



Minutes of Ordinary Council Meeting

Held on 26 March 2025 and commenced at 5:00pm

Held at the Council Chambers in Donnybrook

(1 Bentley Street, Donnybrook)

Authorised:

A handwritten signature in black ink, appearing to read 'N. O'Connor', is positioned to the right of the 'Authorised:' label.

Nicholas O'Connor, Chief Executive Officer

Prepared:

4 April 2025

MEASURES OF CONSEQUENCE

LEVEL	RATING	HEALTH & SAFETY	FINANCIAL	SERVICE INTERRUPTION	COMPLIANCE	REPUTATION	PROPERTY	ENVIRONMENT
1	Insignificant	Negligible injuries	Less than \$5,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, localised low impact on community trust, low profile or no media item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
2	Minor	First aid injuries	\$5,000 - \$20,000 Or < 5% variance in cost of project	Temporary interruption to an activity – backlog cleared with existing resources	Some temporary non compliances	Substantiated, localised impact on community trust or low media item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
3	Moderate	Medical type injuries	\$20,001 - \$100,000 Or > 5% variance in cost of project	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
4	Major	Lost time injury	\$100,001 - \$1M	Prolonged interruption of Service Unit core service deliverables – additional resources; performance affected	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
5	Catastrophic	Fatality, permanent disability	More than \$1M	Indeterminate prolonged interruption of Service Unit core service deliverables	Non-compliance results in criminal charges or significant damages or penalties	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

MEASURES OF LIKELIHOOD

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

RISK MATRIX

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

RISK ACCEPTANCE CRITERIA

RISK RANK	DESCRIPTION	CRITERIA FOR RISK ACCEPTANCE	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 excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	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	CEO / Council

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1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Presiding Member acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Presiding Member declared the meeting open at 5:00pm and welcomed the public gallery.

The Presiding Member advised that the meeting is being live streamed and recorded in accordance with Council Policy EM/CP-2. The President further stated the following:

“This meeting is being livestreamed and digitally recorded in accordance with Council Policy. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson. Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording.”

President MacCarthy read aloud the following:

“Pursuant to Section 14CA (5) of the Local Government (Administration) Regulations 1996, I President MacCarthy declare that I am situated in a location where I can maintain confidentiality throughout the duration of the meeting.”

2. Attendance

Councillors Present:

Cr Vivienne MacCarthy (via Teams)	Cr Lisa Glover	Cr John Bailey
Cr Alexis Davy	Cr Peter Gubler	Cr Anita Lindemann
Cr Anne Mitchell	Cr Grant Patrick	Cr Deanna Shand

Staff Present:

Nick O'Connor, Chief Executive Officer	Ross Marshall, Director Operations
Loren Clifford, Acting Director Finance and Corporate	Samantha Farquhar, Administration Officer Corporate Services

Other Members Present:

Public Gallery: 0 members of the public were in attendance.

Suspension of clause 8.2 (members to rise) of *Meeting Procedures Local Law 2017*.

- At the start of each council meeting a resolution should be carried suspending clause 8.2 (members to rise) of the Standing Orders as having councillors stand when debating interferes with the sound quality for livestream.

COUNCIL RESOLUTION:	37/03-25		
MOVED BY:	Cr Deanna Shand	SECONDED BY:	Cr Grant Patrick

That Council Suspend clause 8.2 (members to rise) of the Standing Orders

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0

2.1. Apologies

Nil.

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

The Presiding Member asked Council if there were any applications for a leave of absence.
Nil.

3. Announcements from the Presiding Member

The Presiding Member introduced the upcoming events happening in the Shire:

- Blackwood River Arts Trail – 5 April 2025
- Brook Fest – 11 April 2025
- Balingup Small Farm Field Day – 12 April 2025
- Donnybrook Apple Festival - 19 April 2025
- Anzac Day Ceremony – 25 April 2025
- Forrest Rally - 22-25 May 2025

The Presiding Member announced the disappointment felt by all after the discovery of the graffiti found on pavilion one at VC Mitchell Park and expressed concerns that the increase of graffiti impacts

all our community due to the expense to remove it and ongoing painting maintenance. She requested that reports be made directly to Police if anyone has any relevant information surrounding the graffiti.

4. Declarations of Interest

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors, Committee Members and staff to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Nil.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Nil.

5.2. Public Question Time

Nil.

6. Presentations

6.1. Petitions

Nil.

6.2. Presentations

Nil.

6.3. Deputations

Nil.

6.4. Delegates' Reports

Cr Davy provided a verbal report on recent stakeholder discussion on biodiversity offset approvals.

Adoption by Exception

COUNCIL RESOLUTION: 38/03-25		
MOVED BY:	Cr Anne Mitchell	SECONDED BY: Cr Grant Patrick

That Council adopt the following items 'En-bloc' and resolves in accordance with each of the Executive Recommendations:

- 8.2 Local Emergency Management Committee Meeting held on 4 February 2025
- 8.3 Bunbury Geographe Group of Councils Meeting held on 7 February 2025
- 8.5 WALGA State Council Meeting held on 5 March 2025
- 9.1.1 Adoption of Council Policy COMD/CP-6 Events
- 9.2.1 Schedule of Accounts Paid as at 28 February 2025
- 9.2.2 Intent to apply – CSRFF Small Grant Fund
- 9.2.4 Statement of Financial Activity report as at 28th February 2025

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0

7. Confirmation of Minutes

7.1. Ordinary Council Meeting held on 26 February 2025

Minutes of the Ordinary Council Meeting held 26 February 2025 are attached as [Attachment 7.1\(1\)](#), noting the amendments ([Attachment 7.1\(2\)](#)) made to correct the incorrect condition and advice note references resulting from the split of Council Resolution 24/02-25 into two conditions.

Executive Recommendation:

That the Minutes from the Ordinary Council Meeting held 26 February 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	39/03-25		
MOVED BY:	Cr John Bailey	SECONDED BY:	Cr Anita Lindemann

That the Minutes from the Ordinary Council Meeting held 26 February 2025 be confirmed as a true and accurate record noting the change in voting on item 9.1.4 to remove Councillor Bailey from voting.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0

8. Reports of Committees

8.1. Audit and Risk Management Committee Meeting held on 18 March 2025

Executive Summary

This report provides the Minutes of the Audit and Risk Management Committee Meeting held 18 March 2025 are attached at Attachment 8.1(1).

Recommendation:

Item 6.1 Audit and Risk Management Committee Meeting held on 28 November 2024

That the Minutes from the Audit and Risk Management Committee Meeting held 28 November 2024 be confirmed as a true and accurate record.

Item 7.1 Compliance Audit Return

That the Audit and Risk Management Committee:

1. Endorse the adoption of the 2024 Compliance Audit Return for the period 1 January 2024 to 31 December 2024 (Attachment 7.1(1)); and
2. Endorse the certification of the 2024 Compliance Audit Return by the Shire President and Chief Executive Officer prior to submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2025.
3. Note the change to Local Government Employees question 4, s.5.37(2) from Yes to N/A.

Item 7.2 Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls

That the Audit and Risk Management Committee:

1. Note the completion of the review of the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with *Local Government (Audit) Regulations 1996* regulation 17.
2. Note the completion of the review of the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the *Local Government (Financial Management) Regulations 1996* regulations 5(2) (c).
3. Receive the attached report by the Chief Executive Officer detailing the results of the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls; and
4. Report to the Council the results of the Chief Executive Officer's report by providing a copy of the finalised Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.
5. Recommend to Council to hold a Workshop to discuss the findings and develop a prioritised, risk-based improvement plan as soon as practicable.

Item 7.3 Terms of Reference Review

That the Audit and Risk Management Committee notes staff are currently reviewing the Audit and Risk Management Committee Charter to ensure compliance with recent amendments to *the Local*

Government Act 1995 and alignment with the OAG Western Australian Public Sector Audit Committees Better Practice Guide.

Item 7.4 Audit Findings Progress Report

That the Audit and Risk Management Committee:

1. Notes the update provided in Audit Findings Progress Report for the period covering 1 October 2024 – 28 February 2025 Attachment 7.4(1).

Item 7.6

That the Committee notes the Chief Executive Officer's update.

That Council:

1. Receive the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held on 18 March 2025; and
2. Adopt the recommendations as detailed in the minutes and summarised in items 6.1 – 7.6 above be adopted.
3. Note the following amendments to item 7.1 Compliance Audit Return, to remove the words 'and play equipment' from Q1 and Q2 under disposal of property.

COUNCIL RESOLUTION: 40/03-25		
MOVED BY:	Cr Alexis Davy	SECONDED BY: Cr Anita Lindemann

That Council:

1. Receive the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held on 18 March 2025; and
2. Adopt the recommendations as detailed in the minutes and summarised in items 6.1 – 7.6 above be adopted.
3. Note the following amendments to item 7.1 Compliance Audit Return, to remove the words 'and play equipment' from Q1 and Q2 under disposal of property.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0

8.2. Local Emergency Management Committee Meeting held on 4 February 2025

Minutes of the Local Emergency Management Committee Meeting held 4 February 2025 are attached at Attachment 8.2(1).

Executive Recommendation:

That the Minutes from the Local Emergency Management Committee Meeting held on 4 February 2025 be received.

COUNCIL RESOLUTION:	41/03-25		
MOVED BY:	Cr Anne Mitchell	SECONDED BY:	Cr Grant Patrick

That the Minutes from the Local Emergency Management Committee Meeting held on 4 February 2025 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by en-bloc resolution 38/03-25

8.3. Bunbury Geographe Group of Councils Meeting held on 7 February 2025

Minutes of the Bunbury Geographe Group of Councils Meeting held 7 February 2025 are attached at Attachment 8.3(1).

Executive Recommendation:

That the Minutes from the Bunbury Geographe Group of Councils Meeting held on 7 February 2025 be received.

COUNCIL RESOLUTION: 42/03-25		
MOVED BY:	Cr Anne Mitchell	SECONDED BY: Cr Grant Patrick

That the Minutes from the Bunbury Geographe Group of Councils Meeting held on 7 February 2025 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by en-bloc resolution 38/03-25

8.4 South West Country Zone Meeting held on 21 February 2025

Minutes of the South West Country Zone Meeting held 21 February 2025 are attached at [Attachment 8.4\(1\)](#).

Executive Recommendation:

That the Minutes from the South West Country Zone Meeting held on 21 February 2025 be received.

MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann
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That the Minutes from the South West Country Zone Meeting held on 21 February 2025 be received.

Cr MacCarthy moved the following amendment:

MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anne Mitchell
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That Council acknowledges receipt of the Minutes from the South West Country Zone Meeting held on 21 February 2025, noting the scheduling conflict with the Shire of Donnybrook Balingup Strategic Planning Day, which was given priority.

For: Cr Lindemann, Cr Mitchell, Cr MacCarthy
Against: Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Patrick, Cr Shand
Lost: 3/6

Substantive Motion:

COUNCIL RESOLUTION: 43/03-25	
MOVED BY: Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That the Minutes from the South West Country Zone Meeting held on 21 February 2025 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0

8.5 WALGA State Council Meeting held on 5 March 2025

Minutes of the WALGA State Council Meeting held 5 March 2025 are attached at [Attachment 8.5\(1\)](#).

Executive Recommendation:

That the Minutes from the WALGA State Council Meeting held on 5 March 2025 be received.

COUNCIL RESOLUTION: 44/03-25	
MOVED BY: Cr Anne Mitchell	SECONDED BY: Cr Grant Patrick

That the Minutes from the WALGA State Council Meeting held on 5 March 2025 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by en-bloc resolution 38/03-25

9. Reports of Officers

9.1. Director Operations

9.1.1 Adoption of Council Policy COMD/CP-6 Events

Report Details:

Prepared by: Manager Development Services

Manager: Director Operations

File Reference: ADM 11

Voting Requirement: Simple Majority

Attachment(s):

9.1.1(1) Council Policy COMD/CP-6 – Events

9.1.1(2) Council Policy COMD/CP-6 – Events – Advertised version and tracked changes

Executive Recommendation

That Council resolves to adopt Council Policy COMD/CP-6 Events (Attachment 9.1.2(1)).

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 2 - A safe and healthy community.

Objective: 2.2 - Facilitate, encourage and support a diverse range of festivals, community events, arts and cultural activities.

Item: Nil.

Outcome: 10 - A popular destination for visitors and tourists.

Objective: 10.1 - Encourage more people to stop, shop and experience the Shire of Donnybrook Balingup.

Executive Summary

Council is requested to adopt Council Policy COMD/CP-6 Events (Attachment 9.1.5(1)). The new policy outlines when an event application is required and when an event application will be referred to Council for determination.

Background

At its Ordinary Council meeting held 27 November 2024 Council resolved the following:

"COUNCIL RESOLUTION 205/11-24

That Council resolves to advertise draft Council Policy COMD/CP-6 Events (Attachment 9.1.5(1)) for public comment for a period of 28 days".

The policy was advertised as outlined in the consultation section with the public consultation period closing 31 January 2025. While no formal submissions were made, contact was made from the

Operations Manager, WA Country Health Service around communication of large events to ensure that health services are aware of events that may have a bearing on resourcing from a regional perspective.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Moderate (9)
Risk Description:	Not seen to be consistent in assessment of events, misalignment with community expectations.		
Mitigation:	A policy provides guidance to both applicants and officers when considering event applications.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Major	High (12)
Risk Description:	Inconsistent application or noncompliance with legislation administered by the Shire.		
Mitigation:	A policy communicates the Shire's position with respect to discretionary legislation provisions such as the determination of temporary works and land use.		

Financial Implications

Nil.

Policy Compliance

Council Policy EXE-CP-8- Policy Framework

This policy provides direction on the development of policies in response to an issue. It is considered that the proposed policy provides direction in response to events – which involve a multidisciplinary response across the organisation. The referenced Operational Procedure – COMD/OP-3 Community Engagement Framework recommends a minimum 28 day consultation period, where no other statutory provisions apply. The 28 day consultation period as recommended was met for advertising of this policy.

Statutory Compliance

Section 2.7(2)(b) of the *Local Government Act 1995* stipulates that the role of council is to “*determine the local government's policies*”.

Consultation

Councillors participated in a workshop in July to discuss the establishment of an event policy. Council has also determined several event applications since March 2024, providing insight into the types of applications received and the conditions imposed.

The policy was advertised on the Shire’s website (news post and consultation item), Shire’s Facebook and Instagram pages (Meta), 23 December 2024 edition of the Shire E-Connect, Shire Notice Boards (Administration Office, Donnybrook Recreation Centre and both libraries), in the 19 December 2024 edition of the South Western Times and directly emailed to regular event applicants. No formal submissions were received.

Officer Comment

The proposed policy outlines when an event application is required and when an event application will be referred to Council for determination. It also confirms Council’s views on what can be deemed as temporary works and use under the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* i.e. what is exempt from requiring development approval under the Shire of Donnybrook Balingup Local Planning Scheme No. 7.

Some minor adjustments between the advertised version and proposed adopted version are proposed to respond to communication recommendations, particularly for larger events, as well as additional comments responding to fire concerns. It is also proposed to remove the reference to the Food and Wine Festival, given this event hasn’t occurred for some time.

Adoption of the policy is recommended.

COUNCIL RESOLUTION: 45/03-25	
MOVED BY: Cr Anne Mitchell	SECONDED BY: Cr Grant Patrick

That Council resolves to adopt Council Policy COMD/CP-6 Events (Attachment 9.1.2(1)).

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by en-bloc resolution 38/03-25

9.2. Director Finance and Corporate

9.2.1 Schedule of Accounts Paid as at 28 February 2025

Report Details:

Prepared by: Finance Officer

Manager: Manager Financial Services

File Reference: FNC 02A

Voting Requirement: Simple Majority

Attachment(s):

9.2.1(1) Schedule of Accounts Paid Under Delegation

Executive Recommendation

That Council:

Receive the accounts for payment report for the period ended February 2025 as per Attachment 9.2.1(1)

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

That in accordance with Regulation 13 (3) of the *Local Government (Financial Management) Regulations 1996*, Council receive the "Schedule of Accounts Paid" covering the period 1 February 2025 to 28 February 2025, the schedule contains details of the following transactions:

1 Municipal Account – payments totalling \$1,422,977.12.

Credit Card payments	DD28274.1
EFT Payments	EFT30258A – EFT30433
Cheque Payments	53823
Direct Debit payments	DD28230, DD28253 & DD28268

Background

In accordance with Delegation 1.2.23 – payments from the Municipal or Trust funds adopted by Council on 18 September 2024, the Chief Executive Officer is authorised to incur expenditure in accordance with the Annual Budget provisions and limited over-expenditure subject to subsequent budget amendments. In doing so, section 13 of the Financial Management Regulations 1996 is to be adhered to with a list of accounts for approval to be presented to Council each month.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Minor	Low (2)
Risk Description:	Additional checks and balances of accounts paid by the Shire.		
Mitigation:	Monthly reporting on accounts paid.		
Compliance	Unlikely	Minor	Low (2)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on accounts paid.		

Financial Implications

All liabilities settled have been in accordance with the annual budget provisions.

Policy Compliance

- FIN/CP-4 Purchasing
- FIN/CP-5 Regional Price Preference
- FIN/CP-7 Credit Card

Statutory Compliance

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Where the local government has delegated the CEO the exercise of its power to make payments from the municipal fund or the trust funds, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- (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.

This list of accounts is to be:

- (a) Presented to Council at the next ordinary meeting of the Council after the list is prepared; and
- (b) Recorded in the minutes of that meeting.

Consultation

Relevant staff have been consulted and have authorised the payments.

Officer Comment

For a detailed listing of payments see [Attachment 9.2.1\(1\)](#)

Please raise any queries prior to the meeting to enable questions to be investigated and a response.

COUNCIL RESOLUTION: 46/03-25		
MOVED BY:	Cr Anne Mitchell	SECONDED BY: Cr Grant Patrick

That Council:

Receive the accounts for payment report for the period ended February 2025 as per Attachment 9.2.1(1)

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by en-bloc resolution 38/03-25

9.2.2. Intent to apply – CSRFF Small Grant Fund

Report Details:

Prepared by: Manager Recreation and Library Services, Manager Corporate Services

Manager: Loren Clifford, Acting Director Finance and Corporate

File Reference: CNL33

Voting Requirement: Simple Majority

Attachment(s):

9.2.2(1) CSRFF 2005-2026 February Small Grants Application Form

Executive Recommendation

That Council:

- 1. Endorses the submission of a Community Sporting and Recreation Facilities Fund (CSRFF) Small Grant application to the Department of Local Government, Sport and Cultural Industries (DLGSC) for the upgrade of the Donnybrook Recreation Centre's poolside and dry side changing rooms.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 2.1 - Improve access to facilities and services to support community health and wellbeing.

Item: 12.1.1 - Prepare grant applications to secure funds needed to address community priorities and implement major projects.

Executive Summary

This report seeks Council's endorsement to submit an application for funding through the Community Sporting and Recreation Facilities Fund (CSRFF) Small Grant Program, administered by the Department of Local Government, Sport and Cultural Industries (DLGSC). The grant will support the upgrade of the Donnybrook Recreation Centre's poolside and dry side changing rooms, which have not had a major upgrade since the Centre opened in 1994.

Background

The Donnybrook Recreation Centre is a key community facility that services a broad range of users, including local sporting groups, schools, and the community members. The existing changing rooms are outdated and no longer meet modern accessibility, safety, and functional requirements. Upgrading these facilities will ensure they remain fit for purpose, improving user experience and encouraging increased participation in sport and recreation.

Grant Details:

The CSRFF Small Grant Program provides funding of up to 50% of the total project cost, capped at \$200,000. The application deadline is 31 March 2025, and a resolution of Council support is required for submission.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Property	Possible	Moderate	Moderate (9)
Risk Description:	If the CSRFF application is unsuccessful or only partially funded, the Shire may need to allocate additional resources or delay the project, impacting the facility's usability and ongoing maintenance costs.		
Mitigation:	<ul style="list-style-type: none"> • Council endorse the CSRFF grant application. • Ensure a well-prepared application with strong justification and alignment with funding priorities. 		

Financial Implications

There are no immediate financial implications in endorsing the intent to apply for the CSRFF Small Grant. If the application is successful, the capital works allocated in the 2024/2025 Annual Budget for changing room upgrades will need to be carried over to 2025/2026. If the application is unsuccessful, the project may require alternative funding sources or be deferred.

Policy Compliance

Nil.

Statutory Compliance

Nil.

Consultation

Brendan McNally from the Department of Local Government, Sport and Cultural Industries (DLGSC) visited the Recreation Centre in January and identified the changing rooms as a priority area for grant funding, recommending an application through the CSRFF.

A Teams meeting was held with DLGSC to discuss the application process and project suitability.

A.L.L Building Design & Drafting was consulted to develop plans for the changing rooms and provide a scope for quantity surveyors/builders to quote. The plans will be based on the current VC Mitchell Park Pavilion 1 change rooms.

Internal consultation with Director Finance & Corporate, Director Operations and Manager Finance to seek advice on capital finances to be available to be carried over to 25/26.

Officer Comment

Project Scope & Benefits:

The proposed upgrade will:

- a. Improve accessibility and compliance with current standards.
- b. Enhance user comfort, safety, and inclusivity.
- c. Support increased participation in sport and recreation activities.
- d. Ensure long-term sustainability of the Centre's amenities.

The Donnybrook Recreation Centre's changing rooms have not been upgraded since 1994 and no longer meet modern accessibility, functionality, or safety standards. Applying for the CSRFF Small Grant offers an opportunity to secure external funding for these essential upgrades, reducing the financial burden on the Shire.

If successful, the grant could cover up to 50% of the project cost. Failure to apply may result in continued deterioration and higher long-term maintenance costs, and is likely to require alternative funding sources or be deferred.

Council approval is required to formalise the application.

COUNCIL RESOLUTION:	47/03-25	
MOVED BY:	Cr Anne Mitchell	SECONDED BY: Cr Grant Patrick

That Council:

1. **Endorses the submission of a Community Sporting and Recreation Facilities Fund (CSRFF) Small Grant application to the Department of Local Government, Sport and Cultural Industries (DLGSC) for the upgrade of the Donnybrook Recreation Centre's poolside and dry side changing rooms.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by en-bloc resolution 38/03-25

9.2.3. Statutory Budget Review as at 31st January 2025

Report Details:

Prepared by: Acting Manager Financial Services

Manager: Acting Director Finance & Corporate

File Reference: FNC 10/4

Voting Requirement: Absolute Majority

Attachment(s):

9.2.3(1) 2024-25 Budget Review Statement as at January 2025

Executive Recommendation

That Council:

1. **Adopts the 2024-25 budget review, as presented in Attachment 9.2.6(1) for the period 1st July 2024 to 31st January 2025 and amend the budget accordingly.**
2. **Note the budget review for the period 1st July 2024 to 31st January 2025 generates a budgeted surplus of \$125,157.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

The budget review has been prepared to include information as per the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. It's requested that Council adopts the attached Statutory Budget Review document [Attachment 9.2.6\(1\)](#) detailing all proposed amendments culminating in a projected surplus position of \$125,157 as of 30 June 2025.

The officer recommends retaining this surplus at this stage of the financial year.

Background

Council adopted its 2024-25 Annual Budget at its Special Meeting of Council Meeting on 18th September 2025. As required under legislation, the Budget Review is presented to Council for consideration.

The material variance levels which have been reported for the budget review have utilised the same material variance of \$10,000.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Minor	Moderate (6)
Risk Description:	Not meeting legislative requirement under regulation 33A		
Mitigation:	Adopting the budget review as per the executive recommendation		

Financial Implications

Budget

The 2024-25 Budget Review projects a surplus position of \$125,157 at year-end.

Long Term

Nil.

Policy Compliance

Nil

Statutory Compliance

- *Local Government Act 1995* - Section 6.2 Municipal Budget
- *Local Government (Financial Management) Regulations 1996* - Regulation 33A

Regulation 33A. Review of budget

- (1) *Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
- (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) consider the local government's financial position as at the date of the review; and*
 - (c) review the outcomes for the end of that financial year that are forecast in the budget; and*
 - (d) include the following —*
 - (i) the annual budget adopted by the local government;*
 - (ii) an update of each of the estimates included in the annual budget;*
 - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;*
 - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.*
- (2) *The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- *Absolute majority required.*
- (4) *Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

Consultation

Direct consultation has occurred with the Chief Executive Officer and other relevant staff.

Officer Comment

The budget review includes at Note 4 on [Attachment 9.2.6\(1\)](#) an explanation of the predicted variances contained within the Statement of Financial Activity,

Below is a list of some significant variations that are included in the budget review:

Increase in operating grants and subsidies:

- 23-24 Mitigation grant \$170,425 (offset by expenditure)
- DFES funded SES non-recurrent grant \$10,757 (offset by expenditure)
- Natural Resource Project grant \$418,171 (offset by expenditure)

Increase in operating reimbursements:

- Workers' compensation claims \$20,000 (offset by expenditure)
- Preston Village air conditioning \$18,105 (offset by expenditure)
- Irishtown Bridge access road insurance claim reimbursement \$390,000 (offset by expenditure)
- Diesel fuel rebates \$25,000

Increase in fees and charges:

- Donnybrook Recreation Centre \$25,500
- Planning and building application fees \$5,500
- EV charging station \$4,000

Decrease in fees and charges:

- Cemetery fees and charges \$12,000.

Decrease in interest revenue:

- Muni funds \$25,000
- Reserve funds \$25,000

Increase in operating employee costs:

- Bushfire mitigation \$33,151

Increase in operating materials and contracts:

- Additional \$30,000 towards the ITC strategy
- Traffic management expenditure \$20,000
- Road maintenance \$21,780
- Bridge maintenance \$25,000
- Major repairs to CAT grader \$54,475

Decrease in operating materials and contracts:

- Weed spraying \$16,950
- Playground inspections \$10,299 (now done in-house)
- Waste management \$11,700

Increase in non-operating grants and subsidies:

- Lighting at VC Mitchell \$127,240 (offset by expenditure)

- DFES funded light tanker \$246,885 (offset by expenditure)

Increase in revenue for sale of assets:

- Vehicles \$34,235

Increase in capital expenses:

- Upper Capel Road repairs \$14,915 (reimbursed by Main Roads)
- Lot 9 & 10 Southwest Highway subdivision \$30,000
- Data switches \$13,000.

Non-cash items:

- Profit from sale of vehicles \$61,032
- Loss from sales of vehicles \$137,069
- Reduction in depreciation \$57,859

In summary the estimated surplus is represented as follows:

Increase in Operating Revenues (excluding non-cash items) \$1,066,228

Increase in Operating Expenses (excluding non-cash items) (\$999,741)

Increase in Non-operating Grants & Contribution \$334,760

Increase in Capital Expenses (\$391,330)

Increase in Proceeds from Disposal of Assets \$34,235

Decrease in Transfers from Reserves (\$4,877)

Decrease in Transfers to Reserves \$25,000

Increase in Opening Funds as at 1 July 2024 \$60,881

Estimated Closing Surplus as at 30 June 2025 \$125,157

COUNCIL RESOLUTION:	48/03-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Anita Lindemann

That Council:

1. **Adopts the 2024-25 budget review, as presented in Attachment 9.2.6(1) for the period 1st July 2024 to 31st January 2025 and amend the budget accordingly.**
2. **Note the budget review for the period 1st July 2024 to 31st January 2025 generates a budgeted surplus of \$125,157.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by Absolute Majority

9.2.4. Statement of Financial Activity report as at 28th February 2025

Report Details:

Prepared by: Acting Manager Financial Services

Manager: Loren Clifford, Acting Director Finance & Corporate

File Reference: Nil

Voting Requirement: Simple Majority

Attachment(s):

9.2.4(1) Statement of Financial Activity February 2025

Executive Recommendation

That Council receive the Statement of Financial Activity report for the period ending 28th February 2025 as per Attachment 9.2.4(1).

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

Pursuant to Section 6.4 of the *Local Government Act 1995* (the Act) and Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* (the Regulations), a local government is to prepare, on a monthly basis, a monthly financial report presented to Council details the Shire's performance in relation to its adopted/amended budget and actuals.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance for the period ending 28th February 2025.

Background

The Regulations detail the form and manner in which the monthly financial report is to be presented to the Council, and is to include the following:

- Annual budget estimates.
- Budget estimates to the end of the month in which the statement relates.
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates.
- Material variances between budget estimates and actual revenue/expenditure.
- Net current assets at the end of the month to which the statement relates.

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year.

At its Special Meeting of Council on 18th September 2024 it was recommended Council adopt the following material variance reporting thresholds for the 2024/25 financial year:

A material variance for reporting of \$10,000, for 2024/2025, pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Moderate	Moderate (6)
Risk Description:	Monetary loss that may or may not be managed within existing budget or may not impact a program or services		
Mitigation:	Reporting financials monthly		
Compliance	Unlikely	Minor	Low (4)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on financial reports.		

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

As no assets/infrastructure are being created, there are no long-term financial implications relevant to this proposal.

Policy Compliance

Nil.

Statutory Compliance

Section 6.4 of the *Local Government Act 1995* and *Regulation 34 of the Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare financial activity statements.

Consultation

The Shire's Executive Team, Department Managers and Finance staff monitor the Shire's monthly revenue and expenditure.

Approved budget amendments are recorded in the financial statements to always reflect the Shire's current budget and financial position.

Officer Comment

The February Financial Statements are compared to year-to-date expenditure and revenue against the 2024-25 Budget.

February 2025 Financial Analysis Summary

The issuing of rates for 2024/25 was completed in September 2024. Payment options were as follow:

- First instalment and due date for single full payment occurred 11th November 2024
- Second rates instalment due date occurred 10th January 2025
- Third rates instalment due date is 11th March 2025.
- Fourth and final instalment due date is 12th May 2025

The rates and service charges collected as at 28th February 2025 is 82.6%, which is slightly lower than previous year due to the third instalment of the rates notice due date being a later date.

The Shire's surplus after imposition of rates was \$3,869,158, which is 89.8% higher than the year-to-date budgeted surplus of \$2,038,511 at the end of February 2025.

Explanation of current material variances is included in Note 3 of the attached financial report, with additional commentary below noting the reason for variances in some main cost centres/work.

Capital Grants, subsidies and contributions:

The shire received a replacement DFES funded light tanker for Lowden Bushfire Brigade which has partly contributed to the 8.64% higher than year to date budget, this is offset by the capital expenditure for the replacement vehicle.

Capital Works Program

The Shire's capital expenditure at the end of February 2025 was \$7,525,719, which is 14.38% lower than the year-to-date budgeted capital expenditure of \$8,681,931. This is mainly due to timing of the Road construction program.

Variations to the year-end projected balance will be reported to Council through the required midyear budget review to January 2025 at OCM March 2025.

COUNCIL RESOLUTION: 49/03-25	
MOVED BY: Cr Anne Mitchell	SECONDED BY: Cr Grant Patrick

That Council receive the Statement of Financial Activity report for the period ending 28th February 2025 as per Attachment 9.2.4(1).

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0 by en-bloc resolution 38/03-25

9.3. Chief Executive Officer

Nil.

10. Elected Member Motions of which previous notice has been given

10.1. Join the Waterwise Council Program

Report Details:

Prepared by: Cr Alexis Davy

Manager: Nick O'Connor, Chief Executive Officer

File Reference: DEP 33/7

Voting Requirement: Simple Majority

Attachment(s):

10.1(1) Waterwise Council Program LGA Briefing note

Elected Member Recommendation

That Council:

1. Join the Waterwise Council Program.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 4 - Shared responsibility for sustainability.

Objective: 4.1 - Encourage the adoption of sustainable practices.

Item: 4.1.1 - Participate in the Warren Blackwood Alliance of Councils Climate Change Impact Reference Group to establish a sub-regional climate change policy.

Elected Member Summary

The Council is requested to consider joining the Waterwise Council program to enable the Shire of Donnybrook Balingup to improve water efficiency, build climate resilience, and maintain livable communities. This initiative aligns with our strategic goals and public commitments, and it offers numerous benefits, including access to funding, training, and valuable resources.

Elected Member Background

The Waterwise Council Program, initiated in 2009 through a partnership between Water Corporation and the Department of Water and Environmental Regulation, aims to foster cooperation with local governments to enhance water efficiency and climate resilience. The program offers three levels of achievement: Endorsed, Gold, and Platinum Waterwise Council of the Year. The intent is to target the basic endorsed level. Benefits include co-funding, training, workshops, access to data loggers, and promotional materials.

To join, the Shire must sign a Memorandum of Understanding (MoU) and create a Waterwise Council Action Plan (WCAP). Annual reporting is required to maintain endorsement, with opportunities to

achieve higher recognition levels by demonstrating significant waterwise initiatives. Currently 64 Councils across WA are endorsed, 32 of those are regional, including some of our WBAC peers. The WCAP and annual reports are based on existing templates and the Water Corporation has offered to hold a workshop for all WBAC members to work on their action plans and reporting together with their support to minimise administrative burden, learn from one another and target practical, valuable outcomes. The action plans last for 5 years before requiring update.

This item has been raised in previous Council meetings. Details are provided below.

At its Ordinary Council Meeting on the 28 September 2022 Council resolved:

"COUNCIL RESOLUTION 126/22

1. *Receives the Warren Blackwood Alliance of Council's Climate Change Policy and Action Plan;*
2. *Acknowledges that certain actions outlined in the Action Plan can be accommodated within existing Shire resources as part of a 'business as usual' approach whilst others will require additional dedicated resources and/or external funding;*
3. *Requests the Chief Executive Officer implement measures contained within the Action Plan that can reasonably be achieved within existing Shire resources;*
4. *Requests the Chief Executive Officer consider the inclusion of measures contained within the Action Plan that have a significant resourcing and/or funding implication in future reviews of the Council Plan for Council's further consideration;*
5. *Endorses the Shire's participation in the proposed creation of the 'Warren Blackwood Alliance of Councils Climate Change Action Plan Implementation Reference Group' in accordance with the WBAC's draft Terms of Reference;*
6. *Nominates the following two Councillors to represent the Shire on the Implementation Reference Group:*
 - 6.1 *Cr Massey;*
 - 6.2 *Cr Glover;*
7. *Requests the WBAC to direct the Implementation Reference Group to undertake a comprehensive review of the Action Plan to identify resourcing requirements to achieve identified outcomes, inclusive of opportunities for collaborative / resource sharing approaches and potential external funding sources."*

At its Ordinary Council Meeting on the 24 May 2023 Council (Commissioner) resolved:

"COUNCIL RESOLUTION 55/23

1. *Receive the three (3) motions raised at the Warren Blackwood Alliance of Councils Climate Change Action Plan Implementation Reference Group Meeting held 17 February 2023 as it relates to the Shire's level of participation in the implementation of the Warren Blackwood Alliance of Councils Climate Change Action Plan:*
 - 1.1. *Motion 1: That the Chief Executive Officer investigate the Shire joining the Waterwise Councils Program, and prepare a report to Council (the Commissioner) for consideration;*
 - 1.2. *Motion 2: That the Chief Executive Officer investigate the Shire joining the Cities Power Partnership and prepare a report to Council (the Commissioner) for consideration; and*
 - 1.3. *Motion 3: That the Chief Executive Officer investigate the Shire signing the WALGA Climate Change Declaration and prepare a report to Council (the Commissioner) for consideration.*
2. *Acknowledge that it has considered Motions 1, 2 and 3 and instruct the Chief Executive Officer to:*
 - 1.1. *Investigate the Shire of Donnybrook Balingup joining the Waterwise Councils Program and defer the decision to join the Waterwise Councils Program until an elected Council is established;*
 - 1.2. *Advise the Executive Officer of the Warren Blackwood Alliance of Councils Climate Change Action Plan Implementation Reference Group that the Shire is an existing participant in the Cities Power Partnership; and*
 - 1.3. *Investigate the Shire signing the WALGA Climate Change Declaration and defer the decision sign the WALGA Climate Change Declaration until an elected Council is established.*

Reason: Shire Officers need to investigate the responsibilities and implications associated with Motions 1 and 3 to ensure the Council has a thorough understanding of the benefits and potential resourcing implications associated with these two items.

The Shire is already a member of the Cities Power Partnership, therefore, no further action is required for Motion 2."

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Possible	Moderate	Moderate (6)
Risk Description:	<ul style="list-style-type: none"> Workload associated with gathering data, reporting and liaising with WBAC Climate officer could exacerbate stress. Undertaking additional staff training in waterwise practices could exacerbate stress. 		
Mitigation:	The action plans can be implemented gradually using existing free resources over a period of 5 years. The existing WBAC Climate Officer role is available to assist with administrative burden.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Minor	Low (4)
Risk Description:	<ul style="list-style-type: none"> Budget Management: Managing the costs associated with implementing waterwise initiatives, even with co-funding. There might be additional expenses not covered by the program. Funding Risks: The co-funding is not guaranteed, which means the council might not always receive the maximum funding available. 		
Mitigation:	Opting into the program is voluntary and the actions and timelines included within the action plan are set by the Shire allowing the Shire to control the level and timing of commitments.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Possible	Minor	Low (4)
Risk Description:	<ul style="list-style-type: none"> Operational Disruptions: Implementing new waterwise practices might temporarily disrupt existing services or operations. 		
Mitigation:	Change management practices to be deployed should any new initiatives with the potential to impact operations be identified and implemented.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Insignificant	Low (3)
Risk Description:	<ul style="list-style-type: none"> Regulatory Compliance: Risk of losing endorsement if water related regulations are breached. Annual Reporting: Risk of losing endorsement should annual reports not be submitted. 		
Mitigation:	The program is optional, loss of endorsement would not create any additional compliance risks. Improved tracking of resource use may reduce risk of non-compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Unlikely	Insignificant	Low (2)
Risk Description:	<ul style="list-style-type: none"> Public Perception: The council's reputation could be affected by how well it implements and adheres to the waterwise initiatives. Successful implementation can enhance reputation, while failures could harm it. 		

Mitigation:	The risk of not implementing the commitments within the WBAC Climate Action Plan (of which this is one) already exists and is not materially increased by joining this program.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Property	Possible	Minor	Low (4)
Risk Description:	<ul style="list-style-type: none"> Infrastructure Changes: Implementing waterwise practices may require changes to existing infrastructure, which could present logistical and operational challenges. Maintenance: Ensuring that new waterwise infrastructure is properly maintained to avoid future issues. 		
Mitigation:	<p>Any changes in infrastructure would be to improve resource use efficiency improving the resilience to a drying climate. Lack of water would create much more significant challenges than tracking and reducing use. Inaction would create far more significant and strategic risks to operations than action.</p> <p>The requirement to maintain infrastructure is business as usual.</p>		
Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Choose an item.	Choose an item.	Choose an item.
Risk Description:	<ul style="list-style-type: none"> N/A. The program aims to improve water use efficiency, to prepare the Shire to address challenges such as water scarcity in a drying climate. The motion presents an environmental risk mitigation measure. 		
Mitigation:	N/A		

Financial Implications

Initial Costs

Signing the Memorandum of Understanding (MoU):

- Time and resources spent on reviewing and signing the MoU. The MoU is standard and has already been signed by 64 WA Councils. No legal costs for review are anticipated.

Developing the Waterwise Council Action Plan (WCAP):

- Allocating staff time to gather data, set goals, and draft the action plan. The WCAP is based on an existing template supplied by WaterCorp/DWER. WaterCorp have offered to run a ½ day workshop with WBAC members to create the plan. The plan can include actions to gather data over a practical and achievable period of time.

Initial Training:

- Time for staff to complete free online waterwise training modules provided by the Water Corporation. Training resources are provided free of charge and the timeline for training can be set within the action plan.

Ongoing Costs

1. Annual Reporting:

- Staff time and resources required to collate water use data for annual reports to maintain Waterwise Council status. The WBAC Climate officer and the Water Efficiency Partnership Coordinator at Watercorp are available to support staff through this process.

2. Maintaining Endorsement:

- Establish key points of contact for water management
- Updating the WCAP every 5 years and implementing new waterwise initiatives as required.

3. Implementing Waterwise Initiatives:

- Costs associated with implementing waterwise projects, such as installing water-efficient fixtures, landscaping, and irrigation systems and maintenance of these systems (maintenance costs for plumbing fixtures, landscaping and irrigation would be business as usual).

4. Staffing:

- While there will be ongoing administrative support required to handle reporting, compliance, and coordination of waterwise activities, the Shire is unlikely to need dedicated staff or roles to manage the Waterwise Council program and related initiatives on its own. However it is important to note that there is currently no role identified to support the broader range of actions incorporated into the WBAC Climate Action Plan which will hinder the implementation of future actions.

5. Operational Costs:

- Resourcing requirements - data collation, reporting, and participating in training and workshops estimated at 4 hours per month.
- Costs/benefits to implement initiatives to be considered at the point of including items in the action plan.
- Current cost of water and potential upside of improved efficiency is unknown.

Funding Opportunities

1. Waterwise Greening Scheme:

- Access to up to \$10,000 annually in co-funding for waterwise greening initiatives, such as waterwise verge subsidies, tree planting, and garden workshops.
- Potential for up to \$20,000 in co-funding for Platinum Waterwise Councils, which can be used for larger-scale projects and initiatives.

2. Additional Grants and Funding:

- Opportunities to apply for additional grants and funding from state and federal programs that support water efficiency and sustainability projects.

Policy Compliance

Council Policy COMD/CP-3- Community Engagement Framework

The committee's activities should align with the Shire's approach to community engagement.

Statutory Compliance

Local Government Act 1995

Under the *Local Government Act 1995*, the Council has the authority to enter into agreements and partnerships that benefit the community. The establishment of the Waterwise Council program must comply with the Act's provisions regarding council operations and reporting.

Authority to Enter into Agreements and Partnerships

Under the *Local Government Act 1995*, local governments have the authority to enter into agreements and partnerships that benefit the community. This is supported by several sections of the Act:

- Section 3.1: This section outlines the general function of a local government, which includes providing for the good government of persons in its district. This broad mandate allows local governments to engage in activities and partnerships that promote the well-being of the community.
- Section 3.18: This section specifies the performance of executive functions, which includes the ability to provide services and facilities, and to carry out activities that are necessary or convenient for the performance of its functions. This includes entering into agreements and partnerships that support these functions.

Compliance with Provisions Regarding Council Operations and Reporting

The establishment of the Waterwise Council program must comply with the Act's provisions regarding council operations and reporting. Key sections include:

- Section 2.7: This section outlines the role of the council, which includes overseeing the allocation of the local government's finances and resources and determining the local government's policies. The decision to join the Waterwise Council program would fall under these responsibilities.
- Section 5.56: This section requires local governments to plan for the future of the district, including the development of strategic community plans and corporate business plans. Joining the Waterwise Council program aligns with these planning requirements by supporting strategic goals related to water management and sustainability.
- Section 6.2: This section requires local governments to prepare an annual budget. The financial implications of joining the Waterwise Council program, including any associated costs and funding opportunities, must be considered and incorporated into the budget.
- Section 6.4: This section requires local governments to prepare annual financial reports. Participation in the Waterwise Council program would need to be reflected in these reports, including any financial benefits or expenditures related to the program.

Reporting Requirements

- Section 5.53: This section requires local governments to prepare an annual report for each financial year. The report must include an overview of the plan for the future of the district, as

well as information on the local government's activities and performance. The achievements and progress of the Waterwise Council program would be included in this annual report.

- Section 5.94: This section provides for public access to certain local government information. Information about the Waterwise Council program, including the Memorandum of Understanding (MoU) and the Waterwise Council Action Plan (WCAP), would need to be made available to the public as part of the council's commitment to transparency and accountability.

Consultation

Internal Consultation:

- Presented to Councillors in workshops and in agenda briefing.

Community Consultation:

- Community have previously identified and communicated the following objectives in their Strategic Community Plan which this motion is working to build from:
 - 3.2 Develop community readiness to cope with natural disasters and emergencies (drought).
 - 4.1 Encourage the adoption of sustainable practices.
 - 4.2 Conserve and manage water resources.
- Please also refer to motion regarding establishment of a Sustainability Advisory Committee to foster community engagement, harness knowledge and expertise and prioritise actions.

Elected Member Comment

Water scarcity is a complex issue that cannot be addressed by an individual Council. It requires collaboration on a broad scale. Joining our peers in the Waterwise Council program represents an opportunity to proactively identify priority areas for action in our catchments and community and work together with other Councils, government departments and local industry to improve our resilience to a drying climate.

COUNCIL RESOLUTION: 50/03-25	
MOVED BY: Cr Alexis Davy	SECONDED BY: Cr Grant Patrick

That Council:

1. Join the Waterwise Council Program.

For: Cr Glover, Cr Bailey, Cr Davy, Cr Patrick,
Against: Cr MacCarthy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Shand
Lost: 4/5

10.2. Investigate and Report on the Reduction in Elected Members for 2027 Elections

Report Details:

Prepared by: Deputy President Lisa Glover

Manager: Nick O'Connor, Chief Executive Officer

File Reference: CNL 33

Voting Requirement: Simple Majority

Attachment(s):

Nil.

Elected Member Recommendation

That Council:

1. **Request the Chief Executive Officer to investigate the process and timeline for the Shire of Donnybrook Balingup to reduce the number of Elected Members from nine to seven for the 2027 Elections and bring a report back to Council for consideration at its May Ordinary Council Meeting.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 11 - Strong, visionary leadership.

Objective: 11.1 - Provide strategically focused, open and accountable governance.

Item: Nil.

Elected Member Summary

Local Government reforms have introduced changes to council sizes, establishing minimum and maximum numbers of Elected Members based on population. Under these reforms, the Shire of Donnybrook Balingup has the opportunity to reduce its number of Councillors from nine (9) to seven (7).

Elected Member Background

The Shire of Donnybrook Balingup abolished its ward system in 2021 and has had nine (9) elected members representing the Shire since.

Expiry of term for four (4) Elected Members for the October 2025 Local Government Elections, and five (5) in October 2027.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Moderate	Low (4)
Risk Description:	Regulatory Changes		
Mitigation:	Ensure that the investigation considers all relevant legislative and regulatory requirements.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Minor	Low (2)
Risk Description:	Poor Community Communication		
Mitigation:	Maintain transparent and consistent communication with stakeholders about the purpose and progress of the investigation.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Possible	Minor	Low (3)
Risk Description:	General Preparedness and Response to queries		
Mitigation:	Plan to manage any minor disruptions that might occur during the investigation process.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Insignificant	Low (1)
Risk Description:	Resource Availability		
Mitigation:	Allocate sufficient resources for the CEO to conduct a thorough investigation and prepare the report.		

Financial Implications

Allocation of sufficient resources for the CEO to conduct a thorough investigation and prepare the report in a timely manner.

Policy Compliance

Council Policy COMD/CP-3- Community Engagement Framework

The community consultation should align with the Shire's approach to community engagement as outlined in the policy.

Statutory Compliance

Local Government Act 1995

Section 5.5 - Convening Council Meetings:

This section requires the Chief Executive Officer (CEO) to give elected members at least 72 hours' notice of the date, time, and place of an ordinary meeting of the council, along with the agenda for the meeting.

Section 5.25 - Regulations about Council and Committee Meetings and Committees:

This section allows for regulations to be made regarding various aspects of council and committee meetings, including the content and distribution of agendas, the procedure to be followed at meetings, and the public notice of meeting dates and agendas

Consultation

Internal Consultation:

- Outline what engagement has been undertaken to get to this decision

Community Consultation:

- Outline what engagement has been undertaken to get to this decision

Elected Member Comment

It is proposed that the CEO investigate the process for the Shire of Donnybrook Balingup to reduce the number of Elected Members be reduced from nine to seven, effective from the 2027 Local Government election. This adjustment aligns with best-practice governance models the benefits are outlined below.

Benefits

- Financial Efficiency – Reduced costs for councillor remuneration and associated expenses.
- Streamlined Decision-Making – A smaller council can enhance efficiency in governance and policy-making.
- Alignment with Reform Objectives – Supports the intent of Local Government reforms to create more effective and sustainable council structures.

COUNCIL RESOLUTION: 51/03-25	
MOVED BY: Cr Lisa Glover	SECONDED BY: Cr Deanna Shand

That Council:

- 1. Request the Chief Executive Officer to investigate the process and timeline for the Shire of Donnybrook Balingup to reduce the number of Elected Members from nine to seven for the 2027 Elections and bring a report back to Council for consideration at its May Ordinary Council Meeting.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell Cr Patrick, Cr Shand
Against: Nil.
Carried: 9/0

11. New Business of an urgent nature introduced by Decision of the Meeting
Nil.

12. Meetings Closed to the Public

12.1. Matters for which the Meeting may be closed

Nil.

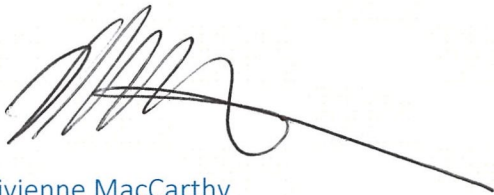
12.2. Public reading of Resolutions that may be made public

Nil.

13. Closure

The Presiding Member advised that the next Agenda Briefing Session will be held on 16 April 2025 at 5:00PM, in the Shire of Donnybrook Balingup Council Chamber and declared the meeting closed at 6:15pm.

These minutes were confirmed as a true and accurate record at the Ordinary Council Meeting held 23 April 2025.

A handwritten signature in black ink, consisting of stylized, overlapping loops and a long horizontal stroke extending to the right.

Vivienne MacCarthy
President - Shire of Donnybrook Balingup