



SHIRE OF WOODANILLING



ORDINARY MEETING OF COUNCIL Agenda 17 June 2025

Dear Elected Member

The next Ordinary Meeting of Council of the Shire of Woodanilling will be held on 17 June 2025 in the Council Chambers, 3316 Robinson Road, Woodanilling commencing at 4.00p.m.

**ANIKA SERER
CHIEF EXECUTIVE OFFICER**

Disclaimer

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Woodanilling warns that anyone who has an application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Woodanilling for any act, omission or statement or intimation occurring during a Council Meeting.

Agendas and Minutes are available on the Shire website www.woodanilling.wa.gov.au

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ORDINARY MEETING OF COUNCIL AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1. DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Division 6 Subdivision 1 of the Local Government Act 1995 requires Council Members and Employees to declare any direct or indirect financial interest or general interest in any matter listed in this Agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter be discussed.

NB: A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision making procedure relating to the declared matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Disclosures of Interest Affecting Impartiality are required to be declared and recorded in the minutes of a meeting. Councillors who declare such an interest are still permitted to remain in the meeting and to participate in the discussion and voting on the particular matter. This does not lessen the obligation of declaring financial interests etc. covered under the Local Government Act.

To help with complying with the requirements of declaring Interests Affecting Impartiality the following statement is recommended to be announced by the person declaring such an interest and to be produced in the minutes.

"I (give circumstances of the interest being declared, eg: have a long standing personal friendship with the proponent). As a consequence there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present:

Cr D Douglas	Shire President
Cr HR Thomson	Deputy Shire President
Cr B Smith	
Cr I Garstone	
Cr R Marshall	
Cr K Stephens	

Officers:

Anika Serer	Chief Executive Officer
Ciara Whitmore	Customer Service Officer

Apologies:

Nil

Observers:

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Nil.

5. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil.

6. APPLICATIONS FOR LEAVE OF ABSENCE

6.1. APPLICATION FOR LEAVE OF ABSENCE – CR RUSSEL THOMSON 15 JULY 2025

That Council approves the application for leave of absence submitted by Cr Russel Thomson for 15 July 2025 Council Meeting.

7. ANNOUNCEMENTS BY SHIRE PRESIDENT AND/OR DEPUTY PRESIDENT WITHOUT DISCUSSION

Nil.

8. CONFIRMATION OF COUNCIL MEETING MINUTES:

8.1. ORDINARY MEETING OF COUNCIL HELD – 20 MAY 2025

That the Minutes of the Ordinary Meeting of Council held 20 May 2025 be confirmed as a true and correct record of proceedings without amendment.

9. CONFIRMATION OF OTHER MEETING MINUTES:

Nil.

10. REPORTS OF OFFICERS

Nil.

11. REGULATORY SERVICES

Nil.

12. INFRASTRUCTURE SERVICES

Nil.

13. CORPORATE SERVICES

13.1.LIST OF ACCOUNTS FOR PAYMENT – 31 MAY 2025

File Reference	ADM0066
Date of Report	11 June 2025
Responsible Officer	Anika Serer, Chief Executive Officer
Author of Report	Brooke Dellacqua, Senior Finance Officer
Disclosure of any Interest	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
Voting Requirement	Simple Majority
Attachments	Attachment 13.1.1 - List of Accounts for Payment – 31 May 2025

BRIEF SUMMARY

The purpose of this report is to present to Council the list of accounts paid, for the month ending 30 April 2025, as required under the *Local Government (Financial Management) Regulations 1996*.

BACKGROUND/COMMENT

In accordance with *Local Government (Financial Management) Regulations 1996*, Clause 13 (1) schedules of all payments made through Council's bank accounts are presented to Council for inspection.

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid is to be provided to Council, where such delegation is made.

The following table summarises the payments for the period by payment type, with full details of the accounts paid contained within **Attachment 13.1.1**.

Payments up to 31 May 2025

Payment Type	Account Type	Amount \$
Automatic Payment Deductions (Direct Debits & BPay.	Municipal	\$41,669.61
Cheque Payments- Chq 15402	Municipal	\$200.00
EFT Payments #7803 to #7862	Municipal	\$582,854.64
Sub Total	Municipal	\$624,724.25
Payments	Trust	\$0.00
Payments	Reserve	\$0.00
Totals		\$624,724.25

STATUTORY/LEGAL IMPLICATIONS

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

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 subregulation (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

The Chief Executive Officer, under relevant delegation, is authorised to arrange purchase of specific items in the budget, which do not require calling tenders, providing that it is within the approved and adopted budget.

FINANCIAL IMPLICATIONS

There are no financial implications that have been identified as a result of this report or recommendation.

STRATEGIC IMPLICATIONS

THEME 3

Governance

OBJECTIVES

To promote continual improvement that is supported by efficient and effective governance structures and processes.

STRATEGIES

By ensuring legislation is used to effectively enable quality decision making.

CONSULTATION/COMMUNICATION

There are no community engagement implications that have been identified as a result of this report or recommendation.

RISK MANAGEMENT

The risk in relation to this matter is assessed as "Medium" on the basis that if Council does not accept the payments. The risk identified would be failure to fulfil statutory regulations or compliance requirements. Shire Officer's provide a full detailed listing of payments made in the timely manner.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the list of accounts and details of the credit card amounts, totalling \$624,724.25 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 May 2025, as contained within **Attachment 13.1.1.**

13.2.MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 MAY 2025

File Reference	ADM0066
Date of Report	10 June 2025
Responsible Officer	Anika Serer, Chief Executive Officer
Author of Report	DL Consulting
Disclosure of any Interest	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
Voting Requirement	Simple Majority
Attachments	Attachment 13.2.1 - Monthly Financial Report 31 May 2025

BRIEF SUMMARY

The Monthly Financial Report for period ending 31 May 2025 is presented for Council's consideration.

BACKGROUND/COMMENT

In accordance with regulation 34 of the *Government (Financial Management) Regulations 1996*, the Shire is to prepare a monthly Statement of Financial Activity for approval by Council. The Monthly Financial Reports have been prepared in accordance with statutory requirements.

The Statement of Financial Activity as at 31 May 2025 shows a closing surplus of \$750,128.

STATUTORY/LEGAL IMPLICATIONS

Section 6.4 of the *Local Government Act 1995* requires a Local Government to prepare an annual financial statement for the preceding year and other financial reports as they prescribed.

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the Local Government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

POLICY IMPLICATIONS

There is no Council Policy relevant to this item.

FINANCIAL IMPLICATIONS

The Budget will be regularly monitored on at least a monthly basis, by the Chief Executive Officer and Financial Consultant/Accountant. Responsible Officers are also required to review their particular line items for anomalies each month, with a major review required by law, between 1 February and 28 March of each year pursuant to the *Local Government (Financial Management) Regulations 1996* (Regulation 33A).

Any material variances that have an impact on the outcome of the budgeted closing surplus/deficit position are detailed in the Monthly Financial Report contained within **Attachment 13.2.1**.

STRATEGIC IMPLICATIONS

THEME 3

Governance

OBJECTIVES

To promote continual improvement that is supported by efficient and effective governance structures and processes.

STRATEGIES

By ensuring legislation is used to effectively enable quality decision making.

CONSULTATION/COMMUNICATION

Reporting Officers receive monthly updates to track expenditure and income and to be aware of their work commitments versus budget allocations.

RISK MANAGEMENT

The risk in relation to this matter is assessed as “Low” on the basis that if Council does not receive the Monthly Financial Reports for the month reported leading to the Shire not meeting legislative requirements on financial reporting. The risk identified would be failure to fulfil statutory regulations or compliance requirements.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council receive the Monthly Financial Report for the period of 31 May 2025, in accordance with section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1995* as presented in **Attachment 13.2.1**.

14. COMMUNITY SERVICES

Nil.

15. OFFICE OF CEO

15.1. APPOINTMENT AND ENDORSEMENT OF PRESIDING MEMBERS FOR COUNCIL COMMITTEES

File Reference	ADM390
Date of Report	4/06/2025
Responsible Officer	Anika Serer, Chief Executive Officer
Author of Report	Anika Serer, Chief Executive Officer
Disclosure of any Interest	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
Voting Requirement	Absolute Majority
Attachments	Attachment 15.1.1 - Committees Establishment Terms of Reference June 2025

BRIEF SUMMARY

This report recommends that Council amends the attachment titled "Council Committees and Reference Groups – Establishment & Terms of Reference" (ToR) to align with the Local Government Act 1995 as amended by the Local Government Amendment Act 2024. It further recommends the appointment and endorsement of all Committee Presiding Members as Council-appointed Presiding Members.

BACKGROUND/COMMENT

On 8 November 2023, the Council appointed elected members as delegates to its various committees and external organisations. Under the previous legislative framework, committees were empowered to elect their Presiding Members from amongst themselves. However, the Local Government Amendment Act 2024 introduced changes to section 5.12 of the Local Government Act 1995, requiring that the Council must appoint the Presiding Member and may appoint the Deputy Presiding Member of each committee and to do so by an absolute majority. This applies to current Audit Committees and any other Committee established under s5.8 of the Act.

The amendment includes transitional provisions:

- Local governments must appoint Presiding Members for all existing committees by 1 July 2025.
- Existing Presiding Members and Deputy Presiding Members may continue in their roles until these appointments are made or until 30 June 2025 for Deputy Presiding Members.

The existing committees impacted by the transitional provisions are:

Committee	Meeting Schedule	Delegate 1	Delegate 2	Proxy
Audit Committee		All Councillors		
Transport, Plant & Works Working Group (TPW)	Quarterly	Cr Thomson (Chair)	Cr Douglas Cr Garstone Cr Marshall	Cr Stephens
Community Development Working Group (CD)	2 monthly	Cr Douglas (Chair)	Cr Stephens Cr Smith Cr Marshall	As required

Reforms replacing Audit Committees with Audit, Risk and Improvement Committees have not yet taken effect. There is no current requirement to appoint an independent person as the Presiding Member of Audit Committees.

When committees are re-established, following the 2025 Local Government Elections, Council will again appoint, *by absolute majority*, each Committee's Presiding Member / Deputy Presiding Member.

The Terms of Reference have been reviewed to also address minor formatting errors and inconsistency. It is recommended that the minimum frequency of committee meetings is revised to:

Audit, Risk and Improvement Committee: minimum two times per year
Transport, Plant & Works Working Group: minimum two times per year
Community Development Working Group: minimum two times per year

STATUTORY/LEGAL IMPLICATIONS

Local Government Act 1995

- o Section 5.12(1): Requires the Council to appoint a member of a committee as the Presiding Member by absolute majority.*
 - o Section 5.12(2): Allows the Council to appoint a Deputy Presiding Member by absolute majority.*
- Transitional provisions:
 - o Clause 67(2): Requires appointments under new section 5.12(1) by 1 July 2025.*
 - o Clause 68(2): Allows existing Deputy Presiding Members to remain in office until 30 June 2025 or until new appointments are made.*

POLICY IMPLICATIONS

Amendments to the "Council Committees and Reference Groups – Establishment & Terms of Reference" document will align Council's practices with the amended legislation.

FINANCIAL IMPLICATIONS

No significant financial implications are associated with the proposed amendments and appointments.

STRATEGIC IMPLICATIONS

PILLAR 3

Civic Leadership

GOAL

8: Accountable and compliant governance

STRATEGIES

8.1 Maintain compliance with the Local Government Act 1995 and associated regulations.

CONSULTATION/COMMUNICATION

Consultation has occurred between the Chief Executive Officer and Shire President to determine the most effective approach for compliance.

RISK MANAGEMENT

Failure to comply with the amended Local Government Act 1995 may result in non-compliance risks, including reputational damage and potential legal consequences. Implementing these recommendations mitigates these risks.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That Council

Pursuant to to amendments to the Local Government Act 1995 relating to the appointment of Presiding Members Council:

1. Amend the attachment titled "Council Committees and Reference Groups – Establishment & Terms of Reference" to reflect minor administrative amendments and the requirements of section 5.12 of the Local Government Act 1995, as amended by the Local Government Amendment Act 2024; and
2. Appoint and endorse the following members as the Council-appointed Presiding Members for their respective committees:
 - a. Audit, Risk and Improvement Committee: Cr Douglas
 - b. Transport, Plant and Works Working Group: Cr Thomson
 - c. Community Development Working Group: Cr Douglas

15.2.CONDUCT OF 2025 LOCAL GOVERNMENT ELECTIONS

File Reference	ADM0078
Date of Report	5 June 2025
Responsible Officer	Anika Serer, Chief Executive Officer
Author of Report	Anika Serer, Chief Executive Officer
Disclosure of any Interest	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .
Voting Requirement	Absolute Majority
Attachments	Attachment 15.2.1 – WAEC Cost Estimate Woodanilling Attachment 15.2.2 – Written Agreement Letter Woodanilling

BRIEF SUMMARY

The purpose of this report is for Council to resolve to appoint the Western Australian Electoral Commission (WAEC) to carry out the 2025 Ordinary Election as a Postal Election.

BACKGROUND/COMMENT

The WAEC has offered to conduct the 2025 Local Government Election scheduled for 18 October 2025. The Shire of Woodanilling has previously engaged the WAEC for this purpose. The Cost Estimate provided to conduct the election is approximately \$10,675 (ex GST)

The cost estimate provided by WAEC assumes:

- Postal method of election;
- Three (3) Councillor vacancies;
- 400 electors with a 65% response rate;
- Appointment of a local Returning Officer (by the WAEC); and
- Election count conducted at the Shire offices using CountWA.

This process aligns with previous practices, such as the 2023 election.

STATUTORY/LEGAL IMPLICATIONS

The provisions of the *Local Government Act 1995*, sections 4.20 and 4.61 relate and must be resolved at least 80 days prior to an election.

In the absence of the Council making a determination as to the Returning Officer (RO), the Chief Executive Officer is the RO, pursuant to section 4.20(1).

Local Government (Elections) Regulations 1997 specifies cost recovery requirements for elections conducted by the WAEC.

POLICY IMPLICATIONS

There is no Council Policy relevant to this item.

FINANCIAL IMPLICATIONS

The quote provided by WAEC to undertake the election as a postal vote is provided and estimated to be \$10,675 ex GST. It should be noted that WAEC works on a full accrual cost recovery basis, and final costs may differ slightly. This expense will be budgeted for in the 2025/2026 budget.

Other financial implications include the provision of staff if required on election day to assist the Returning Officer, and any non-statutory advertising.

STRATEGIC IMPLICATIONS

PILLAR 3

Civic Leadership

GOAL

8: Accountable and compliant governance

PRIORITY

Maintain compliance with the Local Government Act 1995 and associated regulations

CONSULTATION/COMMUNICATION

Consultation was held with the Chief Executive Officer and Councillors.

RISK MANAGEMENT

The risk in relation to this matter is assessed as “Medium” on the basis that if Council does not support to resolve to appoint WAEC to conduct the 2025 Ordinary Elections, it will require the CEO to conduct these and undertake the tasks that potentially be a similar cost incurred.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Accepts the quotation provided by the Western Australian Electoral Commission of \$10,675 (ex GST) to conduct the election for three Councillors, and ensure this amount is provided for in the 2025/26 budget;
2. Declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required; and
3. Decides, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the 2025 Ordinary Elections will be as a Postal election.

16. CONFIDENTIAL REPORTS

Nil.

17. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

18. MOTIONS WITHOUT NOTICE BY PERMISSION OF THE COUNCIL

Nil.

19. CLOSURE OF MEETING