



SHIRE OF WOODANILLING



ORDINARY MEETING
OF COUNCIL
Unconfirmed Minutes
18 August 2026

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ORDINARY MEETING OF COUNCIL MINUTES

The Shire President, Cr Thomson, declared the meeting open at 5.00pm.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Recording of Meeting In accordance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*, Members of Council and members of the gallery are advised that this meeting will be audio recorded. The recording will be made publicly available on the Shire of Woodanilling website within 14 days of the meeting taking place.

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".

Disclosure of Interest Made:

Councillor	Item	Type of Interest	Nature of Interest
Cr Thomson	13.5	Financial	Landholder from whom the Shire may source road-making materials, including gravel.

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

Cr HR Thomson OAM	Shire President
Cr S Vermeulen	Deputy Shire President
Cr R Marshall	
Cr K Stephens	
CR I Garstone	
Cr M Trimming	
Officers:	
Mike FitzGerald	Temporary Chief Executive Officer
Peter Vlahov	Manager of Works and Services
Ciara Whitmore	Customer Service/Corporate Support Officer
Leave of Absence:	
Nil.	
Apologies:	
Nil.	
Observers:	
Signe Balodis	

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

Nil.

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 21 JULY 2026

That the Minutes of the Ordinary Meeting of Council held 21 July 2026 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION – 8.1. ORDINARY MEETING OF COUNCIL HELD 21 JULY 2026 (OCM 565/08/2026)

Moved: Cr Garstone

Seconded: Cr Stephens

That the Minutes of the Ordinary Meeting of Council held 21 July 2026 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

For: Cr Thomson, Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

9. RECEIVAL OF OTHER MEETING MINUTES

9.1. 4WDL MEETING MINUTES HELD 28 JULY 2026

That the Minutes of the 4WDL Meeting held 28 July 2026 be received by Council.

COUNCIL RESOLUTION – 9.1. 4WDL MEETING MINUTES HELD 28 JULY 2026 (OCM 566/08/2026)

Moved: Cr Vermeulen

Seconded: Cr Marshall

That the Minutes of the 4WDL Meeting held 28 July 2026 be received by Council.

CARRIED 6/0

For: Cr Thomson, Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

10. RECOMMENDATIONS FROM COMMITTEE

Nil.

11. REPORTS OF OFFICERS

Nil.

12. REGULATORY SERVICES

12.1.COMPLIANCE AUDIT RETURN 2025

File Reference	ADM0018
Date of Report	18 August 2026
Responsible Officer	Mike FitzGerald, Temporary Chief Executive Officer
Author/s of Report	Ciara Whitmore, Customer Service 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
Attachment	Attachment 12.1.1 – Compliance Audit Return 2025

BRIEF SUMMARY

The purpose of this report is for Council to consider and adopt the Local Government Compliance Audit Return (CAR) for the period 1 January 2025 to 31 December 2025, following review and recommendation by the Audit, Risk and Improvement Committee (ARIC), for submission to the Local Government Inspectorate.

BACKGROUND/COMMENT

A CAR ensures local governments review their compliance with key legislative requirements under the *Local Government Act 1995* and associated regulations and aims to promote accountability, transparency and good governance across the local government sector.

Completion (by the local government administration) of the CAR is mandatory for each local government in Western Australia and represents an annual (calendar year) self-assessment, as required under regulation 14 of the Local Government (Audit) Regulations 1996, for review and recommendation by Council's Audit, Risk and Improvement Committee (ARIC) and subsequent consideration by Council.

In previous years a local government's CAR has been due for submission to the Department of Local Government, Sport and Cultural Industries (DLGSC) by 31 March of the year following the audit period. The current CAR (2025) submission represents an exception to the 31 March deadline due to the introduction of the Local Government Inspectorate (LGI) and a number of changes to statutory requirements for which the compliance audit is needed. Due to the change in reporting requirements, including from DLGSC to the LGI and the formation of a new portal for submission of the CAR following Council adoption, the deadline for submission of the 2025 CAR has been extended to 30 September 2026.

COMMENT

The new CAR format categorises questions by instruments of legislation (rather than by operational areas as has previously occurred):

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Audit) Regulations 1996*
- *Local Government (Constitution) Regulations 1998*
- *Local Government (Elections) Regulations 1997*
- *Local Government (Financial Management) Regulations 1996*
- *Local Government (Functions and General) Regulations 1996*

Responses are provided for each of the above instruments of legislation, as detailed in **Attachment [XX]**.

The Audit, Risk and Improvement Committee considered the completed annual Compliance Audit Return for the audit period 1 January 2025 to 31 December 2025 at its meeting held 21 July 2026 and recommended that Council adopt the CAR.

Subject to Council's formal adoption, the CAR will be lodged with the Local Government Inspectorate as soon as possible and no later than 30 September 2026

STATUTORY/LEGAL IMPLICATIONS

The Council is obliged to complete and submit the CAR in accordance with the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* (as amended by the *Local Government Regulations Amendment Regulations [No.4] 2025*):

14. Compliance audits

- (1) *A local government must carry out an audit (a compliance audit) of the local government's compliance with the statutory requirements prescribed by regulation 13 for the period beginning on 1 January and ending on 31 December in each year.*
- (2) *After a local government has carried out a compliance audit, the CEO must —*
 - (a) *prepare a compliance audit return in a form approved by the Inspector; and*
 - (b) *give a copy of the compliance audit return to the local government's audit, risk and improvement committee.*
- (3) *The audit, risk and improvement committee must —*
 - (a) *review the compliance audit return; and*
 - (b) *report to the council the results of that review.*
- (4) *When reporting to the council, the audit, risk and improvement committee must make any recommendations that the committee considers appropriate in relation to the compliance audit return.*
- (5) *The council must consider the compliance audit return and the results of the audit, risk and improvement committee's review (including any recommendations) at a meeting of the council.*
- (6) *The council must —*
 - (a) *determine if any matters raised by the audit, risk and improvement committee require action to be taken by the local government; and*
 - (b) *either —*
 - (i) *adopt the compliance audit return; or*
 - (ii) *adopt the compliance audit return subject to amendments proposed by the council.*

15. Signed compliance audit return and other information must be given to Inspector

- (1) *After a compliance audit return has been adopted by the council under regulation 14(6)(b), the local government must give the following information to the Inspector —*
 - (a) *a copy of the compliance audit return (or amended compliance audit return, if applicable), signed by the mayor or president and by the CEO;*
 - (b) *any recommendations made under regulation 14(4) after the audit, risk and improvement committee has reviewed the compliance audit return;*
 - (c) *a copy of the relevant section of the minutes of the meeting at which the compliance audit return was adopted by the council;*
 - (d) *any additional information explaining or qualifying the compliance audit.*
- (2) *The information must be given to the Inspector no later than 31 March next following the period to which the return relates.*
- (3) *The Inspector may extend the 31 March deadline.*

16. Functions of audit, risk and improvement committee

An audit, risk and improvement committee has the following functions —

- (a) to receive and review reports on, and recommend to the council actions to be taken in relation to —
- (i) audits under Part 7 of the Act; and
- (ii) compliance audits; and
- (iii) reviews under regulation 17;

POLICY IMPLICATIONS

There are no relevant plans or policies to consider in relation to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

PILLAR 3 – Civic Leadership

Key Area of Focus

Good Governance: Upholding ethical standards, clear policies, and sound financial management

Goal 8: Accountable and compliant governance

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

CONSULTATION/COMMUNICATION

Anika Serer – (previous) Chief Executive Officer.

RISK MANAGEMENT

Should Council not complete and adopt a Compliance Audit Return, Council will be in breach of its statutory obligation. Accordingly, the risk would be 'High' as reflected below.

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

Shire of Woodanilling Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
Low	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk acceptable with effective controls, managed by executive management/CEO and subject to monthly monitoring	Executive Manager/CEO
Extreme	Unacceptable in most circumstances	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous documented monitoring	CEO/Council

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. adopts the Compliance Audit Return 2025 (CAR), as per **Attachment 12.1.1**; and
2. authorises the Shire President and Temporary Chief Executive Officer to certify the Compliance Audit Return 2025 and cause it to be submitted to the Local Government Inspectorate by 30 September 2026, accompanied by the relevant section of the Council minutes wherein the CAR has been adopted.

COUNCIL RESOLUTION – 12.1. COMPLIANCE AUDIT RETURN 2025 (OCM 567/08/2026)

Moved: Cr Marshall

Seconded: Cr Stephens

That Council:

1. adopts the Compliance Audit Return 2025 (CAR), as per **Attachment 12.1.1**; and
2. authorises the Shire President and Temporary Chief Executive Officer to certify the Compliance Audit Return 2025 and cause it to be submitted to the Local Government Inspectorate by 30 September 2026, accompanied by the relevant section of the Council minutes wherein the CAR has been adopted.

CARRIED 6/0

For: Cr Thomson, Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

13. CORPORATE SERVICES

13.1. LIST OF ACCOUNTS FOR PAYMENT – 31 JULY 2026

File Reference	ADM0066
Date of Report	06 August 2026
Responsible Officer	Mike Fitzgerald, Temporary 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 July 2026

BRIEF SUMMARY

The purpose of this report is to present to Council the list of accounts paid, for the month ending 31 July 2026, 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 July 2026

Payment Type	Account Type	Amount \$
Automatic Payment Deductions (Direct Debits & BPay.	Municipal	\$37,885.59
Cheque Payments:	Municipal	
EFT Payments #8381 to #8405	Municipal	\$155,510.44
Sub Total	Municipal	\$193,396.03
Payments	Trust	\$0.00
Payments	Reserve	\$0.00
Totals		\$193,396.03

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

PILLAR 3: CIVIC LEADERSHIP

Goal 8: Accountable and compliant governance

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

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

Shire of Woodanilling Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
Low	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk acceptable with effective controls, managed by executive management/CEO and subject to monthly monitoring	Executive Manager/CEO
Extreme	Unacceptable in most circumstances	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous documented monitoring	CEO/Council

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the list of accounts and details of the credit card amounts, totalling \$193,396.03 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 July 2026, as contained within **Attachment 13.1.1**.

COUNCIL RESOLUTION – 13.1. LIST OF ACCOUNTS FOR PAYMENT – 31 JULY 2026 (OCM 568/08/2026)

Moved: Cr Garstone

Seconded: Cr Trimming

That Council accepts the list of accounts and details of the credit card amounts, totalling \$193,396.03 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 31 July 2026, as contained within **Attachment 13.1.1**.

CARRIED 6/0

For: Cr Thomson, Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

13.2. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 JULY 2026

File Reference	ADM0066
Date of Report	14 August 2026
Responsible Officer	Mike Fitzgerald, Temporary 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 July 2026

BRIEF SUMMARY

The Monthly Financial Report for period ending 31 July 2026 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 July 2026 shows a closing surplus of \$1,305,476.

The opening surplus brought forward from 2025-2026 is still subject to changes from year-end adjustments and any audit adjustments.

As the 2026-2027 budget has not yet been adopted, no comparatives are provided for this month's reporting.

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 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 July 2026, 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**.

COUNCIL RESOLUTION – 13.2. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 JULY 2026 (OCM 569/08/2026)

Moved: Cr Marshall

Seconded: Cr Stephens

That Council receive the Monthly Financial Report for the period of 31 July 2026, 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**.

CARRIED 6/0

For: Cr Thomson, Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

13.3.SHIRE OF WOODANILLING FIRE BREAK NOTICE 2026/2027

File Reference	ADM0038
Date of Report	August 2026
Responsible Officer	Mike Fitzgerald, Temporary Chief Executive Officer
Author/s of Report	Hannah Wilson, Corporate Services 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 13.3.1 –Shire of Woodanilling Fire Break Notice 2026 – 2027 Attachment 13.3.2 – Western Australian Government Gazette – Friday, 3 February 2012 No.16 – (Pages 611-619)

BRIEF SUMMARY

The purpose of this report is for Council to consider adopting the Shire of Woodanilling Fire Break Notice for the year 2026/2027.

BACKGROUND

Council issues a Fire Break Notice each year, under section 33 of the *Bush Fires Act 1954 (Act)*. The order requires certain things to be done with respect to fire hazard reduction/fire prevention on land within the district. The order is distributed with the rates notice and any other publication conducted as required by the Act.

COMMENT

The format of the Fire Break Notice will be like previous years.

The proposed 2026/2027 Fire Break Notice is in alignment with the current gazetted Prohibited and Restricted Burning Times issued by the Fire and Emergency Services (FES) Commissioner.

Under Sections 17(7) and 18(5) of the *Bush Fires Act 1954*, Local Governments do have the power to amend these gazetted Prohibited and Restricted Burning Times; however, should this occur, Local Government must provide notification to adjoining Local Governments, the FES commissioner and the general public.

Under recommendation from the FES Commissioner, the Minister for Emergency Services may rescind or vary the Local Government's amended Prohibited and Restricted Burning Times.

Should the Shire of Woodanilling wish to vary these times, it will be undertaken in accordance with these legislative requirements. The variation of these dates will be advertised separately to the Fire Break Notice as they will be seasonal changes generally made after the Fire Break Notice's publication.

Other changes such as updated Brigade contact information have been confirmed with Evan Hall (Chief Bush Fire Control Officer) and implemented into the proposed 2026/2027 Fire Break Notice.

The attached document will only show content; the final format will be a folded brochure as per previous years.

Adoption of the proposed 2026/2027 Fire Break Notice at this meeting will allow time for printing of the notices for inclusion with the Council annual Rate Notice mail out.

STATUTORY/LEGAL IMPLICATIONS

Section 17(1) of the Bush Fires Act 1954 – Prohibited Burning Periods

17. Prohibited burning times may be declared by Minister

(1) The Minister may, by declaration published in the Gazette, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the declaration and may, by subsequent declaration so published, vary that declaration or revoke that declaration either absolutely or for the purpose of substituting another declaration for the declaration so revoked.

18. Restricted burning times may be declared by FES Commissioner

- (1) Nothing contained in this section authorises the burning of bush during the prohibited burning times.*
- (2) The FES Commissioner may, by notice published in the Gazette, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the notice except in accordance with a permit obtained under this section and with the conditions prescribed for the purposes of this section, and may, by subsequent notice so published, vary that declaration or revoke that declaration either wholly or for the purpose of substituting another declaration for the declaration so revoked.*

Section 33 of the *Bush Fires Act 1954* – Local government may require occupier of land to plough or clear fire-break.

- (1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things –*
 - (a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire-breaks clear of inflammable matter;*
 - (b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire, and the notice may require the owner or occupier to do so*
 - (c) as a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and*
 - (d) in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.*
- (2) A notice in writing under subsection (1) may be given to an owner or occupier of land by posting it to him at his last postal address known to the local government and may be given to an owner of land by posting it to him at the address shown in the rate record kept by the local government pursuant to the Local Government Act 1995, as his address for the service of rate notices*

POLICY IMPLICATIONS

There are no Council Policies applicable to this item.

FINANCIAL IMPLICATIONS

The printing of the Firebreak Notice is included within the Shire's annual budget.

STRATEGIC IMPLICATIONS

THEME 3

Law & Order

OBJECTIVES

To increase public awareness and empowerment of the community's role in crime prevention, animal control and fire management.

CONSULTATION/COMMUNICATION

On Tuesday, 26 March 2026 at the Bush Fire Advisory Committee (BFAC) meeting, the proposed Fire Break Notice was presented. The BFAC endorsed the 2026/2027 Fire Break Notice inclusive of the above and agreed to have it proposed to Council.

RISK MANAGEMENT

The risk in relation to this matter has been assessed as "Medium" on the basis that if Council does not endorse the amendments to the Fire Break and Fuel Hazard Reduction Notice, it may cause confusion to members of the community and fail to meet the statutory requirements of the *Bush Fires Act 1954*.

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

Shire of Woodanilling Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
Low	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk acceptable with effective controls, managed by executive management/CEO and subject to monthly monitoring	Executive Manager/CEO
Extreme	Unacceptable in most circumstances	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous documented monitoring	CEO/Council

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

Adopt the 2026/2027 Fire Break Notice, as presented.

COUNCIL RESOLUTION – 13.3. SHIRE OF WOODANILLING FIRE BREAK NOTICE 2026/2027 (OCM 570/08/2026)

Moved: Cr Garstone

Seconded: Cr Vermeulen

That Council:

Adopt the 2026/2027 Fire Break Notice, as presented.

CARRIED 6/0

For: Cr Thomson, Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

13.4. APPOINTMENT OF BUSHFIRE CONTROL OFFICERS

File Reference	ADM0038
Date of Report	August 2026
Responsible Officer	Mike Fitzgerald, Temporary Chief Executive Officer
Author/s of Report	Hannah Wilson, Corporate Services 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 13.4.1 –Unconfirmed Woodanilling Annual General Meeting Minutes – 26 March 2026 Attachment 13.4.2 – Unconfirmed Bush Fire Advisory Committee (BFAC) Minutes – 26 March 2026

BRIEF SUMMARY

The purpose of this report is to consider the recommendations of the BFAC for the appointment of Bush Fire Control Officers for the 2026/2027 bush fire season.

BACKGROUND

The AGM was held on 26 March 2026. The BFAC endorsed the Association's recommendation at its meeting held 26 March 2026.

COMMENT

The BFAC made the following recommendations for 2026/2027, at its 26 March 2026 meeting:

- a) *"Evan Hall be recommended for the Chief Bush Fire Control Officer (CBFCO);*
- b) *Lachlan Patterson be recommended for the Deputy Chief Bush Fire Control Officer (DBFCO);*
- c) *Bindi Murray be recommended for the Senior Bush Fire Control Officer 1 (SFCO1);*
- d) *Braden Crosby be recommended for the Senior Bush Fire Control Officer 2 (SFCO2);*
- e) *The SFCO 1 and SFCO 2 are recommended for the Fire Weather Officer and Deputy Fire Weather Officer respectively;*
- f) *The CBFCO and Chief Executive Officer are recommended to be appointed as authorised officers to issue permits to burn for the collection of clover seed in the Shire;*
- g) *The Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and the two Senior Bush Fire Control Officers be authorised to recommend to the Chief Executive Officer of the Shire of Woodanilling on the imposition of Harvest and Vehicle Movement Bans.*

STATUTORY/LEGAL IMPLICATIONS

Section 38 of the *Bush Fires Act 1954*

Section 67 of the *Bush Fires Act 1954*

POLICY IMPLICATIONS

There are no Council Policies applicable to this item.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

CONSULTATION/COMMUNICATION

Woodanilling Bushfire Association

RISK MANAGEMENT

The risk in relation to this matter has been assessed as “Moderate” on the basis that if Council does not endorse the recommended appointments of officers the Shire would not be able to adequately prepare and respond to events that cause disruption to the local community and/or normal business activities.

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

Shire of Woodanilling Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
Low	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk acceptable with effective controls, managed by executive management/CEO and subject to monthly monitoring	Executive Manager/CEO
Extreme	Unacceptable in most circumstances	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous documented monitoring	CEO/Council

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- A. That the Council appoints to the following positions for the 2026/20274 year:
1. Evan Hall – Chief Bush Fire Control Officer;
 2. Lachlan Patterson – Deputy Chief Bush Fire Control Officer;
 3. Bindi Murray – Senior Fire Control Officer 1 and Bush Fire Weather Officer;
 4. Braden Crosby – Senior Fire Control Officer 2 and Deputy Bush Fire Weather Officer;
 5. The Chief Bush Fire Control Officer and Chief Executive Officer be appointed as authorised officers to issue permits to burn for the collection of clover seed in the Shire;
 6. The Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and the two Senior Bush Fire Control Officers be authorised to recommend to the Chief Executive Officer of the Shire of Woodanilling on the imposition of Harvest and Vehicle Movement Bans.

The nominees listed below be appointed to their respective Bush Fire Brigades subject to each person having successfully completed the Fire Control Officer's (FCO) course as conducted by the Department of Fire and Emergency Services:

Mal Baxter	Captain/FCO, Beaufort Kenmare Brigade
Ben Wilhelm	Captain/FCO, Boyerine Westwood Brigade
Brad Garstone	Captain/FCO, Central Brigade
Wayne Shackley	Captain/FCO, Cartmeticup Brigade
Ben Patterson	Captain/FCO, Glencoe Brigade

- B. That the Council expresses its sincere appreciation to the Woodanilling Bushfire Association and Bush Fire Advisory Committee members for continuing to provide essential bush fire services to our community.

COUNCIL RESOLUTION – 13.4. APPOINTMENT OF BUSHFIRE CONTROL OFFICERS (OCM 571/08/2026)

Moved: Cr Marshall

Seconded: Cr Garstone

That Council:

A. That the Council appoints to the following positions for the 2026/20274 year:

1. Evan Hall – Chief Bush Fire Control Officer;
2. Lachlan Patterson – Deputy Chief Bush Fire Control Officer;
3. Bindi Murray – Senior Fire Control Officer 1 and Bush Fire Weather Officer;
4. Braden Crosby – Senior Fire Control Officer 2 and Deputy Bush Fire Weather Officer;
5. The Chief Bush Fire Control Officer and Chief Executive Officer be appointed as authorised officers to issue permits to burn for the collection of clover seed in the Shire;
6. The Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and the two Senior Bush Fire Control Officers be authorised to recommend to the Chief Executive Officer of the Shire of Woodanilling on the imposition of Harvest and Vehicle Movement Bans.

The nominees listed below be appointed to their respective Bush Fire Brigades subject to each person having successfully completed the Fire Control Officer's (FCO) course as conducted by the Department of Fire and Emergency Services:

Mal Baxter	Captain/FCO, Beaufort Kenmare Brigade
Ben Wilhelm	Captain/FCO, Boyerine Westwood Brigade
Brad Garstone	Captain/FCO, Central Brigade
Wayne Shackley	Captain/FCO, Cartmeticup Brigade
Ben Patterson	Captain/FCO, Glencoe Brigade

B. That the Council expresses its sincere appreciation to the Woodanilling Bushfire Association and Bush Fire Advisory Committee members for continuing to provide essential bush fire services to our community.

CARRIED 6/0

For: Cr Thomson, Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

Cr Thomson declared an interest in Item 13.5 and left the meeting at 5:11pm.

Deputy Shire President, Cr Vermeulen, assumed the Chair.

13.5.AMENDMENT TO ROAD MAKING MATERIALS POLICY

File Reference	ADM0019
Date of Report	August 2026
Responsible Officer	Mike Fitzgerald, Temporary Chief Executive Officer
Author/s of Report	Hannah Wilson, Corporate Services 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 13.5.1 –Road Making Materials Policy No.98

BRIEF SUMMARY

The purpose of this report is to consider an amendment to Council's Road Making Materials Policy No. 98 relating to the compensation payable to landholders for gravel and sand used for road works. The compensation rate has been increased from \$1.10 per cubic metre, including GST, to \$2.50 per cubic metre, including GST.

BACKGROUND

Council's Road Making Materials Policy No. 98 provides guidance for the provision of sand and gravel supplies for road works. The policy was adopted on 15 May 2018 and was last reviewed on 12 August 2026.

The policy provides for compensation to be paid to landholders when material is quarried and heaped. Following the review of the policy, the compensation amount has been amended.

COMMENT

The Road Making Materials Policy has been amended to increase the compensation payable to landholders for gravel and sand used for road works.

The previous compensation rate was \$1.10 per cubic metre, including GST. The amended policy increases the rate to \$2.50 per cubic metre, including GST.

The amended policy states that compensation shall be paid to the landholder at the rate of \$2.50 per cubic metre, including GST, with payment made when the material is quarried and heaped.

STATUTORY/LEGAL IMPLICATIONS

Local Government Act 1995

Land Administration Act 1997

POLICY IMPLICATIONS

Roads & Transport Policy No. 98 – Road Making Materials has been amended. The compensation rate has increased from \$1.10 per cubic metre, including GST, to \$2.50 per cubic metre, including GST.

FINANCIAL IMPLICATIONS

The increased compensation rate will result in an additional cost to the Shire where gravel or sand is sourced from private landholders. The actual financial impact will depend on the quantity of material accessed during the year.

STRATEGIC IMPLICATIONS

Nil

CONSULTATION/COMMUNICATION

Consultation with relevant Shire Officers and landholders as required.

RISK MANAGEMENT

The risk in relation to this matter has been assessed as “Low” on the basis that the amended policy provides a clearer and more current basis rate for compensating landholders for materials accessed for Shire road works.

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

Shire of Woodanilling Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
Low	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk acceptable with effective controls, managed by executive management/CEO and subject to monthly monitoring	Executive Manager/CEO
Extreme	Unacceptable in most circumstances	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous documented monitoring	CEO/Council

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- Adopts the amended Road Making Materials Policy No. 98, with the compensation payable to landholders increased from \$1.10 per cubic metre, including GST, to \$2.50 per cubic metre, including GST; and

Notes that the amended policy provides for payment to the landholder when the material is quarried and heaped.

COUNCIL RESOLUTION – 13.5. AMENDMENT TO ROAD MAKING MATERIALS POLICY (OCM 572/08/2026)

That Council:

a) Adopts the amended Road Making Materials Policy No. 98, with the compensation payable to landholders increased from \$1.10 per cubic metre, including GST, to \$2.50 per cubic metre, including GST; and

Notes that the amended policy provides for payment to the landholder when the material is quarried and heaped.

AMENDMENT TO THE OFFICER’S RECOMMENDATION

Moved: Cr Marshall

Seconded: Cr Stephens

That the Officer’s Recommendation be amended by replacing the word “including” with “excluding” in relation to the proposed rate of \$2.50 per cubic metre.

CARRIED 5/0

For: Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

SUBSTANTIVE MOTION AS AMENDED

Moved: Cr Trimming

Seconded: Cr Garstone

That Council:

a) Adopts the amended Road Making Materials Policy No. 98, with the compensation payable to landholders increased from \$1.10 per cubic metre, excluding GST, to \$2.50 per cubic metre, including GST; and

Notes that the amended policy provides for payment to the landholder when the material is quarried and heaped.

CARRIED 5/0

For: Cr Vermeulen, Cr Stephens, Cr Marshall, Cr Trimming, Cr Garstone

Against: Nil

Cr Thomson returned to the meeting at 5:13pm and resumed the Chair.

14. COMMUNITY SERVICES

Nil.

15. OFFICE OF CEO

Nil.

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

The Shire President thanked Temporary Chief Executive Officer, Mike FitzGerald, for his contribution during his interim appointment, noting the progress achieved during this period and that the organisation was well positioned moving forward.

Mr FitzGerald thanked the Shire President and Councillors and advised that he had enjoyed his time with the Shire.

There being no further business, the Presiding Member declared the meeting closed at 5.15pm.

Presiding Member - Cr Russel Thomson OAM

Date: