



# MINUTES

Ordinary Council Meeting

18 December 2024

Shire of Victoria Plains  
Council Chambers, Calingiri

AND

via E-Meeting Protocol

Commencing – 2:03 PM

## **DISCLAIMER:**

The recommendations contained in this document 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. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

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 Council's decision.

### Recording of Meeting

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

## **E – Disclaimer**

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

Commonly used abbreviations	
AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager
WSFN	Wheatbelt Secondary Freight Network
EPA	Environmental Protection Authority
DPIRD	Department of Primary Industries and Regional Development
HCWA	Heritage Council of Western Australia
WAPC	Western Australian Planning Commission
WDC	Wheatbelt Development Commission

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# MINUTES

Ordinary Council Meeting of the Victoria Plains Shire Council  
 Held in the Shire of Victoria Plains, Council Chambers, Calingiri, AND, via E-  
 Meeting Protocol  
 on 18 December 2024 commencing at 2:03 PM

## 1 DECLARATION OF OPENING

### 1.1 Opening

The Meeting was declared open by the Presiding Member at 2.03PM.

### 1.2 Announcements by Shire President

The Shire President reminded Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing and the meeting will be run in accordance with the Shire's *Meeting Procedures Law 2018*

## 2 RECORD OF ATTENDANCE

Members present	Cr P Bantock - Shire President and Presiding Member Cr S Woods – Deputy Shire President Cr R Johnson Cr D Lovelock
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Staff attending	Chief Executive Officer – Mr S Fletcher Works & Services Manager – Mr S Brenzi Coordinator Financial Services – Ms G Deocampo Council Support Officer – Ms J Klobas Personal Assistant to the CEO – Ms C Watson
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Apologies	Mr C Ashe
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Approved leave of absence	Cr S Penn
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Visitors	Mr J Roberts
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Members of the public	Mr J Roberts
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**3 DISCLOSURE OF INTEREST**

*Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.*

*Type Item Person / Details*

Cr P Bantock declared an impartiality interest in item 12.1 “Australia Day Awards”.

**4 PUBLIC QUESTION TIME**

*Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.*

**4.1 Public Questions with Notice**

Nil

*Public Question Time was opened to the floor at 2.05pm*

**4.2 Public Question Without Notice**

*Public question time closed at 2.05pm.*

**5 PRESENTATIONS AND DEPUTATIONS**

**5.1 Presentations**

Nil

**5.2 Deputations**

Mr J Roberts presented to Council and Staff as per Item 6.2 below, commencing at 2.06pm, and concluding at 2.15pm.

**6. REPORTS REQUIRING DECISION**

**6.2 TOWN OF PORT HEADLAND - COVID 19 VACCINES**

<b>File Reference</b>	
<b>Report Date</b>	11 December 2024
<b>Applicant/Proponent</b>	Mr Jerry Roberts
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Sean Fletcher – Chief Executive Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Town of Port Hedland Resolution</li> <li>2. Letter to Australian Local Governments</li> <li>3. ToPH SCM Minutes</li> <li>4. Letter to the Australian Prime Minister</li> <li>5. DNA Contamination Report - Dr David Speicher PhD</li> </ol>

	<p>6. Hon Russell BroadBent to Prime Minister</p> <p>7. Follow Up Letter from Hon Russell Broadbent to the Prime Minister</p>
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**PURPOSE**

For Council to receive a deputation from Mr Jerry Roberts regarding the Town of Port Hedland Council Resolution – COVID 19 Vaccines.

**BACKGROUND**

Mr Jerry Roberts attended the Council Meeting on 19 November 2024. At that meeting during public question time, he asked whether the Shire had received a letter from the Town of Port Hedland regarding the Council’s resolution at a special council meeting held on Friday, 11 October 2024 to deliver correspondence and information to all Australian Local Government Authorities.

Mr Roberts was advised that if he wished to make further comment regarding this matter he would need to apply to make a deputation to Council.

On Friday 6 December 2024, Mr Roberts emailed the Council Support Officer advising that he had sent her an application for the deputation. Three further emails were received and processed by Mrs Klobas and the CEO. This included further information and links to that information, which has been provided to Council.

The CEO then responded to Mr Roberts on Wednesday 11 December 2024 advising that his request for a deputation had been accepted and what the requirements for a deputation are under the Shire’s Meeting Procedures Local Law.

**COMMENT**

During the COVID – 19 Pandemic, local governments were responsible for assisting the State maintain appropriate protocols regarding related health matters in local communities including lockdowns, safe distancing, sanitising and cleaning of Shire facilities, monitoring of food establishments and information by the State Government (COVID Commissioner) and the Department of Health (Chief Medical Officer). The matter of vaccinations rests with the State and Commonwealth governments.

In terms of the process regarding today’s deputation this is as follows:

**Speaker 1:**

- Reason for deputation;
- Please outline a short précis of your deputation - in accordance with Standing Orders;
- Reason for deputation;
- Supporting documents (Optional).

Council is not obliged to make any decision regarding this matter. However, if it would like to do so, a report is required to be prepared by the CEO for consideration at a later date.

A copy of the Town of Port Hedland documentation is provided in Attachment One.

**CONSULTATION**

Council was advised of Mr Roberts request for a deputation at its briefing session on Monday 9 December 2024.

Those councillors physically present at the briefing were given a hard copy of The Light Australia - Issue 15, provided by Mr Roberts at the Shire Office, earlier in the day. In particular, this edition carried the story by Rebekah Barnett (Western Australian Journalist): World First – Australian Local Government Calls for Suspension of Covid mRNA Vaccines (Front Page) and the centre two page

spread: Contaminated: Crime of the Century. At the time of writing this report, the digital version was not available.

**STATUTORY CONTEXT**

Mr Robert’s request for a deputation was approved by the CEO in accordance with clause 6.9 (2)(a) of the Shire’s Meeting Procedures Local Law.

The other requirements regarding the Shire’s meeting procedures in relation to deputations under clause 6.9 are as follows:

- The deputation is not to exceed five persons, only two of whom may address the Council, although the others may respond to specific questions from the councillors;
- The address by the deputation to Council is not to exceed ten minutes;
- The additional members of the deputation may be allowed to speak;
- A person addressing the meeting is to cease that address immediately after being directed to do so by the presiding member;
- A person who fails to comply with a direction of the presiding member may be removed from the meeting;
- Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

**CORPORATE CONTEXT**

**Strategic Business Plan/Corporate Business Plan**

Nil

**Delegation**

Nil

**Policy Implications**

Nil

**Other Corporate Document**

Nil

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Council failing to inform itself may be seen as being out of touch with matters of public interest	Substantiated, public embarrassment, high impact, high news profile, Third Party actions  <u>Example</u> Australia wide news stories. Regulatory / Political commentary involvement	At least once per year		Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	



**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

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**Officer Recommendation / Council Resolution OCM2412-007**

**Moved: Cr D Lovelock**

**Seconded: Cr S Woods**

That Council **TABLE** this matter for further information at the February 2025 Briefing Session.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For: Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson**

**Against: Nil**

UNCONFIRMED PUBLIC MINUTES

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

N/A

**7 MINUTES OF MEETINGS****Officer Recommendation / Council Resolution OCM2412-008**

**Moved:** Cr R Johnson  
**Seconded:** Cr D Lovelock

That the minutes of the Ordinary Council Meeting held 28 November 2024 as circulated, be **CONFIRMED** as a true and correct record.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL (4/0)**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson  
**Against:** Nil

UNCONFIRMED PUBLIC MINUTES

**9. REPORTS REQUIRING DECISION**

**9.1 ACCOUNTS FOR ENDORSEMENT - NOVEMBER 2024**

<b>File Reference</b>	
<b>Report Date</b>	9 December 2024
<b>Applicant/Proponent</b>	Nil
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Glenn Deocampo – Coordinator Financial Services
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher
<b>Attachments</b>	1. List of Payments - November 2024

**PURPOSE**

This item presents the attached List of Accounts Paid, under delegated authority, for November 2024.

**BACKGROUND**

per Local Government Act and Financial Management Regulations.

**COMMENT**

Each month Council is to be advised of payments made during the preceding month, the amount, the payee, date and reason for payment.

Please note that a new format of payment report is created by the new system.

**CONSULTATION**

DCEO

**STATUTORY CONTEXT**

*Local Government Act 1995 –*

- s.6.8(2)(b) – expenditure is to be reported to the next ordinary meeting of Council

*Local Government (Finance) Regulations 1996 –*

- r.13 Payments for municipal fund or trust fund
  - (1) the Chief Executive Officer is to provide a list of accounts paid from the Municipal fund or Trust fund, a list of all accounts paid each month showing for each account paid –
    - a) The payee’s name
    - b) The amount of the payment
    - c) The date of the payment
    - d) Sufficient information to identify the transaction
  - (2) the listing to be presented to the Council at the next ordinary meeting of Council after preparation.

**CORPORATE CONTEXT**

Delegations Register –

- 3.2 – Municipal Fund and Trust Fund – Payments from Bank Accounts
  - o CEO authorised, subject to conditions
  - o compliance with legislation and procedures
  - o Minimum of 2 signatories with varying level of authorisation

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies

**Delegation**

Nil

**Policy Implications**

3.1 Purchasing Framework

**Other Corporate Document**

N/A

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<b>Compliance</b>	Extreme (5)  Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2)  The event could occur at some time	High (10)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff and two-step process for payment will ensure that the residual risk is moderate.

**FINANCIAL IMPLICATIONS**

All payments are in accordance with Council’s adopted budget.

**VOTING REQUIREMENTS**

Simple Majority

**Officer Recommendation / Council Resolution OCM2412-009**

**Moved:** Cr S Woods  
**Seconded:** Cr R Johnson

That the **PAYMENTS** made for November 2024 from the Municipal Bank Account as per attached listing and summarised below, be **ENDORSED**:

**CARRIED BY UNANIMOUS DECISION OF COUNCIL (4/0)**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson  
**Against:** Nil

Payment Type	References from - to	\$ Amount
Creditor EFT Payment**	00024 - 00028	533,336.43
Creditor Cheque Payments	12591	219.65
Direct Debit Payment**	PPIN00713 – PPIN00887	60,823.37
Credit card – Bendigo Bank	PPIN00788	7,649.00
	PPIN00884	2,103.76
	PPIN00771	1,280.90
	PPIN00772	1,895.95
Fuel Card – Wrigh Express	PPIN00882	353.47
Salaries and Wages EFT	PE06/11/24, PE21/11/24	123,085.88
Trust Payments		0.00
	<b>TOTAL</b>	<b>730,748.41</b>

Local Spending	\$	%
Local Supplier	10,900.83	1
Payroll	123,085.88	17
<b>Total</b>	<b>133,986.71</b>	<b>18</b>

**9.2 MONTHLY FINANCIAL STATEMENTS - NOVEMBER 2024**

<b>File Reference</b>	
<b>Report Date</b>	13 December 2024
<b>Applicant/Proponent</b>	Shire of Victoria Plains
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Glenn Deocampo – Coordinator Financial Services
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	
<b>Attachments</b>	1. Monthly Financial Statements - November 2024

**PURPOSE**

To receive the monthly financial statements for the period ending 30 November 2024.

**BACKGROUND**

Section 6.4 of the Local Government Act 1995 requires a Local Government to prepare financial reports.

The Local Government (Financial Management) Regulations 34 & 35 set out the form and content of the financial reports which have been prepared for the periods as above and are presented to Council for approval.

**COMMENT**

The financial statement for November 2024 indicates a reported surplus of \$2,249,422, as detailed in the Statement of Financial Activity, which accounts for the increase in rates. This figure includes an initial surplus of \$100,993. The variance between the year-to-date (YTD) budget and actual results is mainly attributed to:

- Opening surplus balance.
- Accelerated expenditure in payments for the Mitigation Activity Fund (MAF) which was paid early in the FY.
- Costs in CouncilFirst project and support, the former not budgeted for due to slippage in the project and additional training requirements of staff.

**NOTES TO ACCOUNT**

The following presents a summary and analysis of the key points in the November 2024 Financial Statement.

**Note 1 Net Current Funding Position:**

This reflects the liquidity of the shire, calculated as current assets less current liabilities, with necessary adjustments, aligning with the Statement of Financial Activity (Rate Setting Statement) amounting to \$2,249,422.

**Note 2 Cash and Financial Assets:**

The present total cash position stands at \$2,111,172, which includes an Unrestricted Municipal Bank Balance of \$912,354 and \$1,918,818 in Restricted Cash designated for grant funding received. The

Reserves are supported by deposits in Savings amounting to \$125,614 and Term Deposits totalling \$843,985.

**Note 4 – Debtors:**

An overall (net) balance of \$920,317 of which comprises:

- \$753,980 in rate debtors representing a collection rate of 81%.
- \$104,854 in sundry debtors primarily DFES reimbursement and Main Road claims

**Note 5 Reserves:**

- No major activity to report on.

**Note 6 Disposal of Assets:**

- Full accounting treatment for the disposal of assets has now occurred. Of note is the Track Loader with a net cost of \$98,479, offset by NDRR Grant funding of \$91,137.
- CESM vehicle from 23-24 that was at auction has now been disposed of and revenue received.

**Note 7 – Capital Program**

- Significant financial advancements are occurring with respect to the Waste Sorting Facility.
- A total of \$214,414 has been spent for Road Construction, with most of the work planned for early in the upcoming year.
- The Piawaning Desalination and E-Waste Transfer Station projects have been successfully completed.

**Note 8 – Loans**

- Loan repayments have been completed for the following: Plant Replacement (loan 87), Piawaning Water Supply (loan 84), Grader/Roller (loan 85), and SSL Calingiri Football Club (loan 83).

**Note 10 – Grants and Subsidies**

- The initial claim for RRG amounts of \$288,000 and for R2R of \$50,000 have been received. Additionally, funding from WSNF has been received, totalling \$540,613 as of the reporting date.

**Note 11 – Restricted Funds**

- Funding allocated for road projects and other infrastructure initiatives is supported by Restricted Cash. The total transfer made during the month from Muni Account to Restricted Savings is \$485,613.

**Note 12 – LRCI Program**

- There are no significant activities to report regarding Phase 4 projects at this time; however, preliminary planning and quotation efforts are currently in progress.

**Note 13 – Local Government Grant Scheme (LGGs) – Bushfire ESL Grant**

- Significant expenses have already been incurred in this activity, mainly for the maintenance and repairs of fire trucks.

- There seems to be a misallocation within the budget lines that will be examined and corrected in a timely manner.

**Note 14 – Material Variances**

- Accelerated expenditure in Bushfire Mitigation Activity Fund where the work was completed early in the FY and consequently paid out.
- Slippage in the ERP project into 24-25 not budgeted for.

**CONSULTATION**

Coordinator Financial Services

CEO

**STATUTORY CONTEXT**

Local Government (Financial Management) Regulations 1996 –

- r.34 – financial activity statement required each month and details of what is to be included.

**CORPORATE CONTEXT**

Delegations Register –

Section 3 – Financial Management

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

**Delegation**

Nil

**Policy Implications**

Policy Manual –

- 3 Financial Management



**Other Corporate Document**

Nil

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<b>Compliance</b>	Extreme (5)  Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2)  The event could occur at some time	High (10)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff ensure that the residual risk is moderate.

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

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**Officer Recommendation / Council Resolution OCM2412-010**

**Moved: Cr S Woods**  
**Seconded: Cr D Lovelock**

That Council **RECEIVE** the 30 November 2024 Monthly Financial Reports as presented.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

For: **Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson**  
 Against: **Nil**

<b>9.3 AUDITED ANNUAL FINANCIAL REPORT 2023-24 AND AUDIT EXIT MEETING</b>
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<b>File Reference</b>	
<b>Report Date</b>	22 November 2024
<b>Applicant/Proponent</b>	Audit Committee
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Colin Ashe – Deputy Chief Executive Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	1. Audit Report 2023-24

### PURPOSE

That Council, as recommended by the Audit Committee receive the Annual Financial Report 2023-24, Audit Report and Management Letter 2023-24 findings.

### BACKGROUND

The Audit Committee has previously received the Audit Strategy Memorandum which included:

- Audit Approach.
- Significant aspects of this years audit.
- Audit Strategy Memorandum and key requirements.

During the months of Oct and Nov 24 William Buck Chartered Accountants conducted the audit of councils financial statements including acquittals of both Roads to Recovery (R2R) and Local Roads and Community Infrastructure Program (LRCIP). This has occurred both remotely and through a site visit.

The audit exit meeting occurred on the 28 Nov 24 where William Buck Chartered Accountants and Office of the Auditor General (OAG) provided their audit findings for 2023-24.

### COMMENT

The audit for both Roads to Recovery (R2R) and Local Roads and Community Infrastructure Program (LRCIP) were completed and sent to the applicable Federal Government Agencies within the deadline of 31 Oct 24 without any qualifications or adverse findings.

The Annual Financial Report 23-24 has now been returned to the shire and at the time of writing requires some minor superficial changes. Importantly, the actual surplus of \$100,993 has now officially been confirmed as correct via the audit.

### AUDIT REPORT

The audit report has now been provided and as communicated at the Audit exit meeting, it is the opinion of Auditors that the Annual Financial Report 23-24 is a true and correct view with no adverse finding.

### AUDIT MANAGEMENT LETTER

The draft management letter and shire staff response is provided in attachment 1, the findings summarised as:

Index of findings	Potential impact on audit opinion	Rating			Prior year finding
		Significant	Moderate	Minor	
1. Unallocated Receipt Reserve	No		✓		✓
2. Revenue Cut-Off issues	No		✓		
3. Credit Card Balances	No			✓	
4. Useful life of infrastructure	No			✓	

Unfortunately despite a number of efforts to remediate item 1, including following audit advice over several years, issue remains. This will continue to be on the audit until such time as the statutory period (10 years) expires as all efforts have now been exhausted.

Other items listed in the findings are reasonable and agreed to.

**CONSULTATION**

Mr Sean Fletcher, Chief Executive Officer.

Ms Glenn Deocampo, Coordinator Financial Services.

William Buck Chartered Accountants

Office of the Auditor General

**STATUTORY CONTEXT**

Local Government Act 1995 Part 7.

Local Government (Audit) Regulations 1996.

**CORPORATE CONTEXT**

Audit Committee Terms of Reference

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 will be facilitated through the audit process of which this exit meeting will provide a true and fair view of councils finances and areas as applicable.

**Delegation**

Nil

**Policy Implications**

Section 3 – Financial Management

**Other Corporate Document**

Nil

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Major (4)  Non-compliance results in termination of services or imposed penalties to Shire/Officers	Possible (3)  The event should occur at some time	High (12)	Senior Management Team / CEO  Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Ensuring any recommendations from the audit are implemented will ensure that the residual risk is low.

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**Officer Recommendation / Council Resolution OCM2412-011**

**Moved: Cr R Johnson**

**Seconded: Cr S Woods**

That Council **RECEIVE** as recommended by the Audit Committee:

1. the Annual Financial Report 23/24.
2. the audit report and management letter.
3. note the particular areas requiring attention as applicable.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL (4/0)**

For: **Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson**

Against: **Nil**

**9.4 WRITE OFF OF DEBT - ASSESSMENT A20360**

<b>File Reference</b>	
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<b>Report Date</b>	22 November 2024
<b>Applicant/Proponent</b>	Nil
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Colin Ashe – Deputy Chief Executive Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	

## PURPOSE

To write off Pensioner rebate from 2022-23 claimed twice through State Revenue.

## BACKGROUND

Section 6.12 (1) (c) of the Local Government Act 1995 provides a local government can write off any amount of money. The CEO has delegated authority to write off up to \$500 of which the amount requested exceeds this threshold amount.

## COMMENT

As part of the transition to the new ERP Financial system from Synergy to CouncilFirst, a number of issues were discovered on the data requiring a cleanse and reconciliation. One matter was Pensioner Rebates on Assessment A20360 where a claim of \$643.43 was made to State Revenue, rejected and not followed up until the system transition.

The normal process is when the claim is made, this amount comes off the rates notice (as if it has been paid) and into a holding account, awaiting submission to State Revenue.

When the claim is accepted and payment is made, it is receipted to this holding account, balancing back to zero.

Whilst this particular claim could be recalculated and submitted to ascertain the reason for the rejection, there is a risk of:

- no guarantee of further rejection.
- additional time and effort for staff to create the upload file.
- this upload file would need to be created in the Synergy which will be problematic to transfer to the CouncilFirst system.
- damage to shire reputation if the claim is rejected, would need to be added back to the rate account on what is a 2022 charge.

## CONSULTATION

Mr Sean Fletcher, Chief Executive Officer.

Ms Glenn Deocampo, Coordinator Financial Services.

Ms Sue Bryan, Rates Officer.

## STATUTORY CONTEXT

Section 6.12 (1) (c) of the Local Government Act 1995.

**CORPORATE CONTEXT**

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

**Delegation**

Nil

Delegations Register –

3.6 - Write off of rate and sundry debts.

**Policy Implications**

Nil

**Other Corporate Document**

Nil

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<b>Financial Impact</b>	Minor (2)  \$10,000 - \$25,000	Unlikely (2)  The event could occur at some time	Possible (3)  The event should occur at some time	Operational Manager  Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Policies and processes including sound agreements and follow up will ensure residual risk is acceptable.

**FINANCIAL IMPLICATIONS**

Nil

The write off of \$ 643.43 will reduce rate income in the budget.

**VOTING REQUIREMENTS**

Absolute Majority

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**Officer Recommendation / Council Resolution OCM2412-012**

**Moved: Cr S Woods**  
**Seconded: Cr R Johnson**

That Council **WRITE OFF** \$643.43 on assessment A20360.

**CARRIED BY ABSOLUTE MAJORITY AND BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For: Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson**  
**Against: Nil**

UNCONFIRMED PUBLIC MINUTES

**9.5 UPDATED ADOPTION OF 2023-24 ANNUAL REPORT AND SETTING OF THE ANNUAL MEETING OF ELECTORS**

<b>File Reference</b>	
<b>Report Date</b>	12 December 2024
<b>Applicant/Proponent</b>	SoVP
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Colin Ashe – Deputy Chief Executive Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	Annual Report

**PURPOSE**

To accept the 2023/24 Annual Report and to convene the General Meeting of Electors.

**BACKGROUND**

An annual report for the previous financial year is required to be prepared and adopted by Council. Key components of the annual report include a report from the Shire President and the CEO, matters regarding the Strategic Community Plan and the Annual Financial Statements.

The Shire received its audit report for the 2023-2024 annual financial statements on 27 Nov 23 and within the timeframe of 31 Dec as set out in s7.9 of the *Local Government Act 1995*. The Auditor’s Report and the Annual Financial Statements form part of the Shire’s Annual Report. The Audit Committee reviewed the Annual Financial Statements on 28 Nov 24 and presented these to Council at today’s Council meeting for final consideration.

Accordingly, the Annual Report is presented to Council today for its acceptance.

Once accepted by Council, the date to hold the Annual Meeting of Electors can then be set.

**COMMENT**

A summary regarding the contents of the annual report is provided in the following table:

<b>Section</b>	<b>Description</b>
The District at a Glance	A general overview of the Shire of Victoria Plains
President’s Address	The report is required to be provided by the Shire President re: 2023/2024
Matters Regarding Council	This includes who was on Council during 2023/2024, matters regarding meetings, the previous elections, membership of committees and complaints. Meeting attendance figures have been included along with the training register for the elected members
CEO’s Message	The CEO is required to provide a report
Financial Management Report	The Deputy CEO’s report provides a summary of the key financial activity for 2023-2024. This is, in effect, an overview of the annual financial statements.
Works and Services	This section sets out the key road funding sources, the major capital works undertaken, and the day to day operations undertaken.
Environmental Health, Building	This report includes an overview of the main regulatory functions of



and Planning Services Report (Local Planning Scheme)	the Shire: health, building and land use planning.
Other Staff Matters	An organisational chart has been included and matters regarding remuneration (number of officers that receive more than \$100,000 per year).
Other Matters of Governance	The Shire is required to be compliant regarding the following: <ul style="list-style-type: none"> <li>• Public Interest Disclosures – 0;</li> <li>• National Competition Policy – the Shire did not privatise any activities in 2023/2024 and so consequently there were no obligations to report in this area impact of local laws;</li> <li>• Record Keeping Plan – confirmation that the Record Keeping Plan is performing as required;</li> <li>• Freedom of Information – there were 0 applications received</li> <li>• Disabilities Access and Inclusion Plan – the new Plan was completed and implemented at the time of writing this report.</li> </ul>
Shire Facilities	Lists the main shire provided facilities in each community and who best to contact in order to use them.
Status of the Strategic Plan and Corporate Business Plan (Implementation Plan)	Confirms when the SCP was adopted (3 August 2022) and provides an overview on how the new plan has performed in 2023-2024: <ul style="list-style-type: none"> <li>• Community = 94%</li> <li>• Economy = 96%</li> <li>• Environment = 92%</li> <li>• Civic Leadership = 98%</li> <li>• Major Projects = 97%</li> </ul>
Matters for Next 12 Months	The Shire will report on 32 key actions expected to be undertaken for the next 12 months which includes: <ul style="list-style-type: none"> <li>• Implementation of the DAIP;</li> <li>• Development of the Recreation Master Plan</li> <li>• Drafting of an Economic Development Plan</li> <li>• Planning for increased housing stocks</li> <li>• Completion of the Bolgart Caravan Park Amenities and improvements to the Piawaning Reverse Osmosis Plant</li> <li>• Rolling out of the E-waste transfer stations for all three landfills</li> <li>• Improving the Shire’s fire mitigation plan through MAF funding</li> <li>• Development of the Shire’s water strategy</li> <li>• Rollout of the Shires new operating system</li> <li>• Continuation of cybersecurity measures.</li> </ul>
Capital Program	Confirmation of the Shire’s capital works program as per the Manager of Works and Services report
Auditor’s Report and Annual Financial Statements	Contains a copy of the letter from the Auditor General’s delegate (Opinion) and the Audited and Signed annual financial statements

**CONSULTATION**

Mr Sean Fletcher, Chief Executive Officer

Mr Silvio Brenzi, Manager Works and Services

Mr Gordon Houston, EHO / Building Services Contractor

Ms Candice Watson, PA to the CEO.

**STATUTORY CONTEXT****Local Government Act****5.53. Annual reports**

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
  - (a) a report from the mayor or president; and
  - (b) a report from the CEO; and
  - [(c), (d) deleted]
  - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
  - (f) the financial report for the financial year; and
  - (g) such information as may be prescribed in relation to the payments made to employees; and
  - (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and
  - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and
  - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
    - (i) the number of complaints recorded in the register of complaints; and
    - (ii) how the recorded complaints were dealt with; and
    - (iii) any other details that the regulations may require;and
    - (i) such other information as may be prescribed.

**6.4. Financial report**

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
  - (a) be prepared and presented in the manner and form prescribed; and
  - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
  - (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
  - (b) the annual financial report of the local government for the preceding financial year.

**5.54. Acceptance of annual reports**

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.

\* *Absolute majority required.*

- (2) If the auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor’s report becomes available.

**5.55. Notice of annual reports**

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

**5.55A. Publication of annual reports**

The CEO is to publish the annual report on the local government’s official website within 14 days after the report has been accepted by the local government.

**5.27. Electors’ general meetings**

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors’ meetings are to be those prescribed.

**This means the general electors meeting must be held by 12 February 2025**

**CORPORATE CONTEXT**

Strategic Community Plan

**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

**Delegation**

Nil

**Policy Implications**

Section 3 – Financial Management

**Other Corporate Document**

Nil

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<p>Non-compliance</p> <p>There are two main issues:</p> <ul style="list-style-type: none"> <li><b>Failing to meet the required due dates;</b></li> <li><b>Failing to include all relevant information</b></li> </ul>	<p>Major (4)</p> <p>Non-compliance results in termination of services or imposed penalties to Shire/Officers</p>	<p>Almost Certain (5)</p> <p>Expected to occur in most circumstances</p>	<p>Extreme (20)</p>	<p>CEO &amp; Council (</p> <p>Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring</p> <p>Effective: The Shire has prepared the written annual report with the required content in required time frames. However, delays by the auditors and the OAG has seen the production of the Annual Report delayed</p>	<p>CEO to ensure that Council is kept apprised of roadblocks that occur with regard to preparing the annual report. This has been done at Council Briefing Sessions.</p> <p>The above ensures that the risk is maintained as Low</p>

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute Majority

## Officer Recommendation

## That Council

1. In accordance with Section 5.54(1) of the *Local Government Act 1995* **ACCEPTS BY AN ABSOLUTE MAJORITY** the Shire of Victoria Plains 2022-2023 Annual Report as set out in Attachment 1.
2. In accordance with Section 5.27 of the *Local Government Act 1995* **CONVENES** a General Meeting of Electors (an Annual Meeting) of the Shire of Victoria Plains to be held on \_\_\_\_\_ commencing at 6:00 PM at the Emergency Services Building.

## 3. NOTES that:

1. The Shire of Victoria Plains Annual Report may be subject to further formatting and styling to be determined by the CEO prior to publication.
2. In accordance with Sections 5.29 and 5.55 of the *Local Government Act 1995*, the CEO will give local public notice of the General Meeting of Electors to be held on \_\_\_\_\_ and of the availability of the Shire's Report for the 2023/24 Financial Year, and will make the report available on the Shire's website within fourteen (14) days.
3. Further to Regulation 51 of the *Local Government (Financial Management) Regulations 1996*, the Director General of the Department of Local Government, Sports and Cultural Industries will be provided with a copy of the Shire's Annual Report for the 2023/24 Financial Year, inclusive of the Annual Financial Report for the same period, and the associated Auditor's Report.

**Council Resolution OCM2412-013****Moved: Cr D Lovelock****Seconded: Cr S Woods**

## That Council

1. In accordance with Section 5.54(1) of the *Local Government Act 1995* **ACCEPTS BY AN ABSOLUTE MAJORITY** the Shire of Victoria Plains 2022-2023 Annual Report as set out in Attachment 1.
2. In accordance with Section 5.27 of the *Local Government Act 1995* **CONVENES** a General Meeting of Electors (an Annual Meeting) of the Shire of Victoria Plains to be held on **WEDNESDAY 5<sup>TH</sup> FEBRUARY 2025** commencing at 6:00 PM at the Emergency Services Building.

## 3. NOTES that:

1. The Shire of Victoria Plains Annual Report may be subject to further formatting and styling to be determined by the CEO prior to publication.
2. In accordance with Sections 5.29 and 5.55 of the *Local Government Act 1995*, the CEO will give local public notice of the General Meeting of Electors to be held on **WEDNESDAY 5TH FEBRUARY 2025** and of the availability of the Shire's Report for the 2023/24 Financial Year, and will make the report available on the Shire's website within fourteen (14) days.
3. Further to Regulation 51 of the *Local Government (Financial Management) Regulations 1996*, the Director General of the Department of Local Government, Sports and Cultural Industries will be provided with a copy of the Shire's Annual Report for the 2023/24 Financial Year, inclusive of the Annual Financial Report for the same period, and the associated Auditor's Report.

**CARRIED BY ABSOLUTE MAJORITY AND BY UNANIMOUS DECISION OF COUNCIL 4/0**

Reason For Variation

To Include Annual Electors Meeting Date into Resolution.

For: **Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson**

Against: **Nil**

UNCONFIRMED PUBLIC MINUTES

**9.6 REVIEW OF LOCAL LAWS UNDER S3.16 OF THE LOCAL GOVERNMENT ACT 1995**

<b>File Reference</b>	
<b>Report Date</b>	11 December 2024
<b>Applicant/Proponent</b>	Shire of Victoria Plains
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Sean Fletcher – Chief Executive Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	

**PURPOSE**

Section 3.16 of the Local Government Act 1995 (the Act) requires local governments to review local laws at least once every eight years. Most of the Shire's were last made or reviewed in and around 2017 and 2018 and are therefore due. The Shire is to call for comments from the public, consider any received and then may amend or update local laws if required.

**BACKGROUND**

The Shire has the following local laws in place:

- Bush Fire Brigades Local Law 2017
- Cemeteries Local Law 2018
- Dogs Local Law 2018
- Extractive Industries Local Law 2018
- Fencing Local Law 2018
- Health Local Laws 2003 and Health Amendment Local Laws 2005
- Meeting Procedures Local Law 2018
- Public Places and Local Government Property Local Law 2018

Mr Chris Liversage has been engaged to assist the Shire with the Local Law Review. Mr Liversage is familiar with the Shire's local laws as he has assisted with their review and preparation in the past. He has assisted in the preparation of today's report.

**COMMENT**

The Shire's local laws are relatively new.

A more in depth assessment can be made while the public commentary period is underway but on face value a number of changes are required. For example:

- The State Government is undertaking a review of the Cemeteries Act;
- Similarly, Standing Orders or Meeting Procedures Local Laws are proposed to be replaced by uniform Regulations that will apply to all local governments in early 2025;
- Cats are regulated under the Cat Act rather than the Public Health Act which may require a new local law; and
- Local laws relating to rubbish collection, removal and disposal are now dealt with under the Waste and Resource Recovery Act under which the Shire should consider making a Waste Local Law.

In addition, in 2018 the Shire agreed to amend its *Extractive Industries Local Law 2018*, and the *Public Places and Local Government Property Local Law 2018* to correct a number of minor errors in them.

**CONSULTATION**

Section 3.16 requires a local government to call for submissions from the public about local laws for a period of at least 6 weeks. Any changes then required are to be made using the process required by s3.12 of the Act and which also requires public consultation.

**STATUTORY CONTEXT**

Section 3.16 of the Local Government Act 1995 provides that:

**3.16. Periodic review of local laws**

(1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*

(2) *The local government is to give local public notice stating that —*

*(a) the local government proposes to review the local law; and*

*(b) a copy of the local law may be inspected or obtained at any place specified in the notice; and*

*(c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*

(3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*

(4) *When its council has considered the report, the local government may determine\* whether or not it considers that the local law should be repealed or amended.*

*\* Absolute majority required.*

**CORPORATE CONTEXT**

**Strategic Business Plan/Corporate Business Plan**

**Strategic Plan**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>4. CIVIC LEADERSHIP</b>	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance



**Corporate Business Plan**

4.3 Proactive and well governed Shire	e Continue to meet compliance with statutory and regulatory requirements (Calendar, CAR, FMR, R17)	CEO PA
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The review of the Shire’s Local Laws is a key regulatory requirement that must be complied with.

**Delegation**

Nil

**Policy Implications**

Nil

**Other Corporate Document**

Nil

**Risk Analysis**

Local laws should be kept up to date.

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Reputation  Out of date local laws could undermine the Shire’s ability to regulate issues within the district.	Minor (2)	Likely (4)	Medium (8)	Risk acceptable with adequate controls, managed by specific procedures and subject to ongoing monitoring	Undertake the review and amend or update local laws as required.
Compliance  Local laws are overridden by Acts of Parliament or Regulations					

**FINANCIAL IMPLICATIONS**

\$10,000 has been set aside in the 24/25 Budget to undertake the Local Law Review. This is considered adequate regarding this project.

There are costs associated with advertising the review, considering any submissions that may be made.

Should council decide to then amend the local laws, the process under s3.12 must be used. The cost to do any amendments are unknown at this stage, and will depend on the extent of any changes required.

**VOTING REQUIREMENTS**

Simple Majority

**Officer Recommendation / Council Resolution OCM2412-014**

**Moved: Cr S Woods**  
**Seconded: Cr D Lovelock**

That Council

1. **GIVES** local public notice be given stating that the Shire proposes to review its local laws under s3.16 of the Local Government Act 1995;
2. **NOTES** that a copy of the local laws may be inspected or obtained at the Shire offices or from its website;
3. **ADVISES** that submissions about the local laws may be made to the Shire before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
4. **NOTES** that the results of the above advertising are to be presented to Council for consideration of any submissions received.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL (4/0)**

**For: Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson**  
**Against: Nil**

UNCONFIRMED PUBLIC MINUTES

**9.7 GRANT OF MANAGEMENT ORDER OVER RESERVE 20320**

<b>File Reference</b>	
<b>Report Date</b>	25 November 2024
<b>Applicant/Proponent</b>	Shire of Victoria Plains
<b>Officer Disclosure of Interest</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Katrina Humphries – Community Development Officer
<b>Senior Officer</b>	Sean Fletcher – Chief Executive Officer
<b>Authorised by</b>	Sean Fletcher – Chief Executive Officer
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Landgate Plan &amp; Aerial Photo</li> <li>2. Landgate Reserve Report - Crown Reserve 20320</li> </ol>

**PURPOSE**

Authorise the Shire Administration to advise the Department of Planning, Lands and Heritage the Shire of Victoria Plains is interested in securing the Minister for Lands approval for a Management Order for Crown Reserve 20320 for community purposes, including powers to lease, sublease or licence the land and improvements thereon, pursuant to section 46 of the *Land Administration Act 1997* subject to a building inspection and report to confirm the existing church building on the land is structurally sound and suitable to be used for the intended purpose.

**BACKGROUND**

Crown Reserve 20320 comprises Lot 22 (No.31) and Lot 23 (No.29) Cavell Street, Calingiri. The reserve is owned by the State of Western Australia and has historically been developed and used by the Perth Diocesan Trustees for church purposes in accordance with a lease agreement with Department of Planning, Lands and Heritage (DPLH).

The existing church building on the land was deconsecrated on the 19<sup>th</sup> November 2023 and the Perth Diocesan Trustees have made application to DPLH to surrender its lease agreement for the reserve, including the church building and all associated improvements thereon.

The reserve comprises a total combined area of approximately 2,024m<sup>2</sup>, has direct frontage to Cavell Street along its north-eastern side and is served by all key essential service infrastructure.

The reserve has not been designated as being bushfire prone, flood prone or contaminated. It has however been identified in the Shire's Municipal Heritage Inventory as being a 'Category 3' place of cultural heritage significance with the key objective being to retain and conserve the church building and all associated improvements if possible. Under the terms of this classification major redevelopment of the reserve, including demolition of the existing church building, is possible subject to preparation of a place record including photographs. It is significant to also note the reserve is not listed in the State Heritage Register which means the requirements of the *Heritage Act 2018* are not applicable.

Council should note the Perth Diocesan Trustees also own and have developed Lot 24 (No.27) Cavell Street, Calingiri as part of the church however this property only provides pedestrian access to the church building and is not essential to its future possible development and use by the Shire for community purposes. There may also be scope for the Shire to purchase this property from the Perth Diocesan Trustees in the future if required to allow it to be used for community purposes in association with the reserve.

Following the Shire's recent communications with the Perth Diocesan Trustees, DPLH has contacted the Shire requesting confirmation of the Shire's interest in securing a management order in respect of the reserve to allow it to be used for community purposes.

## COMMENT

Crown Reserve 20320 is classified 'Public Purposes' reserve in the Shire of Victoria Plains Local Planning Scheme No.5 (LPS5) with the designated purpose 'Church'.

LPS5 does not contain any specific objectives for any land classified 'Public Purposes' reserve. Whilst the designated purpose of Crown Reserve 20320 in LPS5 is 'Church' Council does have discretion to allow the land and improvements thereon to be developed and used for any alternative purpose/s it considers appropriate subject to the preservation of local amenity.

Discussions with the Shire's Chief Executive Officer have confirmed the following uses of the reserve by the Shire would be preferred, including powers to lease, sublease or licence, as part of any new management order approved by the Minister for Lands:

- Community events and gatherings;
- Public art exhibitions;
- Youth group meetings;
- Cultural exhibitions
- Playgroup meetings.

When considering the proposal to secure a new management order for the reserve Council should be mindful of the potential financial implications associated with managing and maintaining the church building and surrounding land. Whilst the church building appears to be in good condition generally it is recommended a building inspection and report be undertaken to confirm it is structurally sound and suitable to be used for the intended purpose.

Given the many strategic benefits of securing a formal interest in the subject land under the *Land Administration Act 1997*, it is recommended Council authorise the Shire Administration to advise the Department of Planning, Lands and Heritage the Shire is interested in securing the Minister for Lands approval for a Management Order for Crown Reserve 20320 for community purposes, including powers to lease, sublease or licence the land and improvements thereon, pursuant to section 46 of the *Land Administration Act 1997* subject to a building inspection and report to confirm the existing church building on the land is structurally sound and suitable to be used for the intended purpose.

## CONSULTATION

Mr Sean Fletcher, Chief Executive Officer

Mr Joe Douglas, Planning Officer

Lara McCabe, State Land Officer/Land Use Management, DPLH

## STATUTORY CONTEXT

- *Shire of Victoria Plains Local Planning Scheme No.5*
  - Part 2, Clause 14 – 'Local Reserves'
- *Land Administration Act 1997*
  - Part 4, Section 46 – Care, control and management of reserves.

## CORPORATE CONTEXT

### Shire of Victoria Plains Local Planning Strategy

The proposal is consistent with the following elements of the Shire of Victoria Plains Local Planning Strategy (2012):

- **Calingiri Townsite**

Objective: To promote Calingiri as the prime living, business and community centre for the Shire.

- **Tourism**

Objective: To recognise and promote the growth of the tourism profile of the region.

**Integrated Strategic Plan 2022-2032**

The proposal is consistent with the following elements of the *Shire of Victoria Plains Integrated Strategic Plan 2022 – 2032*:

- **Community**

Strategic Priority 1.3 - Recreational, social and heritage spaces are safe and are activated.

- **Economy**

Strategic Priority 2.3 - Visitors have a positive experience across our communities.

- **Environment**

Strategic Priority 3.2 - Conservation of our natural environment and resources.

- **Civic Leadership**

Strategic Priority 4.1 - Forward planning and implementation of plans to achieve community priorities.

**Delegation**

Nil

**Policy Implications**

There are no policy implications.

**Other Corporate Document**

Nil

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Financial Impact  Repairing/Maintaining the asset \$50,001 - \$250,000	Moderate (3)	Possible (3)	Moderate (9)	Medium (5-9)	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring.

## FINANCIAL IMPLICATIONS

A building inspection and report could potentially be undertaken by the Shire's Building Surveyor, the cost of which could be accounted for in the Shire's current budget using funds already allocated. Alternatively, the Shire could engage an independent consultant to do this work, the cost of which is likely to be in the order of \$2,000 excluding GST which could also be accounted for in the Shire's current budget using funds already allocated.

Should Council agree to accept a management order in respect of the subject land fees will be payable to the Department of Planning, Lands and Heritage and Landgate to formalise the management order, the total cost of which is likely to be in the order of \$1,500 to \$2,000 excluding GST.

The Shire will assume full responsibility for all costs associated with the future proposed use of the subject land, including its ongoing management and maintenance, if a management order is ultimately granted by the Minister for Lands. These costs could be offset by utilising the powers to lease, sublease or licence the subject land contained in the management order.

## VOTING REQUIREMENTS

Simple Majority

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### Officer Recommendation / Council Resolution OCM2412-015

**Moved:** Cr S Woods  
**Seconded:** Cr R Johnson

That Council **RESOLVE** to authorise the Chief Executive Officer to advise the State Land Officer/Land Use Management at Department of Planning, Land and Heritage it is willing to consider accepting a new management order in respect of Crown Reserve 20320 Cavell Street, Calingiri subject to further discussions and negotiations with the Lands Division of the Department of Planning, Lands and Heritage.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson  
**Against:** Nil

**8 MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**9 NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION**

UNCONFIRMED PUBLIC MINUTES

**10 MEETING CLOSED TO PUBLIC**

**12.1 AUSTRALIA DAY AWARDS 2025**

<b>File Reference</b>	
<b>Report Date</b>	25 November 2024
<b>Applicant/Proponent</b>	Chief Executive Officer
<b>Officer Disclosure of Interest</b>	NIL
<b>Previous Meeting Reference</b>	Nil
<b>Prepared by</b>	Katrina Humphries – Community Development Officer
<b>Senior Officer</b>	Colin Ashe – Deputy Chief Executive Officer
<b>Authorised by</b>	Colin Ashe Deputy Chief Executive Officer
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. CCOTY - Award Categories - 2025 (confidential)</li> <li>2. Australia Day 2025 Community Awards Score Sheet (confidential)</li> </ol>

**PURPOSE**

For Council to consider the nomination received for the Shire of Victoria Plains **Community Citizen of the Year** Australia Day Awards 2025.

**BACKGROUND**

The Shire advertised for nominations for the Community Citizen of the Year Awards through its Facebook page, District Newsletter advertising and emails to Community Progress Groups. Nominations are submitted online through the relevant Auspire (Australia Day Council of WA) portal. The Citizenship of the Year Awards relate specifically to local government. Once the nomination is received through the Auspire portal it is then emailed to the Shire.

There are four Auspire categories:

1. Community Citizen of the Year Award
2. Young Community Citizen of the Year Award (16-30 Years)
3. Senior Community Citizen of the Year Award (Over 65 Years)
4. Active Citizenship Award (Group or Event)

Council has received one nomination for the **Community Citizen of the Year** category. Attached is a matrix to record the assessment by each Elected Member to determine the approval of the nomination.

**COMMENT**

As there is no policy in place regarding the Australia Day Award process for the Shire of Victoria Plains, Council is required to conduct the Australia Day Award process and determine the recipients of the awards.

Australia Day Awards are a decision of Council. As it currently stands, in lieu of a policy,



**CONSULTATION**

CEO

PACEO

**STATUTORY CONTEXT**

NIL

**CORPORATE CONTEXT**

**Integrated Strategic Plan 2022 – 2032**

**Community Priorities 2022 - 2032**

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
<b>1. COMMUNITY</b>	
1.1 Healthy, connected and safe communities	Achieve and update the Disability Access Inclusion Plan
	Achieve and update the Aged Friendly Community Plan
	Maintain and extend the footpath network
	Achievement towards our Public Health Plan
1.2 Inclusive community activities, events and initiatives	Well attended local events and activities
	Volunteers and community groups feel supported
	Community Development Officer jointly plans and works with local groups
	We increase the number and diversity of sport, recreation, learning and cultural events

**Delegation**

Nil

**Policy Implications**

Nil

**Other Corporate Document**

Nil

**Risk Analysis**

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Reputation  The Shire not meeting its obligations to advertise and consider nominations	Moderate (3)  Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Likely (3)  The event will occur at least once per year	Moderate (9)	Operational Manager  Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Adequate: Whilst some inadequacies have been identified e.g. lack of a policy; processes (Controls) are in place, are being addressed / re responsible officer (manager) and community notification (now included in Compliance Calendar). Risk becomes low

**FINANCIAL IMPLICATIONS**

Nil

The estimated expenditure of \$2,500 is in the 2024/2025 budget.

**VOTING REQUIREMENTS**

Simple Majority

**Council Resolution OCM2412-016**

**Moved:** Cr D Lovelock

**Seconded:** Cr R Johnson

That Council **MOVE INTO** Camera at 2.42 PM.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson

**Against:** Nil

*The WSM and Finance Co-Ordinator withdrew from the meeting at 2.43PM and did not return.*

**Council Resolution OCM2412-017**

**Moved:** Cr S Woods  
**Seconded:** Cr D Lovelock

That Council **MOVE INTO** standing orders to allow extra debate at 2.46PM.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson  
**Against:** Nil

*Cr P Bantock declared an impartiality interest in this item at 2.48PM.*

**Council Resolution OCM2412-18**

**Moved:** Cr R Johnson  
**Seconded:** Cr S Woods

That Council **MOVE OUT** of standing orders at 3.10PM.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson  
**Against:** Nil

Officer Recommendation

That Council

1. AWARD the Community Citizen of the Year as determined by Council.

Regarding Confidentiality:

1. The successful recipients will remain CONFIDENTIAL until the announcement of the Awards at the Australia Day 2024 Breakfast; and
2. That the meeting under s5.23(2) of the Local Government Act 1995 is REOPENED to the public at .....PM.

**Council Resolution OCM2412-19**

**Moved:** Cr R Johnson  
**Seconded:** Cr S Woods

That Council **RESOLVE** not to award a Citizenship of the Year award for 2025.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson  
**Against:** Nil

Reason for Variation

Due to insufficient information provided.

**Council Resolution OCM2412-20**

**Moved:** Cr D Lovelock

**Seconded:** Cr S Woods

That Council **MOVE BACK** Into camera at 3.11 pm.

**CARRIED BY UNANIMOUS DECISION OF COUNCIL 4/0**

**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock and Cr R Johnson

**Against:** Nil

UNCONFIRMED PUBLIC MINUTES

## 11 CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 3.12PM.

These minutes were confirmed at the Ordinary Council Meeting held on 26 February 2025

Signed

\_\_\_\_\_  
(Presiding member at the meeting which confirmed the minutes)

Date

26 February 2025

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**Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.**

UNCONFIRMED PUBLIC MINUTES