.g. social or medical), and home maintenance.

Risk Implications:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	That the development of Lot 3751 may lead to subdivision pressure in the future, or the dwelling will not be used by family members
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (2)
Risk Likelihood (based on history and with existing controls)	Unlikely (2) as subdivision is controlled by WAPC policies
Risk Consequence	Rare (1)
Principal Risk Theme	Inadequate safety or security practices
Risk Action Plan (Controls or Treatment Proposed)	None required

Voting Requirements:

Simple majority

Officer Recommendation:

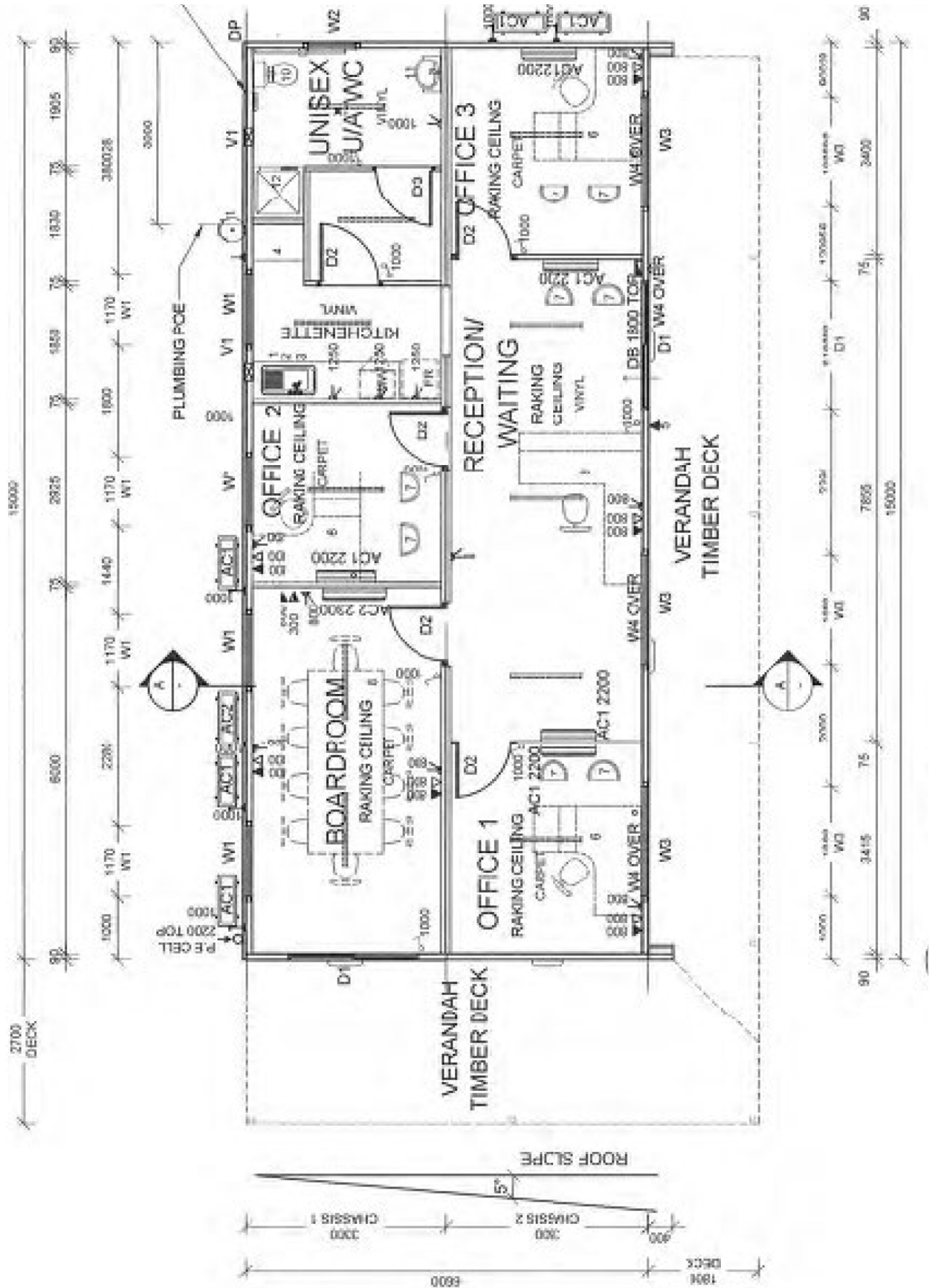
That Council approve the use and development of a second dwelling on Lot 3751 DP201377 Trigwell Bridge Road, Trigwell, subject to the following conditions:

1. The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.

Moved: _____

Seconded: _____

Attachment 1 – Floor Plan



Attachment 2 – Building Photographs



Photo 1 : NOTE - if there is *no narration in the boxes* under the photos, then there is nothing of structural significance to report or it's a repetitive issue. In conjunction the inspector may make **comments, observations &** highlight **major** or **minor serviceability** defects & **maintenance** issues



Photo 2 : Front Verandah decking is not part of the prefabricated house relocation



Photo 3 : Verandah is separate from the house



Photo 4 : Ramp will also be left behind and is not part of the prefabricated house relocation



Photo 5 : Quick Over view:- South front Corner – all exterior lining is in corrugated colour-bond sheeting



Photo 6 : East rear Corner

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

Nil

16. NEW OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

16.1 Elected Members**16.2 Officers****17. MATTERS BEHIND CLOSED DOORS****18. CLOSURE OF MEETING**

The Presiding Member to declare the meeting closed.