

MINUTES

Ordinary Council Meeting

Held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Thursday 27 March 2025
Commencing 4:00pm

Table of Contents



1.	Official Opening / Obituaries
2.	Record of Attendance / Apologies / Leave of Absence
3.	Public Question Time
4.	Disclosure of Interest
5.	Applications for Leave of Absence
5.1	May - Cr AJ Metcalf
6.	Petitions and Presentations
7.	Confirmation of Minutes of the Previous Meetings
7.1	Ordinary Council Meeting held on 18 February 2025
8.	Minutes of Committee Meetings to be Received
8.1	Audit & Risk Committee Meeting held on 28 February 2025
8.2	Bush Fire Advisory Committee Meeting held on 13 March 2025
9.	Recommendations from Committee Meetings for Council Consideration
9.1	Audit & Risk Committee Meeting
9.1.1	Annual Compliance Audit Return
9.1.2	Risk Dashboard Quarterly Report
9.2	Bush Fire Advisory Committee Meeting
9.2.1	Election of Office Bearers
9.2.2	Fire Restriction Periods and Fire Break Order
9.2.3	Gazettal of Restricted and Prohibited Burning Periods
10.	Announcements by the President Without Discussion
11.	Officer's Reports - Corporate and Community Services
11.1	Financial Activity Statements
11.2	List of Accounts Paid
11.3	2024/2025 Financial Year Budget Review
11.4	Goomalling Medical Surgery Financial Contribution
12.	Officer's Reports - Governance and Compliance
12.1	Development Application - Lot 22263 Benjaberring-Hindmarsh Road, HINDMARSH
12.2	Council Policy Review - 1.7 Council Meetings Policy
12.3	Council Policy Review - 1.18 Workshop Procedures Policy
12.4	Superannuation for Elected Members
13.	Officer's Reports - Asset & Works

14.	Urgent Business Approved by the Person Presiding or by Decision
14.1	<u>2025 Amery Acres Cropping Initiative</u>
15.	Elected Members' Motions
16.	Matters Behind Closed Doors
17.	Closure

Shire of Dowerin
Ordinary Council Meeting
4:00pm Thursday 27 March 2025



1. Official Opening / Obituaries

The President welcomes those in attendance and declares the Meeting open at 4:06pm.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr RI Trepp	President
Cr NP McMorran	Deputy President
Cr WG Allsopp	
Cr AJ Metcalf	
Cr JC Sewell	
Cr BA Ward	

Staff:

Ms M Barthakur	Chief Executive Officer
Mr B Forbes	Manager of Infrastructure and Projects
Ms K Rose	Manager of Governance and Community Services
Mr S Mwale	Manager of Corporate Services

Members of the Public:

Mr Chris Alder

Apologies:

Cr DP Hudson

Approved Leave of Absence:

Nil

3. Public Question Time

Nil

4. Disclosure of Interest

Nil

5. Applications for Leave of Absence

Cr Metcalf – May 2025

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 5.1

Moved Cr Trepp

Seconded: Cr McMorran

1082 That, by Simple Majority pursuant to Sections 2.25(1) of the *Local Government Act 1995*, *Cr Metcalf* be granted Leave of Absence for May 2025.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of the Previous Meeting(s)

7.1 Ordinary Council Meeting held on 18 February 2025

[Attachment 7.1A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 7

Moved Cr Ward

Seconded: Cr Allsopp

1083 That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 18 February 2025, as presented in Attachment 7.1A, be confirmed as a true and correct record of proceedings.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

8. Minutes of Committee Meeting(s) to be Received

8.1 Audit & Risk Committee Meeting held on 28 February 2025
[Attachment 8.1A](#)

8.2 Bush Fire Advisory Committee Annual General Meeting held on 13 March 2025
[Attachment 8.2A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 8

Moved Cr Ward Seconded: Cr Metcalf

1084 That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the Local Government Act 1995, the Minutes of the Audit & Risk Committee Meeting held on 28 February 2025, as presented in Attachment 8.1A, and the Minutes of the Bush Fire Advisory Committee Meeting, held on 13 March 2025, as presented in Attachment 8.2A, be received.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

9. Recommendations from Committee Meetings for Council Consideration

9.1.1 2024 Compliance Audit Return

Refer to Audit & Risk Committee Meeting Minutes dated 28 February 2025
[Attachment 9.1.1A – 2024 Compliance Audit Return](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 9.1.1

Moved Cr Allsopp Seconded: Cr McMorran

1085 That the Audit and Risk Committee:

1. Receives the 2024 Compliance Audit Return, as presented in Attachment 7.1A.
2. Recommends to Council that it adopts the 2024 Compliance Audit Return and allows it to submit to the Department of Local Government, Sport & Cultural Industries prior to 31 March 2025.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

9.1.2 Quarterly Risk Dashboard Report – February 2025

Refer to Audit & Risk Committee Meeting Minutes dated 28 February 2025

[Attachment 9.1.2A – Risk Dashboard Quarterly Report – February 2025](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 9.1.2

Moved Cr Sewell **Seconded:** Cr McMorran

1086

That, in accordance with Regulations 16 and 17 of the Local Government (Audit) Regulations 1996, the Audit and Risk Committee:

1. Receives the Risk Dashboard Quarterly Report – February 2025, as presented in Attachment 9.1A, detailing significant risks and required mitigation actions; and
2. Recommends to Council that it adopts the Risk Dashboard Quarterly Report – February 2025, with immediate prioritisation of outstanding high-risk items and sufficient allocation of resources and budget to address them effectively.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

9.2 Bush Fire Advisory Committee Annual General Meeting

9.2.1 Election of Office Bearers

Refer to Bush Fire Advisory Committee Annual General Meeting Minutes

ITEMS 4.1 – 4.10 TO BE RECEIVED EN BLOC

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 9.2.1

Moved Cr Ward **Seconded:** Cr Allsopp

1087 There being no further nominations, BFAC recommend to Council that:

1. Paul Millsteed be elected unopposed as Chief Bush Fire Control Officer
2. Gavin Hagboom, be elected unopposed as Deputy Chief Bush Fire Control Officer
3. CAPTAINS
 - a. Gavin Howard be elected unopposed as the Captain of the Dowerin Bush Fire Brigade
 - b. Wes Metcalf be elected unopposed as the Captain of the Minnivale Bush Fire Brigade
 - c. Gavin Hagboom be elected unopposed as the Captain of the Dowerin Farmer Response Brigade
4. LIEUTENANTS
 - a. Phil Pickering, Peter Richards, and Jasmine Hedland, be elected unopposed as the 1st, 2nd and 3rd Lieutenants of the Dowerin Bush Fire Brigade.
 - b. Rhys Stratford, Shane Metcalf, and Kane Ralph, be elected unopposed as the 1st, 2nd, and 3rd Lieutenants of the Minnivale Bush Fire Brigade.
 - c. Shane Melvin and Jason Sewell, be elected unopposed as the 1st and 2nd Lieutenants of the Dowerin Farmer Response Brigade.
5. The Shire of Dowerin, be elected unopposed as Brigade Equipment Officer, Brigade Training Officer, Secretary and Treasurer for the Dowerin Bush Fire Brigade, Minnivale Bush Fire Brigade, and Dowerin Farmer Response Brigade.
6. FIRE CONTROL OFFICERS

Position	Name
Fire Weather Officer:	Phil Pickering
Bush Fire Control Officers:	Paul Millsteed Phil Pickering Manisha Barthakur Ranger (Samantha Di Candilo)
FCO – Minnivale:	Graham Ralph Shane Melvin (subject to FCO course completion)
FCO – Cadoux-Manmanning:	Alan Bear Shayne Booth Simon Emmott
FCO – Ejanding:	Paul Millsteed Peter Richards (subject to FCO course completion)

FCO - Ucarty:	Gavin Hagboom Shane Melvin (subject to FCO course completion)
---------------	--

7. DUAL FIRE CONTROL OFFICERS:

Position	Name
Shire of Cunderdin	Gavin Hagboom
Shire of Goomalling	Gavin Hagboom Phil Pickering
Shire of Koorda	Alan Bear
Shire of Wongan-Ballidu	Simon Emmott Paul Millstead
Shire of Wyalkatchem	Graham Ralph

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

9.2.2 Fire Restriction Periods and Fire Break Order

Refer to Bush Fire Advisory Committee Annual General Meeting Minutes

[Attachment 9.2.2A – Fire Restriction Periods and Fire Break Order 2025/2026](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 9.2.2

Moved Cr Ward **Seconded:** Cr McMorran

1088 That the Bush Fire Advisory Committee recommend to Council that:

1. The firebreak order for 2025 – 2026 be accepted and distributed to the community with fees and charges for the next financial year.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

9.2.3 Gazettal of Restricted and Prohibited Burning Periods

Refer to Bush Fire Advisory Committee Annual General Meeting Minutes
[Attachment 9.2.3A – 2016 Gazettal](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 9.2.3

Moved Cr Trepp

Seconded: Cr Sewell

1089

That the Bush Fire Advisory Committee recommend Council authorises the Chief Executive Officer to write to the Department of Fire and Emergency Services Commissioner requesting that Dowerin's gazetted Restricted and Prohibited Burning Periods be amended to align with the Shire's Firebreak Order as follows:

1. Restricted Burning Period (Spring): 1 October – 31 October
2. Prohibited Burning Period: 1 November – 14 February
3. Restricted Burning Period (Autumn): 15 February – 14 April

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

10. Announcements by the President Without Discussion

Nil

11. OFFICER'S REPORTS – CORPORATE AND COMMUNITY SERVICES

11.1 Financial Activity Statements

Corporate and Community Services



Date:	11 March 2025
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Solomon Mwale, Manager of Corporate Services
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation / Financial Management / Reporting / Financial Statements / 2024-2025 Monthly Financial Statements
Disclosure of Interest:	Nil
Attachments:	Attachment 11.1A – February MFR

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item presents the Statement of Financial Activity to Council for the period February 2025.

Background

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

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports which have been prepared and are presented to Council.

Comment

To fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Dowerin's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

The statements are draft financial statements with end of year adjustments still to be processed. Employee costs are lower than YTD budget due to a payroll system error which staff are urgently attending to with the assistance of ReadyTech. The offset for this lower expenditure is disclosed in Note 5 Payables - Payroll Creditors. Statements of Financial Activity – Statutory Reports by Program and Nature or Type

The Statements of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

Note 1 – Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Program and by Nature and Type.

Note 2 – Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

Note 3 – Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

Note 4 – Other Current Assets

This note provides details of other current assets that the Shire may hold.

Note 5 – Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

Note 6 – Rate Revenue

This note provides details of rates levied during the year.

Note 7 – Disposal of Assets

This note gives details of the capital asset disposals during the year.

Note 8 – Capital Acquisitions

This note details the capital expenditure program for the year.

Note 9 – Borrowings

This note shows the Shire's current debt position and lists all borrowings.

Note 10 – Cash Backed Reserves

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

Note 11 – Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

Note 12 – Operating Grants and Contributions Received

This note provides information on operating grants received.

Note 13 – Non-Operating Grants and Contributions Received

This note provides information on non-operating grants received.

Note 14 – Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% or \$10,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager of Corporate Services
Megan Shirt, Consultant

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	<i>We are recognised as a transparent, well governed, and effectively managed Local Government</i>
Outcome:	5.3
Reference:	5.3.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar, Financial Management Framework and Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.1

Moved: Cr Ward


Seconded: Cr McMorran

1090

That Council, by Simple Majority pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the draft statutory Financial Activity Statement report for the period of February 2025, as presented in Attachment 11.1A.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

11.2 List of Accounts Paid	
<div>Corporate & Community Services</div>	
	
Date:	11 March 2025
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Solomon Mwale, Manager of Corporate Services
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
Disclosure of Interest:	Nil
Attachments:	Attachment 11.2A - February 2025 LOP (confidential) Attachment 11.2B - January Credit and Caltex Card Statements

Purpose of Report

☐

Executive Decision

☒

Legislative Requirement

Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for February 2025.

Background

Nil

Comment

The List of Accounts Paid as presented have been reviewed by the Chief Executive Officer.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager of Corporate Services
Susan Dew, Finance and Administration Officer

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments have been made under delegated authority.

Strategic Implications

Strategic Community Plan

Community Priority: Our Organisation

Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*

Outcome: 5.3

Reference: 5.3.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for Council showing creditors paid under delegated authority.

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.2

Moved: Cr Ward

Seconded: Cr Allsopp

1091


That Council, by Simple Majority pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Dowerin Municipal Fund, as presented in Attachments 11.2A and 11.2B, and as detailed below:

List of Accounts Paid – February 2025

EFT 13176 to EFT 13290	\$909,171.52
Direct Debit: Bookeasy Australia	\$242.00
Direct Debit: Exetel	\$395.00
Direct Debit: Gull Motorcharge	\$332.68
Direct Debit: National Australia Bank	\$96.89
Direct Debit: Officeworks Midland	\$983.00
Direct Debit: Synergy	\$16,504.54
Direct Debit: Telstra	\$634.31
Direct Debit: Visa Payments	\$2,133.17
Direct Debit: Water Corporation	\$23,591.49
Direct Debit: Xenex Systems	\$469.76
PPE 11 February 2025 - Wages	\$55,786.07
PPE 11 February 2025 - Wages - Correction	\$726.02
PPE 25 February 2025 - Wages	\$47,985.24
Superannuation PPE - 11 February 2025	\$8,909.90
TOTAL	\$1,067,961.59

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

11.3 2024/2025 Financial Year Budget Review	
<div>Corporate and Community Services</div> <div> SHIRE OF DOWERIN TIN DOG TERRITORY</div>	
Date:	17 March 2025
Location:	Not Applicable
Responsible Officer:	Solomon Mwale, Manager of Corporate Services
Author:	Solomon Mwale, Manager of Corporate Services
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation / Financial Management / Budget
Disclosure of Interest:	Nil
Attachments:	Attachment 11.3A – Statutory Budget Review 2024/25

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the 2024/2025 Annual Budget Review to Council for consideration and, if satisfactory, adoption.

Background

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires local governments to conduct a budget review between 1 January and 29 February in each financial year. A copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries (DLGSC) within 14 days of the adoption of the review.

Council is to adopt the budget review by the 31st of March of each financial year.

Comment

The 2023/2024 Budget was adopted by Council at its Special Meeting on 23 August 2024 (CMRef 1004). Management had undertaken the budget review process in accordance with the revised legislation, during the January and February months. The budget review process was undertaken over two workshops of 18 February 2025 and 27 March 2025 for the review by management and council.

The process in finalising the budget review resulted in a \$47,729 variance improvement on the adopted budget. This means that from the review, the Shire's cash backed reserves will further improve by this amount. However, there were also funds from the reserve that were approved by council in the current budget, funding for Swimming pool not required from Reserve.

The explanation to the major variances, is summarised in the below table, as well as in the notes of the Budget Review Report, for the period ending 31 January 2025.

Other variances that are of a minor nature and amendments have been highlighted from this review. These are commented in the attached Budget Review Report from note 4 on page 6 to page 8.

The explanation of the major variances is summarised in the below table and in the notes to the Budget Review Report for the period ending 28 February 2025.

2024/25 Budget Review Variance Analysis				
Budget Program	Adopted Budget	Revised Budget	Variance	Variance Reason
Capital Grants, Subsidies and Contributions	\$4,166,075	\$703,575	\$27,778	Increased RRG Funding noting the Shires additional contribution is \$13,889
Employee Costs	(\$1,730,018)	(\$890,017)	\$217,304	Reduction in Employee costs due to vacancies
Materials & Contracts	(\$2,256,924)	(\$1,448,356)	(\$64,775)	Increase in various maintenance budget \$84k, reduced Planning consultants' costs of \$20k
Purchase and of construction infrastructure-roads	(\$4,563,340)	(\$1,645,353)	(\$108,272)	Movements in roads works as per report to council in November 24. Increase in RRG works Cunderdin Minnivale road - partly funded by RRG.
Purchase plant and equipment	(\$415,685)	(\$368,906)	\$3,000	Within variance threshold, includes movement of budget between Plant Items and purchase of Fastrack mower.
Transfer to Reserves	(\$559,807)	\$6,425	(\$7,729)	Additional transfer to IT and Plant reserves
Transfer from Reserves	\$1,096,906	0	(\$210,791)	Funding for Swimming pool not required from Reserve
Other Expenditure	(\$72,521)	(\$39,797)		\$15k provided for election expenses
Opening Funding Surplus (Deficit)	\$1,710,221	\$1,480,871	(\$229,350)	Adjustment of non-cash item relating to increase in profit and depreciation movements.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager Corporate Services
Ben Forbes, Manager Infrastructure and Projects
Department Coordinators
18 February Council Workshop
Megan Shirt, Consultant

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	<i>We are recognised as a transparent, well governed, and effectively managed Local Government</i>
Outcome:	5.3
Reference:	5.3.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* is applicable and states:

33A. Review of budget

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.

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.

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.*

Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Risk Implications

The Budget Review must be completed and be submitted to the council on or before 31 March and lodged with the DLGSC within 14 days after a council has made a determination or Council will be non-compliant with the requirements of the *Local Government (Financial Management) Regulations 1996*.

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Major (4)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar, Financial Management Framework and Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications

If Council adopts the proposed 2024/2025 Budget Review amendments as presented, the result is a balanced budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.3

Moved: Cr Sewell

Seconded: Cr McMorran

1092

That Council, by Absolute Majority, pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996, Council:

1. Adopts the 2024/2025 Budget Review, as presented in Attachment 11.3A; and
2. Submits a copy of the 2024/2025 Budget Review to the Department of Local Government, Sport and Cultural Industries.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

11.4 Goomalling Medical Surgery Contribution

Corporate and Community Services



Date:	14 March 2025
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Manisha Barthakur, Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	
Disclosure of Interest:	Nil
Attachments:	<u>Attachment 11.4A – GMS MoU and Correspondence</u>

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item outlines the consideration for the financial contribution towards Shire of Goomalling for the medical centre operations.

Background

The Shire of Goomalling has requested that the Shire of Dowerin double its annual contribution to the Goomalling Medical Surgery from \$25,000 to \$50,000. This request follows a transition, effective February 2025, where the medical surgery will be operated by an independent business rather than the Shire of Goomalling. As a result, the Goomalling the management estimates significant financial loss due to a lack of income under the new model.

As advised to the Shire of Dowerin, currently, 314 Dowerin residents are using the medical services at the Goomalling Medical Surgery, a number that has been steadily increasing with the return of patients now that a permanent doctor is in place.

The Shire of Dowerin CEO has presented the request to the council in February council workshop, who has subsequently requested a detailed cost breakdown of the new business model. The Shire of Goomalling has been unable to provide this information, citing financial privacy concerns. However, Goomalling Shire management has provided an estimated financial loss of over \$171,600 by the end of 2025 due to a lack of income under the new business model.

Comment

The Memorandum of Understanding (MoU) signed 10 years ago between the Shires of Dowerin and Goomalling remains inactive following the change in the business model of the Goomalling Medical Surgery.

Options for Council Consideration:

- a. Support the request by agreeing to contribute \$50,000 annually towards the operation of the Goomalling Medical Surgery to assist with the increased operational costs under the new business model with a timeframe agreed and acknowledged by both parties.
- b. Continue with the existing contribution of \$25,000 annually, in line with the terms of the original MoU, which has been in place for 10 years, despite the change in the business model, with a timeframe agreed and acknowledged by both parties.
- c. Discontinue the contribution entirely, as the MoU has effectively come to an end following the shift in the operation model, and the actual costs are unclear, with the new business model just starting and the full financial impact yet to be determined.

Consultation

Manisha Barthakur, Chief Executive Officer
Robert Trepp, President Shire
Samual Bryce, CEO Shire of Goomalling
Julie Chester, President, Shire of Goomalling
Solomon Mwale, Manager of Corporate Services

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments are made under delegated authority.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	<i>We are recognised as a transparent, well governed, and effectively managed Local Government</i>
Outcome:	5.3
Reference:	5.3.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 22 of the Local Government (Financial Management) Regulations 1996 outlines the requirements for expenditure in relation to the budget and financial management for local governments.

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Financial Management Framework and Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications

To be considered in the Annual Budget for FY2025/26

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 11.4

Moved: Cr Trepp

Seconded: NIL

~~That Council, by Absolute Majority, pursuant to Section 6.2(2) of the Local Government Act 1995 and Regulation 22 of the Local Government (Financial Management) Regulations 1996:~~

- ~~1. Agrees to contribute \$25,000 to the Shire of Goomalling towards the operation of its medical surgery for a limited timeframe not exceeding five years, in consultation with the Shire of Goomalling; and~~
- ~~2. That Council allows the Chief Executive Officer, on the exercise of delegated authority, to make a budget provision in FY2025-26 to continue the contribution.~~

CARRIED 0/0

MOTION FAILS FOR WANT OF A SECONDER

Voting Requirements



Simple Majority



Absolute Majority

ALTERNATE MOTION – 11.4

Moved: Cr Sewell

Seconded: Cr McMorran

1093

That Council, by Absolute Majority, pursuant to Section 6.2(2) of the Local Government Act 1995 and Regulation 22 of the Local Government (Financial Management) Regulations 1996:

1. Defer the item until the Shire of Dowerin's Council and Chief Executive Officer has engaged in direct consultation with the Shire of Goomalling's Councillors and Chief Executive Officer.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

12. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

12.1 Development Application - Lot 22263 Benjaberring-Hindmarsh Road, HINDMARSH

Governance & Compliance



Date:	28 February 2025
Location:	Lot 22263 (HN 1114) Benjaberring-Hindmarsh Road, HINDMARSH
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Paul Bashall, Consultant Planner
Legislation:	<i>Planning and Development Act 2015</i> <i>Shire of Dowerin Local Planning Scheme No 2</i>
SharePoint Reference:	
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A – Development Application

Purpose of Report



Executive Decision



Legislative Requirement

Summary

A Development Approval (DA) application was received on 24 February 2025 from Auspan Building Systems Pty Ltd seeking the Council's approval to build a 40x24x7.3 metre open-ended rural shed on Lot 22263 (HN 1114) Benjaberring-Hindmarsh Road, **Hindmarsh**. The shed will be used as a storage facility for farming machinery and vehicles and is to be located near an existing house and other rural buildings.

The subject land is owned by Stonehaven Rural Pty Ltd with the directors signing the DA application form for the owner.

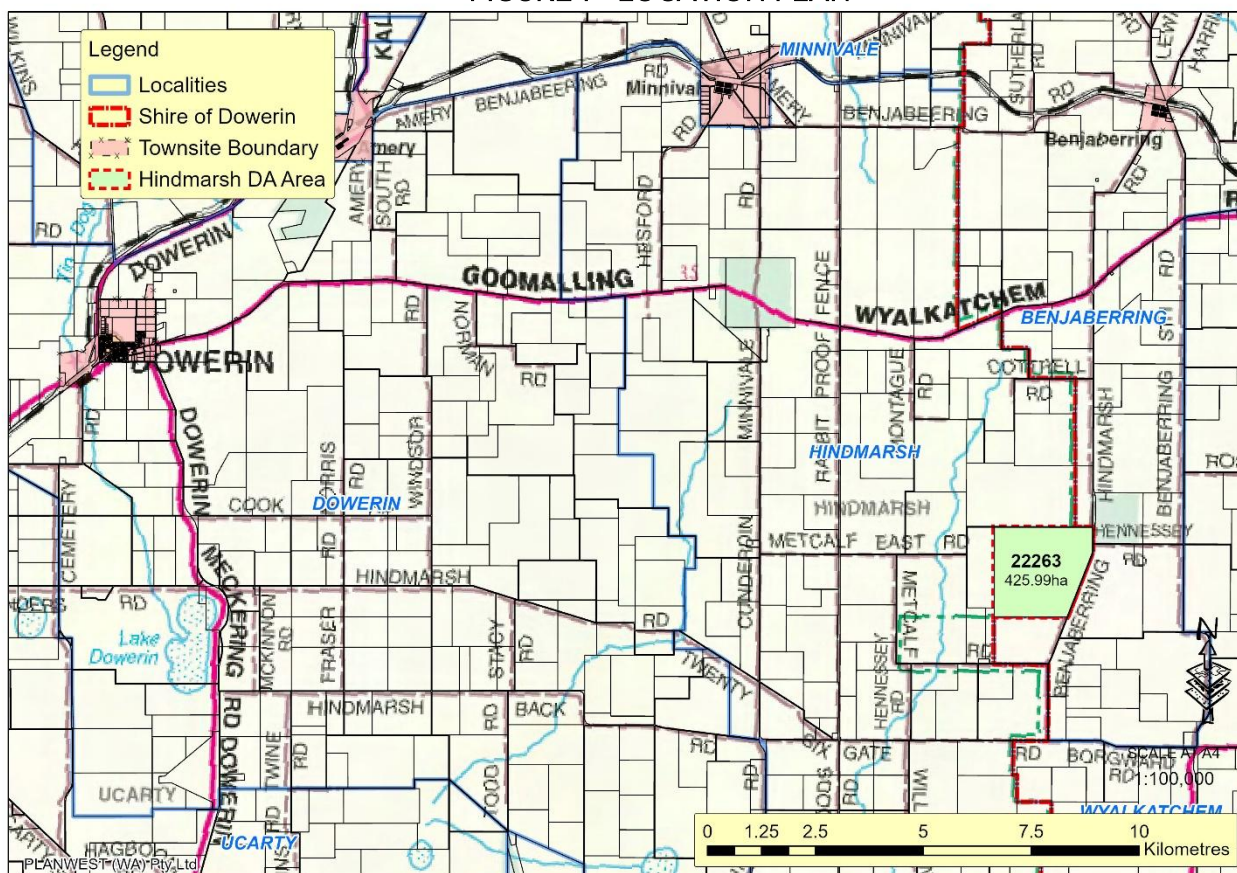
Under the provisions of the Scheme, nearly all development requires the Council's approval. The exceptions include a single house (that complies with the R-Codes), some internal works etc.

Background

The subject land measures about 426 hectares and is almost all used for agricultural purposes. It is located on the Shire's eastern boundary shared with Wyalkatchem Shire. The site is about 20 kilometre east of Dowerin townsite and 12 kilometres south southeast of Minnivale townsite. These features are shown in the location plan in **Figure 1**.

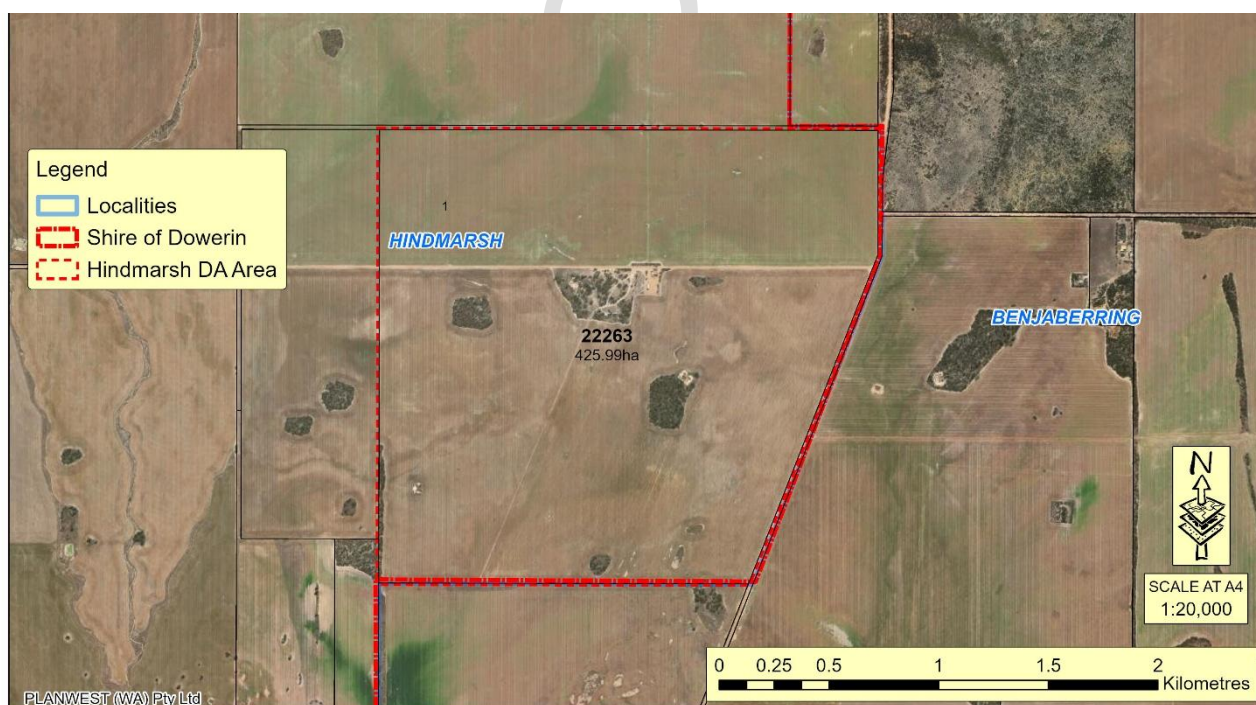
The aerial photograph shown in **Figure 2** demonstrates the amount of the property used for agricultural purposes. The area around the proposed shed is nearly central to the lot and is one of the only uncleared sections of the property. The proposed shed is about 64 metres from the existing dwelling, over 700 metres from the northern boundary, and over 1 kilometre from the east and west boundaries of the land.

FIGURE 1 - LOCATION PLAN



Source: Landgate, Travellers Atlas, Planwest

FIGURE 2 - AERIAL PHOTOGRAPH OF SUBJECT LAND



Source: Landgate, ESRI, Planwest

Figure 3 shows an enlargement of the area where the shed is proposed. This Figure also shows how the proposed development avoids any area designated as Native Vegetation.

FIGURE 3 - ENLARGEMENT OF DEVELOPMENT AREA



Source: DA, Google Earth, Planwest

Comment

The proposed shed, although over 7 metres in height, is unlikely to be noticeable from outside the property. The open-ended shed is considered to be a legitimate agricultural storage shed required for rural purposes.

Access to the site will be via Benjaberring-Hindmarsh Road to the east following an existing access track. The applicant has indicated that there will be no new crossovers and no increase in traffic.

Consultation

Paul Bashall, Consultant Planner, PLANWEST

Policy Implications

There are no local policies or Local Planning Policies (LPP) that impact the proposed development.

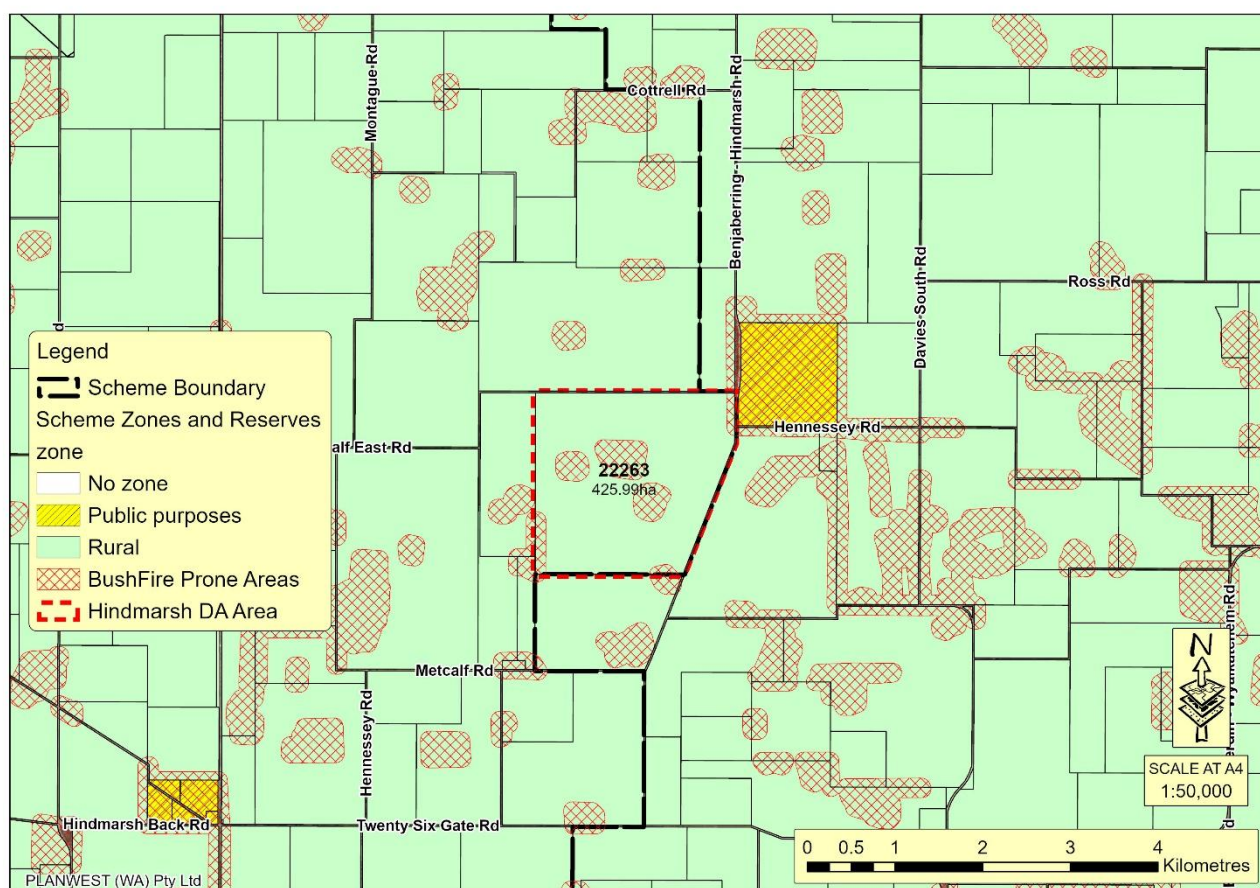
Statutory Implications

Shire of Dowerin Local Planning Scheme 2 (the Scheme)

Figure 4 provides an extract from the Scheme mapping showing the subject land and the surrounding designations that are mostly zoned Rural. The figure also shows the Bushfire Prone mapping.

The Public Purposes reserve to the north-east of the subject land is Dingo Well Nature Reserve, however this is unaffected by the current proposal.

FIGURE 4 - EXTRACT FROM LOCAL PLANNING SCHEME No 2



Source: Landgate, DPLH, DFES, Planwest

State Planning Policy 3.7 (SPP3.7)- Planning in Bushfire Prone Areas

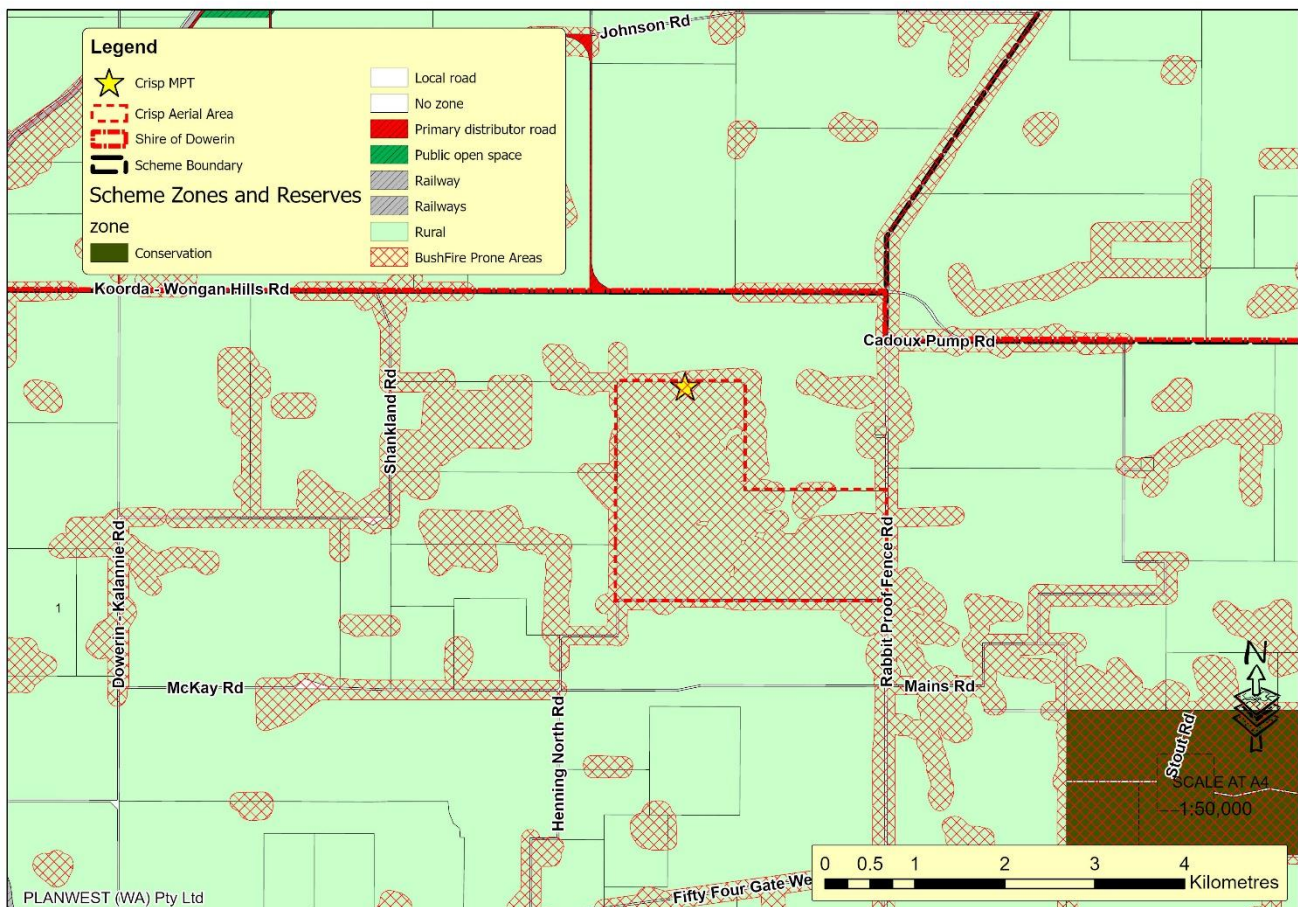
Parts of the subject land are included in the Bushfire Prone mapping prepared by the Department of Fire and Emergency Services (DFES) as shown in Figure 4.

The intent of the SPP3.7 is “to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure”. The focus of the bushfire provisions relates to minimising risk to life and property damage. The proposed infrastructure does not appear to increase the risk to either of these factors.

While the proposed facility is within an identified bushfire-prone area, the development does not result in an increase of residents or employees, nor does it increase the bushfire threat. In reality, the shed may reduce the risk of a bushfire as any such activities can be carried out within the shed and separated from sensitive vegetation that could ignite.

Normal local government fire break rules automatically apply to rural properties – usually relating to boundaries.

FIGURE 5 - BUSHFIRE PRONE MAPPING



Source: Landgate, DFES, Planwest

Strategic Implications

Local Planning Strategy (Strategy)

The Council's Strategy was endorsed by the WA Planning Commission on 11th June 2013. The Strategy does not address details such as agricultural sheds as it represents broader considerations.

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	Some temporary non compliances
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Compliance with Local Planning Scheme and Planning Regulations.
Action (Treatment)	Ongoing monitoring of compliance.
Risk Rating (after treatment)	Adequate

Financial Implications

There are no further financial implications other than income generated from fees and charges.

Conclusion

The proposed shed:

- Is considered an integral part of an agricultural operation.
- Is located so that it is barely visible outside the property.
- Does not increase employment, use or traffic.
- Is not considered to increase any Bushfire risk. and
- Does not affect any native vegetation.

In conclusion, no issues are raised for the approval of the proposed shed.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 12.1

Moved: Cr Metcalf

Seconded: Cr Sewell

1094 That, by Simple Majority, the Council Approves the Development Approval application received on 24 February 2025, subject to the following:

1. Nil Conditions Imposed

Advice Notes

1. If the development, the subject of this approval, is not substantially commenced within a period of 24 months from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this advice, the term “substantially commenced” has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.
2. The applicant is advised that this Development Approval does not replace the need to comply with the other local government requirements for building.
3. The applicant is advised of the obligations of the owner to comply with annual fire break notice issued under s33 of the *Bush Fires Act 1954*.
4. If an applicant or owner 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 made within 28 days of the determination.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

12.2 Council Policy Review – 1.7 Council Meetings Policy

Governance & Compliance



Date:	12 March 2025
Location:	Nil
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Kahli Rose, Manager of Governance and Community Services
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation > Governance > Council Policies
Disclosure of Interest:	Nil
Attachments:	Attachment 12.2A – 1.7 Council Meetings Policy (MARKED)

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This report presents the revised 1.7 – Council Meetings Policy for Council's consideration and potential adoption. The policy has been reviewed in line with Council and legislative requirements, with amendments made to the timing of meetings each month and the reinstatement of the January Ordinary Meeting.

Background

The Council Meetings Policy (Policy 1.7) provides a framework for the scheduling and conduct of Ordinary Council Meetings. It ensures consistency, transparency, and compliance with legislative requirements while allowing Council and the community to plan accordingly.

The previous Council Meetings Policy was last reviewed in July 2024 (CMRef:0985). In line with Council and legislative requirements, the policy has now been reviewed, with amendments made to the timing of meetings each month and the re-inclusion of the January Ordinary Meeting

Comment

The updated Council Meetings Policy introduces a few changes to make meetings more efficient:

1. Updated Meeting Schedule

- Ordinary Council Meetings will now be held on the fourth Tuesday of each month at 4:00 pm instead of the third Tuesday.
- The January Ordinary Meeting has been reinstated to ensure year-round continuity.

2. Agenda Distribution Timeframe

- To ensure Councillors have sufficient time to review and consider the information provided, the agenda for each Ordinary Council Meeting will be distributed on the second Friday of the month before the meeting.

3. Consistency with Legislative Requirements

- The policy continues to align with Regulation 12 of the *Local Government (Administration) Regulations 1996*, ensuring the scheduling of meetings is confirmed annually by Council.
- It maintains compliance with the *Local Government Act 1995* and the *Meeting Procedures 2022 Local Law*.

4. Clarification of Responsibilities

- The Chief Executive Officer remains responsible for implementing the policy, including scheduling meetings and ensuring timely distribution of agendas.
- The Manager of Governance and Community Services is responsible for reviewing the policy and presenting it to Council for consideration.

Consultation

18 February 2025 Council Workshop:

- Councillors
- Manisha Barthakur, Chief Executive Officer
- Kahli Rose, Manager of Governance and Community Services
- Ben Forbes, Manager of Infrastructure and Projects
- Solomon Mwale, Manager of Corporate Services

Policy Implications

This policy forms part of the Shire's governance framework, guiding future operations in Council transparency. Should Council adopt the proposed updates to the policy, it will be incorporated into the Shire's Policy Manual.

Statutory Implications

Local Government Act 1995 - Section 5.3:

- Requires local governments to hold Ordinary Council Meetings to conduct business.

Local Government (Administration) Regulations 1996 - Regulation 12:

- Requires the Chief Executive Officer to present an item to Council confirming the meeting schedule each year and to provide public notice of meeting dates.

Shire of Dowerin Meeting Procedures Local Law 2022:

- Governs the procedures and conduct of Council meetings to ensure efficient decision-making and orderly proceedings.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	We are recognised as a transparent, well governed, and effectively managed Local Government
Outcome:	5.4
Reference:	5.4.2

Asset Management Plan

Nil

Long Term Financial Plan

Budget planning for digital governance initiatives.

Risk Implications

Risk Profiling Theme	Compliance, Transparency
Risk Category	Governance
Risk Description	Failure to meet statutory and community expectations
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Medium (9)
Key Controls (in place)	Policy implementation and risk assessment
Action (Treatment)	Ongoing monitoring and improvements
Risk Rating (after treatment)	Adequate

Financial Implications

All financial implications as a direct result of these policies will be included in the annual budgeting process.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 12.2

Moved: Cr Ward

Seconded: Cr Allsopp

1095

That Council, by Simple Majority, pursuant to Sections 2.7(2)(b) and 5.41 of the Local Government Act 1995, adopts the revised 1.7 – Council Meetings Policy, subject to the marked changes in the draft policy as presented in Attachment 12.2A

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

12.3 Council Policy Review – 1.18 Workshop Procedures Policy	
<div><h2>Governance & Compliance</h2></div>	
Date:	12 March 2025
Location:	Nil
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Kahli Rose, Manager of Governance and Community Services
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation > Governance > Council Policies
Disclosure of Interest:	Nil
Attachments:	<u>Attachment 12.3A – 1.18 – Workshop Procedures Policy (MARKED)</u>

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This report presents the revised 1.18 – Council Workshop Procedures Policy for Council's consideration and potential adoption. The policy has been reviewed in line with Council and legislative requirements, with amendments made to the scheduling of workshops and their alignment with Ordinary Council Meetings.

Background

The Council Workshop Procedures Policy provides a framework for how Council Workshops are conducted, ensuring they serve as an effective forum for strategic discussions and information-sharing between Councillors and Administration.

The previous Council Workshop Procedures Policy was last reviewed in July 2024 (CMRef: 0985). In accordance with best practice and operational requirements, the policy has been updated to improve meeting efficiency and scheduling.

Comment

The changes made to the Council Workshop Procedures Policy are:

1. Rescheduled Workshop Timing
 - Workshops will now commence at 12:00 pm on the fourth Tuesday of each month, aligning with the revised timing of the Ordinary Council Meeting, which follows.
2. Adjustment to Meeting Flow
 - Workshops will now be held before the Ordinary Council Meeting, instead of after, to allow for discussion prior to formal decision-making.

Consultation

18 February 2025 Council Workshop:

- Councillors
- Manisha Barthakur, Chief Executive Officer
- Kahli Rose, Manager of Governance and Community Services
- Ben Forbes, Manager of Infrastructure and Projects
- Solomon Mwale, Manager of Corporate Services

Policy Implications

This policy forms part of the Shire's governance framework, guiding future operations in Council transparency. Should Council adopt the proposed updates to the policy, it will be incorporated into the Shire's Policy Manual.

Statutory Implications

Local Government Act 1995 – Sections 2.7(2)(b) and 5.41:

- *Defines the roles and functions of Council and the Chief Executive Officer in establishing and managing policies.*

Local Government (Administration) Regulations 1996 – Regulation 12:

- *Requires that Council confirm meeting and workshop dates annually and ensure transparency in governance operations.*

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	We are recognised as a transparent, well governed, and effectively managed Local Government
Outcome:	5.4
Reference:	5.4.2

Asset Management Plan

Long Term Financial Plan

Risk Implications

Risk Profiling Theme	Compliance, Transparency
Risk Category	Governance and Infrastructure
Risk Description	Failure to meet statutory and community expectations
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Medium (9)
Key Controls (in place)	Policy implementation and risk assessment
Action (Treatment)	Ongoing monitoring and improvements
Risk Rating (after treatment)	Adequate

Financial Implications

All financial implications as a direct result of these policies will be included in the annual budgeting process.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 12.3

Moved: Cr Allsopp

Seconded: Cr Ward

1096 That Council, by Simple Majority, pursuant to Sections 2.7(2)(b) and 5.41 of the Local Government Act 1995, adopts the revised 1.18 - Workshop Procedures Policy, subject to the marked changes in the draft policy as presented in Attachment 12.3A

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

12.4 Superannuation for Elected Members

Governance & Compliance



Date:	14 March 2025
Location:	Nil
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Manisha Barthakur, Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item entails new provisions regarding the payment of superannuation to elected members and seek a decision on the payment of superannuation.

Background

On 1 February 2025, provisions in the Local Government Amendment Act 2024 came into effect, introducing the requirement for local governments to make superannuation contributions on behalf of their elected members.

The key changes are as follows:

- **Mandatory for Class 1 and 2 Local Governments:** All Class 1 and Class 2 local governments are now compulsory to pay superannuation contributions to council members.
- **Optional for Class 3 and 4 Local Governments:** For Class 3 and 4 local governments, the payment of superannuation contributions to elected members remains optional.

Comment

This item was presented in the February Council Workshop, where discussions were held to review the requirements of this provision and its potential impact on the Shire's operations and budget.

Discussion:

- The impact of this legislation on the Shire's financial and operational processes, particularly regarding budget allocations, administering the payments, for superannuation contributions.
- The implications for elected members, including any changes in the way their remuneration and benefits will be structured moving forward.

Consultation

Manisha Barthakur, Chief Executive Officer
Solomon Mwale, Manager of Corporate Services
18 February 2025 Council Workshop

Policy Implications

A Policy on Superannuation Payments for Councillors would form part of the Shire's governance framework, guiding future operations in Council transparency.

Statutory Implications

Section 5.99B of the Local Government Act 1995 provides that local governments can pay superannuation contribution payments to Elected Members.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	We are recognised as a transparent, well governed, and effectively managed Local Government
Outcome:	5.4
Reference:	5.4.2

Asset Management Plan

Nil

Long Term Financial Plan

Risk Implications

Risk Profiling Theme	Compliance, Transparency
Risk Category	Governance
Risk Description	Failure to meet statutory and community expectations
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Medium (9)
Key Controls (in place)	Governance Calendar
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications

The cost of superannuation contributions will need to be included in the Shire's operational budget and will increase operating expenditure.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 12.4

Moved: Cr Metcalf

Seconded: Cr Ward

1097

That Council, by Absolute Majority, pursuant to Section 5.99B of the Local Government Act 1995 opts out from the provision of the superannuation contribution payments to all Elected Members.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

13. OFFICER'S REPORTS – WORKS AND ASSETS

Nil

14. Urgent Business Approved by the Person Presiding or by Decision

14.1 Amery Acres Cropping Initiative

Corporate and Community Services



Date:	19 March 2025
Location:	Amery Reserve Number 49356, Lot 320 on Plan 58773
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Kahli Rose, Manager of Governance and Community Services
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation/Legal Services/Agreements/Amery Acres Cropping
Disclosure of Interest:	
Attachments:	Attachment 14.1A – Draft Memorandum of Understanding Attachment 14.1B – Expression of Interest – DCC

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This report seeks Council approval to enter into a Memorandum of Understanding (MoU) with the Dowerin Community Club Inc. (DCC) for the use of Amery Acres for community cropping from 1 April 2025 to 31 March 2026. The MoU replaces the previous formal sub-lease agreement, providing greater administrative flexibility while maintaining accountability for the use of public land.

Background

The Shire of Dowerin has historically supported community cropping at Amery Acres as a fundraising initiative for local groups. The current agreement expires on 31 March 2025, requiring a new arrangement. Rather than entering into a formal lease, the Shire proposes a one-year MoU to allow cropping to continue while also refining the Expression of Interest (EOI) process for future use of the land.

The DCC applied for a three-year cropping agreement, proposing sustainable farming practices including crop rotation, no-till farming, and controlled traffic farming. However, administration considers it best practice to proceed with a shorter-term MoU. This approach ensures transparency, allows time for wider advertising of the EOI, and enables other community groups to prepare applications for a long-term arrangement. It also prevents potential issues with tight application timeframes that may interfere with the farming season and seeding schedules.

Amery Acres is a 47-hectare property east of Dowerin, previously leased under a three-year sub-lease arrangement, requiring compliance with Section 3.58 of the Local Government Act 1995. By shifting to an MoU, the Shire is not required to follow the statutory disposal process, such as public advertising and valuation assessments, simplifying administration while ensuring continuity for community cropping.

Although the Chief Executive Officer holds delegated authority to enter into MoUs, administration considers it best practice to present this matter to Council for formal endorsement, ensuring community transparency and a structured approach to land use planning.

Comment

The one-year MoU will clearly define the responsibilities of both parties, allowing flexibility while maintaining oversight. The land will be made available at no cost, with DCC covering all operational expenses, including seeding, fertilisation, pest control, and harvesting. DCC will be responsible for maintaining firebreaks, implementing weed control measures, and ensuring best-practice land management.

To mitigate risks, DCC must hold public liability insurance for the duration of the agreement. Additionally, a summary report must be provided at the end of the cropping season, detailing yields, inputs, and management practices. This will allow the Shire to assess the effectiveness of the arrangement before determining the best approach for future agreements.

In September 2025, administration will re-advertise the EOI for a three-year sub-lease arrangement for the Amery Acres Cropping Initiative. This extended timeframe will allow other community groups to submit applications, ensuring a fair and competitive process. It also prevents the challenges encountered in previous agreements, where only four weeks were available before the lease commenced, which risked disrupting the farming season and seeding timelines.

This short-term MoU provides an opportunity for continued community benefit, ensuring funds raised through cropping are reinvested into local projects, infrastructure, and services, while allowing the Shire to refine its long-term approach to the management of Amery Acres

Consultation

Manisha Barthakur, Chief Executive Officer
Kahli Rose, Manager of Governance and Community Services
Cr Robert Trepp, Shire President
18 February 2025 Council Workshop

Policy Implications

Nil

Statutory Implications

Section 2.7 – Role of Council

1. *The council –*
 - a. *directs and controls the local government's affairs; and*
 - b. *is responsible for the performance of the local government's functions.*
2. *Without limiting subsection (1), the council is to –*
 - a. *oversee the allocation of the local government's finances and resources; and*
 - b. *determine the local government's policies.*

Section 5.42 – Delegation of some powers and duties to the CEO

1. *A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.*
2. *The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.*

Section 5.42 permits the delegation of certain powers to the CEO, including the authority to enter into agreements such as a Memorandum of Understanding (MoU). Despite this delegation, administration has chosen to bring the matter before Council for formal endorsement, ensuring transparency and sound governance.

Additionally, as the agreement is structured as an MoU rather than a lease, Section 3.58 of the *Local Government Act 1995*, which governs the disposal of property (including leasing), does not apply. This eliminates the requirement for public advertising and valuation assessments, streamlining the process while upholding accountability and oversight.

Strategic Implications

Strategic Community Plan

Community Priority: Our Community
Objective: We live in a diverse, healthy, and connected community
Outcome: 1.1
Reference: 1.1.3

Asset Management Plan

Money raised contributes toward maintaining Dowerin Community Club, therefore reducing renewal costs and upgrades.

Long Term Financial Plan

Money raised contributes toward maintaining Dowerin Community Club, therefore reducing renewal costs and upgrades.

Risk Implications

Risk Profiling Theme	Engagement Practices
Risk Category	Reputation (Social/Community)
Risk Description	Substantiated, localised impact on community trust or low media item
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Community & Engagement Framework, Governance Framework
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications

The MoU generates no direct financial return to the Shire but provides indirect economic benefits by supporting community fundraising.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution – 14.1

Moved: Cr Sewell

Seconded: Cr McMorran

1098 That, the Council by Simple Majority, pursuant to section 2.7 and Section 5.42 of the Local Government Act (1995):

1. Endorses entering a Memorandum of Understanding with the Dowerin Community Club Inc. for the use of Amery Acres for cropping for a period of one year from 1 April 2025 to 31 March 2026.
2. Authorises the Chief Executive Officer to execute the MoU and implement the necessary administrative processes that is aligned with the provision of delegation of powers and duties policy.

CARRIED 6/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Metcalf, Cr Sewell, Cr Ward

15.	Elected Members' Motions
-----	--------------------------

Nil

16.	Matters Behind Closed Doors
-----	-----------------------------

Nil

17.	Closure
-----	---------

The President thanked those in attendance and declared the meeting closed at 4:40pm.

UNCONFIRMED