



MINUTES

Ordinary Council Meeting

26 February 2025

Shire of Victoria Plains
Council Chambers, Calingiri
AND
via E-Meeting Protocol

Commencing – 2:00 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

CONTENTS

1	DECLARATION OF OPENING.....	5
1.1	Opening.....	5
1.2	Announcements by Shire President.....	5
2	REMOTE ATTENDANCE BY ELECTED MEMBERS.....	5
3	RECORD OF ATTENDANCE.....	6
4	DISCLOSURE OF INTEREST.....	6
5	PUBLIC QUESTION TIME.....	7
F5.1	Public Questions with Notice.....	7
	Nil	
5.2	Public Question Without Notice.....	7
6	PRESENTATIONS AND DEPUTATIONS.....	7
6.1	Presentations.....	7
6.2	Deputations.....	7
7	APPLICATIONS FOR LEAVE OF ABSENCE.....	7
8	MINUTES OF MEETINGS.....	7
9	REPORTS REQUIRING DECISION.....	8
9.1	Monthly Financial Statements - December 2024.....	8
9.2	Monthly Financial Statements - January 2025.....	12
9.3	Accounts for Endorsement - December 2024.....	16
9.4	Accounts for Endorsement - January 2025.....	19
9.5	Annual Electors Meeting 5 February 2025 (for 2023/2024).....	22
9.6	Shire of Victoria Plains & Shire of Wongan Ballidu LEMC Amlgamation.....	25
9.7	Application for Development Approval - Proposed MetErological Monitoring Mast.....	28
10	MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	40
	Nil	
11	NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION.....	40
12	MEETING CLOSED TO PUBLIC.....	40
12.1	Meeting Closed to Public - CEO's Annual Performance Review (Confidential).....	41
12.2	CEO's Annual Performance Review Report - Confidential.....	43
13	CLOSURE OF MEETING.....	46



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 26 February 2025 commencing at 2:00 PM

1 DECLARATION OF OPENING

1.1 Opening

The Meeting was declared open by the Presiding Member at 2.00PM.

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 REMOTE ATTENDANCE BY ELECTED MEMBERS

THAT:

- Under regulation 14C (2)(b) of the Admin Regulations, the Shire President can approve Elected Member attendance by electronic means;
- In doing so, under r.14C (5) the Shire President must have regard as to whether the location that the Elected Member intends to attend the meeting, and the equipment intended to be used to attend the meeting, are suitable;
- Electronic means includes, as per r.14CA(2) by telephone or video conference;
- Suitable equipment would include an electronic device that can hold a Teams meeting, and perhaps, the use of headphones;
- In accordance with r.14CA (5) the Elected Member must declare that they are able to maintain confidentiality during the meeting. Under r.14CA(7), the declaration by the Elected Member is recorded in the minutes of the meeting;
- Summarily, according to Departmental guidance, a suitable location is one that is quiet and private e.g. a private room in your house. If there are other people at the location at the time of the meeting, an Elected Member may be required to close a door and wear headphones.

Approval to Attend and Declaration of Confidentiality

THAT:

CR D LOVELOCK has been **APPROVED** to attend the 26 February 2025 Ordinary Council Meeting by electronic means, as approved by the Shire President, and that a declaration has been received regarding confidentiality and other requirements as noted in Section 2 herewith.

3 RECORD OF ATTENDANCE

Members present	Cr P Bantock – Presiding Member and Shire President Cr S Woods – Deputy Shire President Cr D Lovelock – via teleconference Cr S Penn Cr R Johnson
Staff attending	Chief Executive Officer – Mr S Fletcher Deputy CEO – Mr C Ashe Works & Services Manager – Mr S Brenzi Council Support Officer – Ms J Klobas
Apologies	N/A
Approved leave of absence	N/A
Members of the public	Mr J Kelly (2pm, departing at 2.29pm) Mr J Roberts (2.07pm departing at 2.29pm, returning at 3.03pm with final departure at 3.18pm).

4 DISCLOSURE OF INTEREST

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

Type Item Person / Details

Financial *The CEO declared a financial interest in item 12.2. “CEO’s Annual Performance Review” due to “Matters to do with Mr Fletcher’s performance. Local Government (Administration) Regulations, Policy 2.6 Standards for CEO Recruitment, Performance and Termination and the CEO’s Contract*

Proximity and Indirect financial *Cr Bantock declared a Proximity and Indirect Financial interest in item 9.7 “Application for Development Approval - Proposed Meteorological Monitoring Mast” due to “Husband is an agricultural contractor to the Landholder”.*

5 PUBLIC QUESTION TIME

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

F5.1 Public Questions with Notice

Nil

Public Question Time was opened to the floor at 2.03pm.

Mr J Kelly, Gillingarra

Q1. In repect to Gillingarra water supply, it has been advised by WA Web (Jack Wilson) that the Chair approached him and said “*don’t replace the pump at the Gillingarra bore or replace the electricity*”. Further, did the Chair also sign a phamplet or form that went around that said “*Gillingarra Progress associaton and GSRC should not be in control of the water?*”

A1. The Shire President confirmed that neither of the above situations occoured.

5.2 Public Question Without Notice

Public question time closed at 2.05pm.

6 PRESENTATIONS AND DEPUTATIONS

6.1 Presentations

Nil

6.2 Deputations

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 MINUTES OF MEETINGS

Officer Recommendation / Council Resolution OCM2502-001

Moved: Cr R Johnson

Seconded: Cr S Woods

That the minutes of the Ordinary Council Meeting held 18 December 2024 as circulated, be **CONFIRMED** as a true and correct record.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: Nil

9 REPORTS REQUIRING DECISION

9.1 MONTHLY FINANCIAL STATEMENTS - DECEMBER 2024

File Reference	
Report Date	22 January 2025
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Glenn Deocampo – Coordinator Financial Services
Senior Officer	Colin Ashe – Deputy Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. Attachment 1 - Monthly Financial Statements Dec 24

PURPOSE

To receive the monthly financial statements for the period ending 31 December 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 December 2024 indicates a reported surplus of \$2,087,935, as detailed in the Statement of Financial Activity and this figure includes an audited surplus of \$100,993. The variance between the year-to-date (YTD) budget and actual results is relatively minor and not material but broadly can be attributed to works being carried out but grants / reimbursements not yet received. Some examples of this include;

- the Mitigation Activity Fund (MAF) which was paid early in the FY.
- Intersection Works.
- Reduced income in fees and charges and bank interest.

The adjustments from the Budget Review No.1 have been incorporated into the report, resulting in the addition of a Budget Amendment column with further budget adjustments to come as part of the official budget review 24/25.

NOTES TO ACCOUNT

The following presents a summary and analysis of the key points in the December 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 \$2,087,935.

Note 2 Cash and Financial Assets:

The present total cash position stands at \$3,180,230, which includes an Unrestricted Municipal Bank Balance of \$629,202 and \$1,564,401 in Restricted Cash designated for grant funding received. The Reserves are supported by a combination of savings deposits and newly renewed Term Deposits totalling \$986,627, with interest being rolled over for a period of six months.

Note 4 – Debtors:

The total net balance amounts to \$762,901, primarily consisting of \$702,990 in collectible rates. Of this;

- \$682,598 – primarily rate instalments.
- \$20,392 – Pensioner Rebates to be claimed.

Detailed analysis will occur in the Jan 25 financial report and noting the final instalment notice was issued on the 5 Feb 25.

Note 5 Reserves:

The rise in Reserves is primarily attributed to the interest of \$16,879 from Reserve Term deposits that matured in Dec 24.

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

Capital expenditure progressed during Dec 24 across all activities noting much of the road construction is programmed in the first 3-4 months of 2025. Of note;

- Some of the minor plant purchases has occurred as highlighted in the report.
- A total of \$344,704 has been spent for Road Construction.
- The E-Waste Transfer Station is complete and capitalised at a cost of \$248,108.
- The Piawaning Desalination Plant is complete and capitalised at a cost of \$138,003.

Note 10 – Grants and Subsidies

The initial claim for RRG amounts of \$288,000 and for R2R of \$414,730 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 \$364,730.

Note 12 – LRCI Program

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

Note 14 – Material Variances

Some details have been provided with greater granularity to occur as part of the budget review process.

CONSULTATION

DCEO

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	
4. CIVIC LEADERSHIP			
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
Compliance	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

Officer Recommendation / Council Resolution OCM2502-002

Moved: Cr R Johnson
Seconded: Cr D Lovelock

That Council **RECEIVE** the 31 December 2024 Monthly Financial Reports as presented.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: Nil

9.2 MONTHLY FINANCIAL STATEMENTS - JANUARY 2025

File Reference	
Report Date	19 February 2025
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Colin Ashe – Deputy Chief Executive Officer
Senior Officer	Colin Ashe – Deputy Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. Monthly Financial Statements - Jan 25

PURPOSE

To receive the monthly financial statements for the period ending 31 January 2025.

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 January 2025 indicates a reported surplus of \$1,401,262 as detailed in the Statement of Financial Activity and this figure includes an audited surplus of \$100,993. The variance between the year-to-date (YTD) budget and actual results is relatively minor and not material but broadly can be attributed to works being carried out but grants / reimbursements not yet received. Some examples of this include;

- Capital Grants, subsidies and contributions behind in the forecast amount.
- Intersection Works requiring reimbursement.
- Additional costs incurred in materials and contracts.

The adjustments from the Budget Review No.1 have been incorporated into the report, resulting in the addition of a Budget Amendment column with further budget adjustments to come as part of the official budget review 24/25.

NOTES TO ACCOUNT

The following presents a summary and analysis of the key points in the January 2025 Financial Statements.

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 \$1,401,262.

Note 2 Cash and Financial Assets:

The current total cash position balance is \$2,569,561 with an Unrestricted Municipal Bank Balance of \$116,616 and \$2,452,945 in Restricted Cash, the latter comprising:

- \$986,782 in Reserves
- \$1,466,163 major grant funding received and quarantined (see note 11).

Note 4 – Debtors:

An overall (net) balance of \$565,986 of which comprises:

- \$466,886 in rate debtors.
- \$37,583 in sundry debtors primarily DFES reimbursement.

In terms of Rate Debtors, this can be further analysed indicating:

- \$318,734 or 68% on instalments or payment plans.
- \$64,932 or 14% Revaluations net of credits pending interim rates.
- \$55,771 or 12% with or pending Debt Collection.
- \$26,437 or 5% Pensioner Rebates to be claimed.
- An overall collection rate of 89%.

Note 5 Reserves:

Reserve interest is slightly behind the forecast but can be attributed to timing of maturity to the term deposit. There are a number of Reserve transfers still to occur and this will be held off as long as possible to ensure the maximum interest is received.

Note 7 – Capital Program

Capital expenditure progressed during Jan 25 across all activities noting much of the road construction is programmed in the first 3-4 months of 2025. Council should expect a significant impact once invoices are received and processed. Specifically for Jan 25;

- The Waste Sorting Facility progressed financially with expenditure.
- The Mogumber cricket pitch has been completed financially.
- Water Tank Upgrades at Goudge and Parker Rd is progressing.
- A total of \$471,701 has been spent for Road Construction.
- Payment for major Plant acquisition will be occurring in the next few months.

Note 10 – Grants and Subsidies

The initial claim for RRG amounts of \$288,000 and for R2R of \$414,730 have been received. Additionally, funding from WSN has been received with a request for over expenditure being presented to the steering committee on 21 Feb 25.

Note 11 – Restricted Funds

Funding allocated for road projects and other infrastructure initiatives is supported by Restricted Cash with \$135,537 requiring to be transferred to the Municipal Account as part of the true up.

Note 12 – LRCI Program

Some progress is being made in the LRCI program but similar to the Road Construction, Council should expect expenditure to occur in bulk within the next few months.

Note 14 – Material Variances

Some details have been provided with greater granularity to occur as part of the budget review process.

CONSULTATION

DCEO

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	
4. CIVIC LEADERSHIP			
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
Compliance	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

Officer Recommendation / Council Resolution OCM2502-003**Moved: Cr S Woods****Seconded: Cr R Johnson**That Council **RECEIVE** the 31 January 2025 Monthly Financial Reports as presented.**CARRIED BY UNANIMOUS DECISION OF COUNCIL****For: Cr P Bantock, Cr S Woods, Cr D Lovelock, Cr S Penn and Cr R Johnson****Against: Nil**

9.3 ACCOUNTS FOR ENDORSEMENT - DECEMBER 2024

File Reference	
Report Date	22 January 2025
Applicant/Proponent	Nil
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Glenn Deocampo – Coordinator Financial Services
Senior Officer	Colin Ashe – Deputy Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. List of Payments - December 2024

PURPOSE

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

BACKGROUND

As 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	
4. CIVIC LEADERSHIP			
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
Compliance	Extreme (5) Non-compliance results in litigation,	Unlikely (2)	High (10)	Senior Management Team / CEO	Policies and processes including preparation by Finance staff and two-step process for payment will

	criminal charges or significant damages or penalties to Shire/Officers	The event could occur at some time		Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	ensure that the residual risk is moderate.
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FINANCIAL IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

Officer Recommendation / Council Resolution OCM2502-004

Moved: Cr S Woods

Seconded: Cr R Johnson

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

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: Nil

Payment Type	References from - to	\$ Amount
Creditor EFT Payment**	00029 - 00032	365,882.89
Creditor Cheque Payments		0.00
Direct Debit Payment**	PPIN00843 – PPIN01038	32,505.10
Credit card – Bendigo Bank	PPIN00943	183.95
	PPIN00944	686.24
	PPIN00945	1,412.70
	PPIN01042	6,826.90
Fuel Card – Wright Express	PPIN00989	488.33
Salaries and Wages EFT	PE04/12/24, PE18/12/24	132,478.02
Trust Payments		0.00
	TOTAL	540,464.13

Local Spending	\$	%
Local Supplier	42,016.07	8
Payroll	132,478.02	25
Total	174,494.09	32

9.4 ACCOUNTS FOR ENDORSEMENT - JANUARY 2025

File Reference	
Report Date	10 February 2025
Applicant/Proponent	Nil
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Glenn Deocampo – Coordinator Financial Services
Senior Officer	Colin Ashe – Deputy Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. List of Payments - January 2025

PURPOSE

This item presents the attached List of Accounts Paid, under delegated authority, for January 2025.

BACKGROUND

As 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	
4. CIVIC LEADERSHIP			
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 Outcome and
Compliance	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 OCM2502-005

Moved: Cr R Johnson

Seconded: Cr D Lovelock

That the **PAYMENTS** made for January 2025 from the Municipal Bank Account as per attached listing and summarised below, be **ENDORSED**:

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: Nil

Payment Type	References from - to	\$ Amount
Creditor EFT Payment**	00033 - 00035	633,146.19
Creditor Cheque Payments		0.00
Direct Debit Payment**	PPIN00998-PPIN01147 DD00018-DD0020	59,834.64
Credit card – Bendigo Bank	PPIN01031	2,130.75
	PPIN01032	870.62
	PPIN01033	45.18
	PPIN01034	2,448.38
Fuel Card – Wright Express	PPIN01036	578.16
Salaries and Wages EFT	PE01/01/25; PE15/01/25;PE31/01/25	171,343.48
Trust Payments		0.00
	TOTAL	870,397.40

Local Spending	\$	%
Local Supplier	27,012.05	3
Payroll	171,343.48	20
Total	198,355.53	23

9.5 ANNUAL ELECTORS MEETING 5 FEBRUARY 2025 (FOR 2023/2024)

File Reference	
Report Date	19 February 2025
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Julie Klobas – Council Support Officer
Senior Officer	Colin Ashe – Deputy Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. Unconfirmed AEM Minutes - 5 February 2025

PURPOSE

To consider decisions made at the Annual Electors Meeting regarding the 2023/2024 financial year and other matters held on 5 February 2025.

BACKGROUND

Council resolved at its meeting on 18 December 2024 to hold the Annual meeting of Electors on 5 February 2025.

COMMENT

As there were no members of the public present with no questions raised, no additional motions were resolved however it would be prudent for Council to familiarise itself with the content of the minutes. These are provided in Attachment 1 to this report.

CONSULTATION

Nil

STATUTORY CONTEXT***Local Government Act 1995***

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable:
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose

CORPORATE CONTEXT**Strategic Business Plan/Corporate Business Plan**

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
4. CIVIC LEADERSHIP			
4.2 Shire communication is regular, clear and transparent	Residents and community groups believe they are being listened to and fairly treated		
	Positive feedback through our customer survey		
	Council and Staff work closely with the community to successfully achieve projects or outcomes that deliver upon priorities		

Delegation

Nil

Policy Implications

Nil

Other Corporate Document

Nil

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
The Shire is required to conduct an Annual Electors Meeting once per year under the LG 1995 Act.	Minor (2) That Council in accordance with section 5.33(1) of the <i>Local Government Act 1995</i> note that there were no decisions made for its consideration at the Annual Electors Meeting held on 14 February 2024.	Likely (4) At least once per year	Moderate (6) Substantiated, low impact, low news profile Example Local paper / Industry news article, Facebook item seen by multiple groups	Low Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring Control Rating: Effective	By Council resolving to conduct, and the CEO implementing, the Annual Electors Meeting the above keeps the risk very low.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

Officer Recommendation / Council Resolution OCM2502-006**Moved:** Cr S Woods**Seconded:** Cr R Johnson

That Council in accordance with section 5.33(1) of the *Local Government Act 1995* **ACKNOWLEDGE** the decisions made and **ACCEPT** the minutes of the Annual Electors Meeting held on 5 February 2025.

CARRIED BY UNANIMOUS DECISION OF COUNCIL**For:** Cr P Bantock, Cr S Woods, Cr D Lovelock, Cr S Penn and Cr R Johnson**Against:** Nil

PUBLIC

9.6 SHIRE OF VICTORIA PLAINS & SHIRE OF WONGAN BALLIDU LEMC AMLGAMATION

File Reference	
Report Date	20 February 2025
Applicant/Proponent	Shire of Victoria Plains and Shire of Wongan Ballidu
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Mikayla James – Emergency Management Officer
Senior Officer	Sean Fletcher – Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	Nil

PURPOSE

The goal is to merge the two existing Local Emergency Management Committees (LEMCs) from the Shire of Victoria Plains and the Shire of Wongan-Ballidu into a single, unified LEMC.

BACKGROUND

Previously, the Shire of Victoria Plains and the Shire of Wongan-Ballidu operated under a combined LEMC before splitting, with Victoria Plains aligning with the Shire of Moora. Since the separation of Victoria Plains and Moora, it has been suggested that reuniting the Shire of Victoria Plains and the Shire of Wongan-Ballidu into a single LEMC would be mutually beneficial for both Shires.

COMMENT

This merger would bring significant advantages to both Shires as there is overlap of stakeholders within the Wheatbelt district, including receiving support from identical government organizations. Additionally, reuniting will facilitate a unified response plan, coordinated training exercises and more efficient communication before, during, and after emergencies.

The merger would lead to more effective resource sharing and enhanced expertise. Stakeholders from both Shires would only need to attend one meeting, thereby reducing their workload and ensuring clearer communication. This approach would strengthen stakeholder engagement and foster better community resilience through focused efforts on community awareness, preparation, and engagement.

Furthermore, a unified LEMC would improve risk management strategies. Since both Shires face similar risks and hazards, consolidating the LEMCs would enable a more thorough and cohesive approach to managing these risks, ensuring both Shires comply more effectively with the requirements of the *Emergency Management Act 2005*.

It has been proposed that meetings alternate between the two Shires. Wongan Hills will host one meeting, followed by Victoria Plains for the next, and so on. The respective council president from each Shire will chair the meetings, while the Emergency Management Officer from Victoria Plains and the CEO's assistant from Wongan Hills will prepare minutes.

CONSULTATION

Cr Pauline Bantock, Shire President Shire of Victoria Plains

Mr Sean Fletcher, Chief Executive Officer Shire of Victoria Plains

Cr Mandy Stephenson, Shire President Shire of Wongan-Ballidu

Mr Sam Dolzadelli, Chief Executive Officer Shire of Wongan-Ballidu

Miss Shelby Robinson, District Emergency Management Advisor, DFES

STATUTORY CONTEXT

Emergency Management Act 2005

Section 38 – 40

A local government is to establish one or more local emergency management committees for the local government's district.

State Emergency Management Policy, 2023

Section 2.5

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
1. COMMUNITY	
1.4 Support emergency services planning, risk mitigation, response and recovery	We collaboratively plan service delivery and respond to emergency situations (LEMC)
	Emergency service volunteers are supported and the community understands how to respond to emergencies / natural disasters
STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.1 Forward planning and implementation of plans to achieve community priorities	Performance against targets are regularly reported to the community
	We attend meetings of key local and regional organisations to jointly plan for our community
	Demonstrated progress towards achievement of the Corporate Business Plan

Delegation

Nil

Policy Implications

Nil

Other Corporate Document

Nil

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Decision making delays Delay in decision making due to differing priorities and positions.	Insignificant (1) No noticeable regulatory or statutory impact. Threat of litigation. No effect on contract performance.	Possibly (3) Should occur at some time At least once in 3 years	Low (3)	The Local Emergency Management Arrangements (LEMA) and the Local Emergency Management Committee (LEMC) establish the Shire's response protocols, including all procedures and policies to be followed.	The existing LEMAs for each Shire define the policies and corresponding actions for response. Disagreements with decisions should be unlikely, given the clarity provided by these documents.

FINANCIAL IMPLICATIONS

There are no significant financial implications associated with this matter, aside from officer time and minimal administrative costs.

VOTING REQUIREMENTS

Simple Majority

Officer Recommendation / Council Resolution OCM2502-007

Moved: Cr D Lovelock
Seconded: Cr S Woods

That Council

RESOLVES to SUPPORT the formation of a joint Local Emergency Management Committee between the Shire of Wongan-Ballidu and the Shire of Victoria Plains, subject to the following conditions:

- APPROVAL** of the joint LEMC proposal by the State Emergency Management Committee.
- The **INCORPORATION** of a 12-month trial period within the Terms of Reference for the joint LEMC.
- A formal **REVIEW** of the joint LEMC's effectiveness to be conducted at the conclusion of the trial period.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

The Shire President advised both a Proximity and an indirect Financial interest in item 9.7, "Application for Development Approval - Proposed Meteorological Monitoring Mast" due to "Husband is an agricultural contractor to the Landholder" vacating the Presiding Chair and withdrawing from Chambers at 2.20pm.

The Deputy Shire President, Cr S Woods, assumed the Presiding Chair at 2.20pm.

9.7 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED METEOROLOGICAL MONITORING MAST

File Reference	
Report Date	14 February 2025
Applicant/Proponent	Wandoo Wind Farm Pty Ltd under the authority of Jindabyne Mogumber Pty Ltd (Landowner)
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Joe Douglas – Shire Planner
Senior Officer	Sean Fletcher – Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. Town Planning Development Application

PURPOSE

Consideration and determination of a development application for the construction and use of a proposed meteorological monitoring mast on Lot 7 on Diagram 19255 with all access via adjoining Lot 6 (No.190) Cocking Road, Mogumber.

BACKGROUND

The applicant has submitted a development application requesting Council's approval for the construction and use of a proposed meteorological monitoring mast on Lot 7 on Diagram 19255 with all access via adjoining Lot 6 (No.190) Cocking Road, Mogumber.

The proposed mast will be constructed on Lot 7 to monitor wind speeds for approximately five (5) to seven (7) years to help inform the design layout for the future proposed Wandoo Wind Farm.

The mast will be approximately 151.2 metres tall, constructed using steel lattice on concrete footings, and occupy an area of approximately three (3) hectares to accommodate all the associated guy wires and anchor blocks.

It is significant to note the mast will be temporary only and decommissioned and removed from Lot 7 in its entirety, including all necessary site remediation works, once it is no longer required.

Specific details of the proposed development, including documentation and plans, are provided in Attachment 1.

Both lots are located in the south-western part of the Shire's municipal district near the common boundaries with the Shires of Chittering and Gingin and approximately 6 kilometres south-east of the Mogumber settlement.

Lot 7 comprises a total area of approximately 607 hectares and Lot 6 comprises a total area of approximately 534 hectares.

Both lots are gently to moderately sloping, contain superficial natural drainage and creek lines in various locations, and have been extensively cleared throughout aside from a number of small stands of native remnant vegetation that have been retained for land management and environmental conservation purposes. Soils on that portion of Lot 7 where the mast is proposed to be constructed appear to be suitable and capable of accommodating the proposed development with little to no risk of subsidence, landslip or soil erosion however this will be confirmed during the building permit application stage of the approval process where more detailed information must be provided by the applicant. The mast will be sited on a previously cleared portion of Lot 7 with a setback of approximately 80 metres to the land's northern side boundary and 160 metres to the land's rear boundary.

Both lots have historically been developed and continue to be used for broadacre agriculture purposes (i.e. cropping and grazing) and contain cleared paddocks, dams, internal access tracks and boundary firebreaks as well as single houses, outbuildings, farm sheds and various associated improvements.

Both lots have direct frontage and access to Cocking Road along their western front boundary which is a local road under the care, control and management of the Shire that has been constructed to a basic rural standard (i.e. gravel road carriageway) and is frequently used by heavy vehicles larger than those associated with the proposed development.

The internal access track through Lot 6 to Lot 7 where the proposed new mast will be erected have previously been constructed to accommodate vehicles and machinery used as part of the existing farming operations on both lots and are capable of accommodating all heavy vehicle movements associated with the proposed development.

Both lots have not been identified as being priority agricultural land, are not located in a designated public drinking water supply area, are not subject to inundation or flooding during extreme storm events, and do not contain any buildings or places of cultural heritage significance within their designated boundaries. Significant portions of both lots have however been designated by the Fire and Emergency Services Commissioner as being bushfire prone. Notwithstanding this fact, as the proposed development is not habitable in nature and will not increase the potential bushfire threat there is no need to consider and address the requirements of State Planning Policy 3.7 entitled 'Planning in Bushfire Prone Areas' and the associated guidelines.

Immediately adjoining and other nearby land uses are predominantly rural in nature (i.e. broadacre cropping and grazing) on lots ranging in size from 37 to 685 hectares. Council should note the nearest dwellings, aside from those on Lots 6 and 7, are located approximately 2.4 kilometres to the north-east of the proposed development with other dwellings located approximately 1.85 kilometres south-east and 3.3 kilometres to the south.

COMMENT

Both Lots are classified 'Rural' zone in the Shire of Victoria Plains Local Planning Scheme No.5 (LPS5).

Council's stated objectives for the development and use of any land classified 'Rural' zone are as follows:

- *To provide for the maintenance or enhancement of specific local rural character.*
- *To protect broadacre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*

- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural Zone.*
- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.*

A meteorological mast is a use not specifically referred to in the Zoning Table of LPS5 and must therefore be considered and determined in accordance with clause 18(4) of the Scheme. As such, Council must determine whether the proposed use of Lot 7 for this purpose, including access via Lot 6:

- a) is consistent with the objectives of the 'Rural' zone and is therefore a use that may be permitted in the zone subject to any conditions considered relevant; or
- b) may be consistent with the objectives of the 'Rural' zone and advertise the application for public comment in accordance with the procedural requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*; or
- c) is not consistent with the objectives of the 'Rural' zone and is therefore not permitted in the zone.

Having regard for:

- i) the small area to be occupied by the proposed mast (i.e. approximately 3 hectares) and the fact the majority portion of both lots will continue to be used for broadacre agricultural purposes;
- ii) the intention to develop the proposed mast on previously cleared portion of Lot 7 that appears to be geotechnically capable and suitable, is not environmentally sensitive and is well removed from any existing creek lines and wetlands (i.e. it will not be detrimental to any natural resources or the environment);
- iii) the relatively minor scale of the proposed development with minimal earthworks required and no need for any surface and/or sub-surface drainage works;
- iv) the limited impact the proposed development will have on local rural character which is only temporary in nature; and
- v) the significant benefits the proposed development will have in facilitating the current transition to renewable energy sources and the long term development and growth of the local and State economy,

it is concluded the proposal is consistent with the objectives of the subject lands' current 'Rural' zoning classification and is therefore a use that may be permitted within the zone subject to any conditions Council considers appropriate.

The application has been assessed with due regard for the specific objectives and standards of the Shire's local planning framework including LPS5, the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, all relevant State Planning Policies and Position Statements, and the outcomes from public advertising including advice received from the Civil Aviation Safety Authority. This assessment has confirmed the proposal is compliant or capable of compliance with the following relevant requirements:

- The general aims and objectives of LPS5 including those specific to all land classified 'Rural' zone;
- Land capability and land use compatibility including the continuation of broadacre agricultural activity;
- Lot boundary setbacks;

- Amenity of the locality including potential environmental, visual and social impacts;
- Protection of the natural environment, water resources and cultural heritage significance;
- Vehicle access and parking;
- Aviation safety;
- Bushfire, flood risk and stormwater drainage management.

Council should also note the following key points when considering and determining the application:

1. The proposed mast will not give rise to any noise and air emissions (gases, dust and odours) once construction has been completed. As such there is no need to consider the requirements of State Planning Policy 4.1 entitled 'Industrial Interface' or the Environmental Protection Authority's Guidance Statement No.3 entitled 'Separation Distances between Industrial and Sensitive Land Uses'.
2. All works associated with the proposed development will be undertaken by up to seven (7) people over a three (3) to four (4) week period, all of whom will be accommodated off-site. Following completion of construction maintenance is expected to occur twice yearly with crew of approximately 2 to 3 people. Given the proposed construction works are temporary in nature the proponent must comply with the requirements of the *Public Health Act 2016* and associated guidelines for the management of public health risks associated with temporary toilets in Western Australia.
3. Only one (1) submission from the Civil Aviation Safety Authority (CASA) was received during the mandatory public consultation and State government agency referral process. CASA raised no objections to the proposed development and recommended as follows:
 - a) *The mast structure is constructed with alternating markings for at least the top third of the mast (i.e. alternating contrasting bands of colour);*
 - b) *Marker balls or high visibility flags/sleeves being installed on the upper third of the outside guy wires to improve the mast's visibility for the benefit of aircraft operators; and*
 - c) *Details of the mast's coordinates and elevation be provided to Airservices Australia by the proponent for possible inclusion in an obstacle database maintained by that agency and publication on aeronautical charts.*

It is significant to note CASA and the applicant's aviation consultant have confirmed the installation of low-intensity obstacle lighting at the top of the mast is not required as a further precautionary measure in this particular instance.

4. Given:
 - a) all access to the proposed development on Lot 7 will be via Cocking Road through the adjoining Lot 6 located immediately north; and
 - b) one (1) guy wire associated with the proposed mast may potentially be constructed within the boundaries of Lot 6 following further detailed design work,it is important to ensure unfettered rights of access between the two lots and all improvements thereon associated with the proposed development are maintained at all times in the event either of the two lots are sold to a third party during the life of the development to avoid any potential disputes or claims of trespass. As such it is recommended Council impose a condition on any development approval granted requiring the applicant to ensure legal rights of access between

the two lots are formalised and maintained in accordance with the *Transfer of Land Act 1893* (as amended) in the event either of the two lots are sold to a third party during the life of the proposed development.

5. Whilst the proposed development is likely to have a minor negative visual impact on the immediate locality due to the height of the proposed mast in its rural landscape setting and the various markings and visibility devices recommended by CASA, this impact must be balanced with the benefits the mast will provide when planning for the Wandoo Wind Farm. In this case it is contended the benefits outweigh the minor negative visual impact expected to arise which, it should be noted, is not permanent given the proposed development has a limited lifespan and was not identified as being an issue during the 28 day community consultation process.
6. The proposed development is consistent with the objectives of the State Planning Strategy and State Energy Transformation Strategy in terms of ensuring the delivery of secure, reliable, sustainable and affordable electricity that meets the State's growing demand. It is also consistent with the objectives of the Shire's Local Planning Strategy (2012) which is aligned with the State Planning Framework. As such it is expected to make a beneficial contribution to the current transition to renewable energy sources and the long term development and growth of the local and State economy.

In light of the above findings it is concluded the proposal for Lots 6 and 7 is acceptable and unlikely to have any significant negative impacts on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions. As such it is recommended Council exercise discretion and grant conditional approval to the application to ensure the development proceeds in accordance with the information and plans submitted in support of the proposal and the specific requirements of the Shire's local planning framework.

An alternative to the recommendation for conditional development approval provided below is not considered necessary or recommended for the following reasons:

- i) The proposal is well founded, permissible and has scope to be approved immediately;
- ii) The proposal is capable of being implemented in accordance with the standards and requirements of the Shire's local planning framework subject to compliance with a number of conditions;
- iii) The proposal is unlikely to have any negative environmental, social, economic or governance impacts; and
- iv) The applicant is obliged to address/satisfy all other statutory and regulatory requirements to ensure the development is undertaken in an orderly and proper manner.

CONSULTATION

The application was advertised for public comment in accordance with the procedural requirements of clause 64 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the minimum required period of 28 days. This process included:

- Publication of a public notice and copy of the application on the Shire's website;
- Publication of a public notice in the Shire's newsletter and Facebook page;
- Correspondence to all immediately adjoining landowners inviting their feedback/comment; and
- Referral of the application to the Civil Aviation Safety Authority and Airservices Australia for review and comment.

Only one (1) submission was received, the specific details of which have been documented

previously above.

STATUTORY CONTEXT

- *Planning and Development (Local Planning Schemes) Regulations 2015*
 - Schedule 2 (Deemed Provisions), Part 9, Clause 67 – ‘Matters to be considered by local government’
- *Shire of Victoria Plains Local Planning Scheme No.5*
 - Clause 16 – ‘Zones’ and ‘Zoning Table’
 - Clause 18 – ‘Interpreting Zoning Table’
 - Clause 31 – ‘Amenity of Non-Residential Development’
 - Clause 35 – ‘Environmental Protection’
 - Clause 36 – ‘Vehicle Access and Road Construction’
 - Clause 41 – ‘Drainage’
 - Clause 44 – ‘Rural Zone’
- *State Planning Policy 2.0 – Environment and Natural Resources Policy*
 - Clause 5.1 – ‘General Measures’
 - Clause 5.2 – ‘Water Resources’
 - Clause 5.3 – ‘Air Quality’
 - Clause 5.4 – ‘Soil and Land Quality’
 - Clause 5.5 – ‘Biodiversity’
 - Clause 5.6 – ‘Agricultural Land and Rangelands’
 - Clause 5.7 – ‘Minerals, Petroleum and Basic Raw Material Resources’
 - Clause 5.9 – ‘Landscape’
 - Clause 5.10 – ‘Greenhouse Gas Emissions and Energy Efficiency’.
- *State Planning Policy 2.5 - ‘Rural Planning’*
 - Clause 5.1 – ‘Protection of rural land and land uses’
 - Clause 5.12 – ‘Preventing and managing impacts in land use planning’
- *WAPC Position Statement – Renewable Energy Facilities (March 2020).*
 - Clause 4 – ‘Policy Objectives’
 - Clause 5.3 – ‘Renewable energy facility proposals’.

CORPORATE CONTEXT

Shire of Victoria Plains Local Planning Strategy

The proposed development is consistent with the following sections of the Shire of Victoria Plains Local Planning Strategy:

- **Part 1 - Agricultural Areas**
Objective: To provide for the sustainable use of agricultural land within the Shire for existing and future generations.
- **Part 3 – Natural Resource Management**
Objective: To protect and enhance the Shire's natural resources through responsible management.
- **Part 4 – Catchment and Water Management**
Objective: To protect the catchment areas from undesirable activities that may impact groundwater reserves and consequential impacts on flora and fauna.

Integrated Strategic Plan 2022-2032

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

2. Economy

Strategic Priority 2.1 - We understand traditional and emerging industries across the Shire;

Strategic Priority 2.2 - Safe and efficient transport network enables economic growth.

3. Environment

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

4. Civic Leadership

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

Strategic Priority 4.2 - Shire communication is regular, clear and transparent.

Delegation

Not applicable

Policy Implications

There are no policy implications.

Other Corporate Document

Not applicable

Delegation

Not applicable

Policy Implications

There are no policy implications.

Other Corporate Document

Nil

Risk Analysis

The key risks associated with the proposed development include:

- a) legal rights of access in the event one of the lots comprising the proposed development is ever sold to a third party during the life of the development; and
- b) development occurring in a manner that is not consistent with all relevant legislative and regulatory requirements.

Both of these risks are considered to be low and therefore acceptable given the legislative and regulatory controls available to minimise any potential issues or negative impacts.

FINANCIAL IMPLICATIONS

There are no immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are accounted for in the Shire's annual budget and have been offset in part by the development application fee paid by the applicant. All costs associated with the proposed development will be met by the applicant.

It is significant to note should the applicant/landowner be aggrieved by Council's final decision in this matter they have the right to seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason, which is considered unlikely in this particular case given the recommendation for conditional approval, the Shire would need to respond. The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST and possibly more depending upon how far the matter proceeds through the review process.

VOTING REQUIREMENTS

Simple Majority

Officer Recommendation

That Council

1. **Determine** the proposed development of a meteorological monitoring mast on Lot 7 on Diagram 19255 with all access via adjoining Lot 6 (No.190) Cocking Road, Mogumber is consistent with the objectives of the land's current 'Rural' zoning classification in the Shire of Victoria Plains Local Planning Scheme No.5 and may therefore be permitted in the zone; and
2. **Approve** the development application submitted by Wandoo Wind Farm Pty Ltd under the authority of Jindabyne Mogumber Pty Ltd (Landowner) for the construction and use of a proposed new meteorological monitoring mast on Lot 7 on Diagram 19255 with all access via adjoining Lot 6 (No.190) Cocking Road, Mogumber subject to the following conditions and advice notes:

Conditions

1. The proposed development shall be undertaken in accordance with the documentation and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period it shall not be carried out without the further approval of the local government having first being sought and obtained.
4. This approval is valid for a period of seven (7) years only unless otherwise approved by the local government.
5. The proposed mast shall be constructed with alternating markings for at least the top one third portion of the structure (i.e. alternating contrasting bands of colour) in accordance with Part 139 (Aerodromes) Manual of Standards 2019. Marker balls or high visibility flags/sleeves must also be installed on the upper one third portion of the outside guy wires to improve the mast's visibility for the benefit of aircraft operators.
6. Details of the proposed mast's coordinates and elevation shall be provided to Airservices Australia by the applicant for inclusion in an obstacle database maintained by that agency and publication on aeronautical charts. Evidence of the notification required by this condition shall be provided to the local government within seven (7) days of the notification being provided to Airservices Australia.
7. All waste generated during the construction process shall be disposed or recycled at an approved/licensed waste disposal and/or recycling facility. No waste is permitted to be stored and disposed on the land.
8. The applicant shall ensure a legal right of access to/from Lot 7 via Lot 6 and all improvements thereon associated with the proposed development is formalised and maintained in accordance with the *Transfer of Land Act 1893* (as amended) in the event either of the two lots are sold to a third party during the life of the development (i.e. the creation of a suitable easement/s by transfer). Written evidence of the applicant's

compliance with this condition must be provided to the local government within 28 days of registration of the easement/s on the certificate of title of each lot.

9. The proposed mast and all associated improvements shall be removed from the land in their entirety with the area they occupied reinstated to its original condition insofar as practicable within 90 days of expiry of this approval unless otherwise approved by the local government.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
2. This is a development approval of the Shire of Victoria Plains under its Local Planning Scheme No.5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. In accordance with section 70 of the *Building Act 2011* and Schedule 4 of the *Building Regulations 2012*, a certified building permit application for the proposed structure is required. Please contact the local government's Principal Building Surveyor Mr Gordon Houston on 9628 7004 or ehobs@victoriaplains.wa.gov.au to discuss the relevant requirements in this regard.
4. The applicant is reminded of its obligation to ensure compliance with the requirements of the *Public Health Act 2016* and associated guidelines for the management of public health risks associated with temporary toilets in Western Australia. To confirm the relevant requirements in this regard please contact the local government's Consultant Environmental Health Officer Mr Gordon Houston on 9628 7004 or ehobs@victoriaplains.wa.gov.au.
5. The applicant is reminded of its obligation to ensure compliance with the requirements of the local government's annual bushfire notice and any total fire ban notices that may be issued.
6. The applicant should note the requirements of Condition 8 of this approval do not apply in the event both lots are sold to the same third party during the life of the proposed development.
7. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Victoria Plains Local Planning Scheme No.5 and may result in legal action being initiated by the local government.
8. If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of the determination.

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Alternative Recommendation / Council Resolution OCM2502-008**Moved: Cr R Johnson****Seconded: Cr S Penn**

That Council

1. **Determine** the proposed development of a meteorological monitoring mast on Lot 7 on Diagram 19255 with all access via adjoining Lot 6 (No.190) Cocking Road, Mogumber is consistent with the objectives of the land's current 'Rural' zoning classification in the Shire of Victoria Plains Local Planning Scheme No.5 and may therefore be permitted in the zone; and
2. **Approve** the development application submitted by Wandoo Wind Farm Pty Ltd under the authority of Jindabyne Mogumber Pty Ltd (Landowner) for the construction and use of a proposed new meteorological monitoring mast on Lot 7 on Diagram 19255 with all access via adjoining Lot 6 (No.190) Cocking Road, Mogumber subject to the following conditions and advice notes:

Conditions

1. The proposed development shall be undertaken in accordance with the documentation and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period it shall not be carried out without the further approval of the local government having first being sought and obtained.
4. This approval is valid for a period of seven (7) years only unless otherwise approved by the local government.
5. The proposed mast shall be constructed with alternating markings for at least the top one third portion of the structure (i.e. alternating contrasting bands of colour) in accordance with Part 139 (Aerodromes) Manual of Standards 2019. Marker balls or high visibility flags/sleeves must also be installed on the upper one third portion of the outside guy wires to improves the mast's visibility for the benefit of aircraft operators.
6. Details of the proposed mast's coordinates and elevation shall be provided to Airservices Australia by the applicant for inclusion in an obstacle database maintained by that agency and publication on aeronautical charts. Evidence of the notification required by this condition shall be provided to the local government within seven (7) days of the notification being provided to Airservices Australia.
7. All waste generated during the construction process shall be disposed or recycled at an approved/licensed waste disposal and/or recycling facility. No waste is permitted to be stored and disposed on the land.
8. The applicant shall ensure a legal right of access to/from Lot 7 via Lot 6 and all improvements thereon associated with the proposed development is formalised and

maintained in accordance with the *Transfer of Land Act 1893* (as amended) in the event either of the two lots are sold to a third party during the life of the development (i.e. the creation of a suitable easement/s by transfer). Written evidence of the applicant's compliance with this condition must be provided to the local government within 28 days of registration of the easement/s on the certificate of title of each lot.

9. The proposed mast and all associated improvements shall be removed from the land in their entirety with the area they occupied reinstated to its original condition insofar as practicable within 90 days of expiry of this approval unless otherwise approved by the local government.
10. An immediate fence be utilised as per the Shire's *Fencing Local Law 2018*.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
2. This is a development approval of the Shire of Victoria Plains under its Local Planning Scheme No.5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. In accordance with section 70 of the *Building Act 2011* and Schedule 4 of the *Building Regulations 2012*, a certified building permit application for the proposed structure is required. Please contact the local government's Principal Building Surveyor Mr Gordon Houston on 9628 7004 or ehobs@victoriaplains.wa.gov.au to discuss the relevant requirements in this regard.
4. The applicant is reminded of its obligation to ensure compliance with the requirements of the *Public Health Act 2016* and associated guidelines for the management of public health risks associated with temporary toilets in Western Australia. To confirm the relevant requirements in this regard please contact the local government's Consultant Environmental Health Officer Mr Gordon Houston on 9628 7004 or ehobs@victoriaplains.wa.gov.au.
5. The applicant is reminded of its obligation to ensure compliance with the requirements of the local government's annual bushfire notice and any total fire ban notices that may be issued.
6. The applicant should note the requirements of Condition 8 of this approval do not apply in the event both lots are sold to the same third party during the life of the proposed development.
7. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Victoria Plains Local Planning Scheme No.5 and may result in legal action being initiated by the local government.
8. If the applicant/landowner is aggrieved by this determination there is a right of review by

the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of the determination.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: Nil

Reason for Variation

To include a clause 10 in the resolution to necessitate that “an immediate fence be utilised as per the Shire’s Fencing Local Law 2018.”

Cr Bantock returned to Chambers and resumed the Presiding Chair at 2.26PM.

PUBLIC

10 MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION

Nil

12 MEETING CLOSED TO PUBLIC

PUBLIC

12.1 MEETING CLOSED TO PUBLIC - CEO'S ANNUAL PERFORMANCE REVIEW (CONFIDENTIAL)

File Reference	
Report Date	20 February 2025
Applicant/Proponent	SoVP
Officer Disclosure of Interest	Nil
Previous Meeting Reference	Nil
Prepared by	Julie Klobas – Council Support Officer
Senior Officer	Sean Fletcher – Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	Nil

PURPOSE

For Council to move “in camera” (behind closed doors) and consider a matter regarding under item 12.2.

BACKGROUND

Under section 5.23 (2)(a) of the Local Government Act, Council may close a meeting, or part of a meeting if it deals with

- (a) a matter affecting an employee or employees;

COMMENT

Reference: Policy 2.6 ‘Standards for CEO Recruitment, Performance and Termination and the CEO’s Contract’.

CONSULTATION

Shire President and Elected Members

STATUTORY CONTEXT

As per the background to this item.

CORPORATE CONTEXT

N/A

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

Officer Recommendation / Council Resolution OCM2502-009**Moved:** Cr S Woods**Seconded:** Cr S Penn

That Council **CLOSE** the meeting under section 5.23 (2)(a) of the *Local Government Act* to consider a matter under item 12.2 “CEO’s Annual Performance Review” at 2.28PM.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: Nil

The Works & Services Manager and DCEO withdrew from Chambers at 2.29PM and did not return.

PUBLIC

12.2 CEO'S ANNUAL PERFORMANCE REVIEW REPORT - CONFIDENTIAL

File Reference	
Report Date	13 February 2025
Applicant/Proponent	Shire of Victoria Plains
Officer Disclosure of Interest	Financial – Matters to do with Mr Fletcher's performance. Local Government (Administration) Regulations, Policy 2.6 Standards for CEO Recruitment, Performance and Termination and the CEO's Contract
Previous Meeting Reference	Nil
Prepared by	Sean Fletcher – Chief Executive Officer
Senior Officer	Sean Fletcher – Chief Executive Officer
Authorised by	Sean Fletcher – Chief Executive Officer
Attachments	1. CEO Performance Review Report 2025

VOTING REQUIREMENTS

Absolute Majority

Officer Recommendation

Moved: Cr Penn

Seconded: Cr Woods

That Council by ABSOLUTE MAJORITY:

1. NOTES the Salaries and Allowances Tribunal Determination of 5th April 2024 (effective 1st July 2024).
2. NOTES the outcomes of the Elected Member Performance Survey undertaken in February 2024 with the Chief Executive Officer being assessed at '*Exceeds Expectations*' in this year's performance appraisal.
3. ADOPTS the performance criteria metrics for the 2024-2025 performance period outlined in section 5.5 of this confidential report.
4. ADOPTS Option Two (2) of the Report for the Total Remuneration Package Review of the CEO for the 2024-2025 performance period.
5. SCHEDULES the next review of the Chief Executive Officers performance and total remuneration package (TRP) for consideration by Council no later than February 2026.
6. COMPLY as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 18, by resolution of an absolute majority of the council, endorse this review.
7. COMPLY, as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 19, by notify the Chief Executive Officer in writing of results of this performance review.

Councillor Amendment

Moved: Cr D Lovelock

Seconded: Lapsed for want of a Seconder.

That Council ADOPT option 6 of the Report for the Total Remuneration Package Review of the CEO for the 2024-2025 performance period.

Councillor Motion / Council Resolution OCM2502-10

Moved: Cr S Woods

Seconded: Cr R Johnson

That Council **MOVE OUT** of Standing Orders at 2.33PM.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: Nil

The CEO withdrew from the meeting at 2.34PM with the Council Support Officer remaining in Chambers.

Councillor Amendment / Council Resolution OCM2502-11

Moved: Cr R Johnson

Seconded: Cr S Penn

That Council by **ABSOLUTE MAJORITY**:

1. **NOTES** the Salaries and Allowances Tribunal Determination of 5th April 2024 (effective 1st July 2024).
2. **NOTES** the outcomes of the Elected Member Performance Survey undertaken in February 2024 with the Chief Executive Officer being assessed at '*Exceeds Expectations*' in this year's performance appraisal.
3. **ADOPTS** the performance criteria metrics for the 2024-2025 performance period outlined in section 5.5 of this confidential report.
4. **ADOPTS** option 7, as devised by Council, for the Total Remuneration Package Review of the CEO for the 2024-2025 performance period.
5. **SCHEDULES** the next review of the Chief Executive Officers performance and total remuneration package (TRP) for consideration by Council no later than February 2026.
6. **COMPLY** as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 18, by resolution of an absolute majority of the council, endorse this review.

7. **COMPLY**, as per Division 3 of the Local Government (Administration) Regulations Schedule 2 clause 19, by notify the Chief Executive Officer in writing of results of this performance review.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 4/1

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

Against: **Cr D Lovelock**

Reason for Variation

Inclusion of option 7 in Point 4 above as devised by Council.

The CEO returned to the meeting at 3.03pm.

Council Resolution OCM2502-12

Moved: Cr S Woods

Seconded: Cr S Penn

That Council **RESUME** Standing Orders at 3.03pm

CARRIED BY UNANIMOUS DECISION OF COUNCIL

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

Against: **Nil**

Council **RE-OPENED** the meeting to the public at 3.04 pm with the Council Resolution of item 12.2 being read aloud by the Shire President.

13 CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 3.05PM.

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

Signed

(Presiding member at the meeting which confirmed the minutes)

Date

26 March 2025

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

PUBLIC