



**MINUTES
OF THE
ORDINARY MEETING
OF COUNCIL
HELD ON
THURSDAY 20 April 2023**

**Council Chambers
Honour Avenue
Wyalkatchem**

**Commencement: 4:02pm
Closure: 5:34pm**

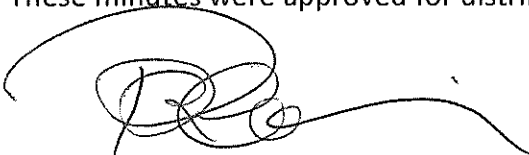
Preface

When the Chief Executive Officer approved these Minutes for distribution they are in essence “*Unconfirmed*” until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

The “*Confirmed*” Minutes are then signed off by the Presiding Member.

Unconfirmed Minutes

These minutes were approved for distribution on 2 May 2023.

A handwritten signature in black ink, appearing to be 'Peter Klein', with a long horizontal flourish extending to the right.

Peter Klein
Chief Executive Officer

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Wyalkatchem for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decisions, which will be provided within ten days of this meeting.

DISCLOSURE OF INTEREST

Councillors and staff are reminded of the requirements of section 5.65 of the *Local Government Act 1995*, to disclose any interest or perceived interest in any matter to be discussed during a meeting, and also the requirement to disclose any item affecting impartiality.

Financial Interest:

Under section 5.60A of the *Local Government Act 1995*, a person is said to have a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the Local Government in a particular way, result in a financial gain, loss, benefit or detriment for the person.

Proximity Interest:

Under section 5.60B of the *Local Government Act 1995*, a person is said to have a proximity interest in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development of land that adjoins the person's land.

Impartiality Interest:

To maintain transparency, it is important to disclose all interests, including impartiality interests which include interests arising from kinship, friendship and membership of associations. If it is possible that your vote on a matter may be perceived as impartial, you should disclose your interest.

Disclosing an Interest:

Disclosures must be made, in writing, to the Chief Executive Officer prior to the meeting at which the matter in which you have an interest is to be discussed.

If you disclose a Financial or Proximity Interest, you must leave the room while the matter is discussed and voted on. Only after a decision has been reached may you return to the meeting, at which time the Presiding Person will inform you of Council's decision on the matter.

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1. DECLARATION OF OPENING

Shire President, Cr Davies, declared the meeting open at 4:02pm.

2. PUBLIC QUESTION TIME

2.1. Response to Public Questions Previously Taken on Notice

Nil

2.2. Declaration of Public Question Time opened

Public Question Time opened at 4:02pm.

There weren't any members of the public.

2.3. Declaration of Public Question Time closed

Public Question Time closed at 4:02pm

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

3.1. Attendance

Members:	Cr. Quentin Davies	Shire President
	Cr. Owen Garner	Deputy president
	Cr. Emma Holdsworth	
	Cr. Mischa Stratford	
	Cr. Christy Petchell	
	Cr. Christopher Loton	
Staff:	Peter Klein	Chief Executive Officer
	Terence Delane	Manager of Works
	Claire Trenorden	Manager of Corporate Services
	Stephanie Elvidge	Governance Executive Officer

Visitors: Nil

3.2. Apologies

Cr. Stephen Gamble

3.3. Approved Leave of Absence

Nil

3.4. Applications for Leave of Absence

Nil

4. OBITUARIES

It was advised that Eileen Gamble and Olive Davis, long term residents of Wyalkatchem have passed.

Dene Bresland, ex Shire employee has passed and sadly, Chris Butler recently passed in a motorcycle accident.

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.1. Petitions

Nil

5.2. Deputations

Nil

5.3. Presentations

Shire Community Development Officer, Ionie Hall – Aged Care “Staying in Place” recap.

6. DECLARATIONS OF INTEREST

6.1. Financial and Proximity Interest

Nil

6.2. Impartiality Interests

Nil

7. CONFIRMATION AND RECEIPT OF MINUTES

7.1. Confirmation of Minutes

7.1.1. Ordinary Meeting of Council –

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 23 March 2023 (Attachment 7.1.1)

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(30/2023) Moved: Cr Garner

Seconded: Cr Stratford

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 23 March 2023 (Attachment 7.1.1) be confirmed as a true and correct record.

CARRIED 6/0

7.2. Receipt of Minutes

Nil

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Cr Davies thanked the Shire and the P+C for a successful movie night for Youth Week.

Cr Davies reminded everyone that the Councillor Elections will be held this year in October. There are 3 seats expiring – Cr Gamble, Cr Stratford and Cr Davies. Cr Davies confirmed that he will not be standing for Council this year.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

10.REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – MARCH 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Parul Begum
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.1 – Accounts for Payment – March 2023

SUMMARY

To provide Council with a list of accounts paid by the Chief Executive Officer in accordance with his delegated authority and for Council to endorse the payments made for the prior month.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996, s13(1)*, requires that if a local government has delegated to the CEO its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing all payments since the last such list was prepared.

Council has delegated to the CEO (delegation number 1.2.17) the power to make payments from the municipal fund or trust fund.

COMMENT

The payment listing for March 2023 is presented to Council for endorsement.

Bank Account	Payment Type	Last Number	First Number in the report
Municipal and Trust	EFT	EFT 2656	EFT 2616
DD	DD	DD 2558.10	DD 2519.10

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations, S13.1

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2022/2023 Annual Budget.

COMMUNITY and STRATEGIC OBJECTIVES

The matter before Council generally accords with the following Shire desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan.

Goal No.	Strategies		Actions
Goal 10	Transparent, accountable and effective governance	10.1	<ul style="list-style-type: none"> Ensuring a well-informed Council makes good decisions for the community
		10.2	<ul style="list-style-type: none"> Ensuring sound financial management and plans for the Shire's long-term financial sustainability
		10.3	<ul style="list-style-type: none"> High quality corporate governance, accountability and compliance
		10.4	<ul style="list-style-type: none"> Maintaining Integrated Strategic and Operational plans

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(31/2023) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council endorse the total payments for March 2023 being \$162,046.12 which comprised of:

- 1. Electronic Funds Transfer (EFT) payments from the Municipal Fund totalling \$121,633.93;***
- 2. Direct Debit (DD) payments from the Municipal Fund totalling \$40,412.19.***

CARRIED 6/0

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARD – FEBRUARY 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Parul Begum, Finance Officer
Disclosure of Interest:	No interest to disclose
File Number:	File Ref: 12.10.02
Attachment Reference:	Attachment 10.1.2 – Credit Card – February 2023

BACKGROUND

Council governance procedures require the endorsement of credit card payments at each OMC. The attached credit card payment report has been reviewed by the Manager of Corporate Services and the CEO.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 6 – Financial Management s.6.4

Local Government (Financial Management) Regulations 1996, R34

POLICY IMPLICATIONS

Policy Number 2.1 – Purchasing Policy.

Policy Number 2.3 – Credit Card Policy.

FINANCIAL IMPLICATIONS

Nil. Reported expenditure is assessed by management as being consistent with the FY22/23 Annual Budget.

COMMUNITY & STRATEGIC OBJECTIVES

This matter is consistent with the following Strategic Community Plan Goal.

Goal - Transparent, accountable and effective governance

Goal No.	Strategies		Actions
Goal 10	Transparent, accountable, and effective governance	10.1	<ul style="list-style-type: none"> Ensuring a well-informed Council makes good decisions for the community
		10.2	<ul style="list-style-type: none"> Ensuring sound financial management and plans for the Shire's long-term financial sustainability
		10.3	<ul style="list-style-type: none"> High-quality corporate governance, accountability, and compliance
		10.4	<ul style="list-style-type: none"> Maintaining Integrated Strategic and Operational plans.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(32/2023) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council endorses credit card payments for the period 28 January 2023 to 28 February 2023 totalling \$1,767.23 (refer to attachment 10.1.2).

CARRIED 6/0

10.1.3. MONTHLY FINANCIAL REPORT – MARCH 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	13 April 2023
Reporting Officer:	Claire Trenorden, MCS and Megan Shirt, Consultant
Disclosure of Interest:	No interest to disclose
File Number:	25.08
Attachment Reference:	Attachment 10.1.3 – Monthly Financial Report March 2023

BACKGROUND

The *Local Government (Financial Management) Regulations 34* requires a local government to prepare a monthly financial statement that reports on actual revenue and expenditure against the annual budget prepared under regulation 22(1) (d).

Council has adopted a material variance of 10% or \$10,000 whichever is the greater.

COMMENT

The attached reports include:

- Statement of Financial Activity by Program (p.3)
- Statement of Financial Activity by Nature and Type (p.4)

The statements provide details of the Shire's operations on an actual year to date basis.

These statements and Notes 1 (p.5) and 2 (p.6) are statutory requirements and must be presented to Council.

The remaining notes all relate to the Statements of Financial Activity.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 6 – Financial Management S6.4

Local Government (Financial Management) Regulations, R34

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

Total cash available as at 31 March 2023 is \$4,986,735. Cash available is made up of;

- unrestricted cash \$1,996,866 (40.04%) and
- restricted cash \$2,989,869 (59.96%).

Rates debtors balance as at 31 March 2023 is \$78,636 and Rates Notices for 2022-23 were issued in August 2022. Rates collected as at end of March 2023 was \$1,368,617 - 95%.

March 2023: Operating Revenue – Operating revenue of \$2,309,179 is made up of Rates - 61%, Grants - 26%, Fees and Charges - 10%, Interest earnings – 3% and other – 0%.

Operating Expenses – Operating expenses of \$2,993,310 is made of Employee Costs – 33%, Materials and Contracts – 25%, Depreciation – 32%, Insurance – 5% and Utility – 4% and Other Charges – 1%.

COMMUNITY and STRATEGIC OBJECTIVES

The matter before Council generally accords with the following Shire desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan.

Goal: Transparent, accountable and effective governance.

Goal No.	Strategies		Actions
Goal 10	Transparent, accountable and effective governance	10.1	<ul style="list-style-type: none"> Ensuring a well-informed Council makes good decisions for the community
		10.2	<ul style="list-style-type: none"> Ensuring sound financial management and plans for the Shire's long-term financial sustainability
		10.3	<ul style="list-style-type: none"> High quality corporate governance, accountability and compliance
		10.4	<ul style="list-style-type: none"> Maintaining Integrated Strategic and Operational plans

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(33/2023) Moved: Cr Holdsworth

Seconded: Cr Loton

That Council accepts the Statements of Financial Activity for the month ending 31 March 2023 (refer attachment 10.1.3.)

CARRIED 6/0

10.2. GOVERNANCE AND COMPLIANCE

10.2.1. CHIEF EXECUTIVE OFFICER'S REPORT MARCH/APRIL 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

SUMMARY

This report is prepared by the CEO to provide Council and the Wyalkatchem community, some insight into CEO activities and Council operations.

COMMENT

Since the last report the CEO has attended the following substantial meetings and events to progress community and Council's interests;

- Peter Bentley – Goomalling Shire CEO re GP services and CCTV;
- Darren Mollenoyux – Bruce Rock CEO re GP services;
- Bec McCall – Dowerin CEO re Community Development Officer services;
- NEWROC Executive meeting – Mukinbudin;
- Dennis Pease re airport lights maintenance services;
- John Nuttall & Peter Hall re Wheatbelt Secondary Freight Network support for Koorda Rd upgrade;
- WALGA Waste Committee (OAG);
- Nikki Hawser re flooding of yard;
- Trent Tyler re completion of Community Club shade structure;
- Suren Herathmudalige, Macri Partners re initial internal audit observations.

STATUTORY ENVIRONMENT

There are no direct statutory implications in relation to this item.

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The CEO's activity promotes the Strategic Community Plan as follows;

Goal 10: Transparent, accountable and effective governance, and Goal 12: Form strategic partnerships and advocate for the Community.

Goal No.	Action No.	Actions
10 Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
	10.4	Maintaining Integrated Strategic and Operational plans
12 Form strategic partnerships & advocate for the community	12.1	Developing strategic partnerships with regional, State & Federal governments
	12.2	Ensuring that the Shire of Wyalkatchem is well positioned to meet future needs

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(34/2023) Moved: Cr Garner

Seconded: Cr Petchell

That Council accepts the Chief Executive Officer's report.

CARRIED 6/0

10.2.2. LOCAL GOVERNMENT ELECTIONS 21 OCTOBER 2023 – POSTAL VOTING OPTION

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.07.08
Attachment Reference:	Attachment 10.2.2 – Quotation from the WA Electoral Commissioner

BACKGROUND

Local Government Elections are held biennially on the third Saturday of October. The date of the next election will be 21 October 2023.

COMMENT

The Electoral Commissioner is responsible for conducting postal elections in Western Australia and conducts voting in person elections on request. By making the Electoral Commissioner responsible for elections, local governments ensure that elections are conducted independently and with impartiality.

According to the WA Electoral Commission postal elections have become the preferred way that electors now choose to participate in local elections and this is reflected in a higher voter turnout.

The Electoral Commissioner has provided a cost estimate of \$12,500 Inc. GST to conduct the Shire of Wyalkatchem 2023 Ordinary Election as a postal election. The cost estimate is based on the following assumptions:

- 380 electors;
- response rate of approx. 60%;
- 3 vacancies;
- a local Returning Officer being appointed;
- the count to be conducted at the Offices of the Shire of Wyalkatchem;
- regular Australia Post delivery service to apply for the lodgement of the election packages.

In 2021, the Shire incurred actual costs of at least \$1,900 on advertising. This does not include payments to staff -a returning officer (CEO) and deputy returning officer (tbc) which is estimated at approximately \$3,000. There are also “hidden” administrative costs with the preparation of electoral rolls, receiving enrolments, accepting and reviewing nominations for compliance and preparing voting papers for postal and early votes.

CONSULTATION

WA Electoral Commission (WAEC)

STATUTORY ENVIRONMENT

Part 4 Local Government Act 1995

Local Government (Elections) Regulations 1997

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The costs will be accounted for in the FY23/24 budget.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with the revised Shire of Wyalkatchem Strategic Community Plan as follows;

Goal 10 Transparent, accountable and effective governance

Outcome No.	Outcome	Action No.	Actions
10	Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
		10.3	High quality corporate governance, accountability and compliance

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(35/2023) Moved: Cr Holdsworth

Seconded: Cr Stratford

That Council

- 1. Declare, in accordance with section 4.20 (4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may also be required; and**
- 2. Decide, in accordance with section 4.61 (2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.**

CARRIED 6/0

10.2.3. COMPLIANCE AUDIT RETURN 2022

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Claire Trenorden, Manager of Corporate Services
Disclosure of Interest:	No interests to disclose
File Number:	12.19.01
Attachment Reference:	Attachment 10.2.2 - 2022 Compliance Audit Return

BACKGROUND

Western Australian local governments are required to complete an annual Compliance Audit Return (CAR) in accordance with the provisions of the *Local Government (Audit) Regulations 1996* (Regulations). The CAR must be submitted to the Department of Local Government, Sport and Cultural Industries (Department). The period examined by this audit is 1 January to 31 December 2022.

The completed return is required to be:

- Reviewed by the Audit Risk Management Committee
- Considered and adopted by Council
- Certified by the President and CEO following Council adoption
- Submitted together with a copy of the Council Minutes to the Department.

The report assists the Shire of Wyalkatchem to monitor legislative compliance by examining a range of prescribed requirements under Regulation 13I. The audit findings must be recorded in the supplied pro forma which has been completed and is provided as Attachment 10.2.3.

COMMENT

The Compliance Audit Return has been carried out by the Manager of Corporate Services. The Compliance Audit Return comprises of questions in the following areas of activities.

- Commercial Enterprises by Local Governments
- Delegation of Power / Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Optional Questions
- Tenders for Providing Goods and Service

Items of non-compliance have been reviewed and an action plan will be developed to address the areas of non-compliance.

STATUTORY ENVIRONMENT

Local Government (Audit) Regulations 1996 section 14 – Compliance audits by local governments

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no direct financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with the revised Shire of Wyalkatchem Strategic Community Plan as follows;

Goal 10

Outcome No.	Outcome
Transparent, accountable and effective governance	<ul style="list-style-type: none">• Ensuring a well-informed Council makes good decisions for the community• Ensuring sound financial management and plans for the Shire's long term financial sustainability• High quality corporate governance, accountability and compliance Maintaining Integrated Strategic and Operational plans

VOTING REQUIREMENT

Simple Majority

AUDIT AND RISK MANAGEMENT COMMITTEE RECOMMENDATION / COUNCIL RESOLUTION

(36/2023) Moved: Cr Petchell

Seconded: Cr Stratford

That Council:

- 1. Adopts the 2022 Compliance Audit Return for the period 1 January 2022 to 31 December 2022.**
- 2. Notes the areas of non-compliance within the 2022 Compliance Audit Return and anticipates receiving the 2022 Compliance Audit Return Management Action Plan.**
- 3. Submit a certified copy of the 2022 Compliance Audit Return to the Director General of the Department of Local Government, Sport and Cultural Industries.**

CARRIED 6/0

10.2.4. WHITE DAM SITE – MANAGEMENT ORDER

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.2.3.1 – Management Order Deed March '23 Attachment 10.2.3.2 – Management Plan – Case 2102903

SUMMARY

The Shire currently has a lease with the Department of Lands (M361502) in respect to lot 3000 on DP 45085 and over the last 18 months management has been working with the Department of Lands to convert the Shire's tenure over this site from a lease to a management order.

The current lease term expires on 30 June 2023.

A Management Order removes the annual lease fee (\$10,000), provides improved tenure as the Management Order is perpetual until cancelled and because of the improved tenure, it provides greater incentive to protect & enhance site remnant vegetation and allows a longer-term view to be taken for improving soil health.

The land adjoins and forms part of the White Dam catchment.

The following diagram shows this leased site relative to the eroded catchment and White Dam.



The Department of Lands has agreed to transfer control over the site to the Shire via a Management Order and has supplied the attached Management Order Deed and Management Plan for our consideration & comment.

Key Terms of the Management Order are as follows;

- The Management Order Term is from the date the Deed is executed until cancellation of the Reserve over the Land under section 51 of the Land Administration Act.
- The Shire agrees to use and keep the Reserve at its own risk and releases the State from any liabilities resulting from property damage or personal injury or death and claims arising due to environmental contamination.
- The reserve can only be used for the Reserve Purpose being, “community purposes and community-based cropping and grazing”.
- Shire is granted the authority to lease or licence the site, for a period not exceeding 21 years, subject to the approval of the Minister for Lands.
- Shire must maintain a public liability insurance policy of \$20M for any one occurrence and unlimited in the aggregate.
- Provide to the Department a copy of the certificate of currency for the public liability insurance policy at the start date and on each anniversary of the start date.
- The Minister may revoke the Management Order if the Reserve or part of the Reserve is required for;
 - a) A public work;
 - b) A public interest;
 - c) For a use that in the opinion of the Minister, will confer an economic or social benefit to the State or region.

The draft deed has been provided to LGIS (Ian Balfe) for comment and he has advised he is satisfied the insurance and indemnity & release clauses are reasonable.

STATUTORY ENVIRONMENT

Under the Management Order the Council is required to obtain the Minister for Lands consent before entering into a lease in respect to the site.

Council is responsible for complying in full with the terms of the Management Plan and Deed.

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

The financial implications are positive as the Shire’s liability to pay the (\$10,000) annual lease fee is removed.

The Council’s liability for personal injury or damage continues under the Management Order Deed.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the Strategic Community Plan objectives particularly, those outlined in Goal 2 which aims to achieve “**A healthy, safe, active and engaged community**”.

Goal	Action No.	Actions
Active and supported sporting, cultural & social clubs and groups. Provision of services for all ages and abilities	1.2.1	Assist clubs to identify and secure funds for activities and facilities
	1.2.2	Work in collaboration with community groups to facilitate, encourage and support community services.
	1.3.2	Support and encourage volunteers to deliver programs.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(37/2023) Moved: Cr Stratford

Seconded: Cr Garner

That Council resolves to execute the 'Deed in Relation to Management Order for Lot 3001 on Deposited Plan 45085' and the 'Management Order Plan' in compliance with section 9.49A of the Local Government Act 1995. (see attachments 10.2.4.1 and 10.2.4.2).

CARRIED 6/0

10.2.5. POOL UPGRADE – TENDER RELEASE

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	26.14/Swimming Pool/Tender 2003
Attachment Reference:	Attachment 10.2.5 – Wyalkatchem RFT Document

SUMMARY

The Wyalkatchem Council has been investigating the delivery of the following outcomes;

1. Toddler Pool
 - a) Introduce a separate, stand-alone filtration system for the toddler pool;
 - b) Drain the toddler pool, prepare surfaces, repaint, upgrade expansion/construction gap treatments, as necessary and undertake other agreed repairs.
2. Main Pool
 - a) Drain the main pool, prepare surfaces, repaint, upgrade expansion/construction gap treatments, as necessary and undertake other agreed repairs;
 - b) Upgrade gutters, pipes, balance tanks, sand filter & plant room equipment, as necessary to;
 - eliminate water leaks; and
 - achieve reliable filtration system operation.

The objective of this work is to renew pool equipment to achieve a reliable 20 years of operating life.

A scope for this work has been developed by Brian Macdonald from WetDeck Pools and he has advised that potential contractors will need the full off-season, i.e. they will need to start on 1 April 2024, to complete the works prior to the start of the new pool season on 1 November 2024.

Due to demand on pool contractors it is important that a tender is released early so that a preferred contractor can be identified and their availability locked-in to facilitate a 1 April 2024 start. To release the tender, we need to be sure the funds are available to commence the works on 1 April 2024.

We have previously discussed drawing on the LRCI Phase 4 funding (est. \$320k) to deliver the pool upgrade and this could be supplemented by drawing funds from the Council's Sport & Recreation Reserve (\$327,883).

In addition, management intends to make grant submissions to the DLGSC's Community Sport & Recreation Facilities Fund and to Lotterywest. If these submissions are successful, grant funds will displace the necessary draw-down from Council reserves.

In summary, the availability of funding to commence the works on 1 April 2024, is not a reason to currently withhold releasing the pool tender to market.

The draft RFT document, incorporating the scope of works and general conditions of contract is attached.

STATUTORY ENVIRONMENT

This is a significant investment and will require the council to comply with purchasing provisions outlined by the *Local Government Act 1995* and *Local Government (Function and General) Regulations 1996, s11A and 24A*

POLICY IMPLICATIONS

The Council's Purchasing Policy outlines process relevant to the conducting of a tender.

FINANCIAL IMPLICATIONS

This project will likely absorb all the Council's Local Roads & Community Infrastructure Phase 4 grant allocation and require either some draw-down on reserves or a successful grant application to CSRFF and/or Lotterywest.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the Strategic Community Plan objectives particularly, those outlined in Goal 2 which aims to achieve **"A healthy, safe, active and engaged community"**.

Goal	Action No.	Actions
Local provision of sustainable health services & facilities	1.1.9	Provide a well maintained and resourced community pool with subsidised access charges.
	1.2.2	Work in collaboration with community groups to facilitate, encourage and support community services.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(38/2023) Moved: Cr Petchell

Seconded: Cr Holdsworth

Council resolves to conduct a tender process to identify a preferred contractor to deliver the Wyalkatchem Swimming Pool Plantroom Upgrade & Structural Works and endorses use of the presented Request for Tender document.

CARRIED 6/0

10.2.6. WELCOME AND ACKNOWLEDGEMENT TO COUNTRY POLICY

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01A
Attachment Reference:	Attachment 10.2.6 - Policy

SUMMARY

According to the 2021 census 6.5% of Wyalkatchem residents identify as Indigenous.

The Shire aspires to facilitate an active, engaged & social community (goal 2) and to promote improved community communications and engagement (goal 10).

To promote delivery of these goals it is proposed that the Council adopt the attached Acknowledgement and Welcome to Country Policy.

This will be the first step in the promotion of cultural awareness and subsequent steps may include the following;

1. Cultural awareness training;
 - Bus tour to visit & discuss significant local sites;
 - Sharing bush tucker;
 - Discussion sessions.
2. Engage with the Ballardong regional Corporation to build awareness of the;
 - Voice to Parliament;
 - SW native title claim.
3. NAIDOC Week (2 to 8 July 2023) and Reconciliation Week (27 May to 3 June 2023) initiatives to create an inclusive environment, build cultural awareness and contribute to the reconciliation effort.

This policy has been drafted in consultation with local Elder Clive Davis, who has endorsed the Policy.

STATUTORY ENVIRONMENT

There are no direct statutory implications in relation to this item.

POLICY IMPLICATIONS

This is a new policy and will be added to the register once endorsed by Council.

FINANCIAL IMPLICATIONS

There may be some cost associated with cultural awareness training, for welcome to country presentations and other events. An appropriate FY24 budget allocation will be recommended by management once the policy is endorsed.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative addresses the Council's aspiration to facilitate an active, engaged and social community (goal 2) and to promote improved community communications and engagement (goal 10).

Objective	Action No.	Actions
Active & supported cultural groups	1.1.2.3	Coordinate activities that support and promote the objectives of NAIDOC Week.
An accountable Council working with others to advance our community.	4.1.1.2	Invest in training & professional development to promote engagement and efficiency.
	4.1.1.4	Organisational values are reflected in our decisions & actions every day.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(39/2023) Moved: Cr Petchell

Seconded: Cr Loton

That Council adopts the Welcome and Acknowledgement to Country Policy.

CARRIED 5/1

10.2.7. MAJOR REVIEW – OCCUPATIONAL HEALTH AND SAFETY POLICY 3.2

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Stephanie Elvidge – Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	4.14.01
Attachment Reference:	Attachment 10.2.7 –Draft OHS Policy 3.2 with mark up.

SUMMARY

For Council to consider and endorse the revised Occupational Health and Safety Policy 3.2 in order to reflect the new Workplace Health and Safety Legislation

BACKGROUND

The Statutory Environment Review of Council Policies Section 2.7 of the *Local Government Act 1995* provides that the role of Council is to “determine the local government’s policies”.

The amendment, adoption or rescindment of any Council Policy must therefore be resolved by Council.

COMMENT

Council’s Occupational Policy 3.2 (refer attachment 10.2.7) has now been amended, using the LGIS policy template.

The primary legislation considered in the review of Council Policy – Occupational Health and Safety is the *Work Health and Safety Act 2020* and *Work Health and Safety (General) Regulations 2022*.

STATUTORY ENVIRONMENT

Local Government Act 1995 s2.7(2)(b) – Determine the Local Government’s policies

POLICY IMPLICATIONS

Revised Occupational Health and Safety Policy

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with the following Shire desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan

Objective: A well-managed and effective Council organisation

Outcome No.	Outcome	Action No.	Actions
5.1	A well-managed and effective Council organisation	5.1.1	Implement effective governance structures
		5.1.2	Embed sound risk management frameworks to mitigate council's strategic and operational risk
		5.1.4	Implement systems and processes to enhance organisational capability

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(40/2023) Moved: Cr Stratford

Seconded: Cr Garner

That Council adopt the revised Occupational Health and Safety Policy 3.2 as provided for in Attachment 10.2.7.

CARRIED 6/0

10.3. WORKS AND SERVICES

10.3.1. MANAGER OF WORKS OFFICER'S REPORT MARCH/ APRIL 2023

Applicant:	Not Applicable
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Terry Delane – Manager of Works
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

BACKGROUND

To inform Council of the activities of the works and services team during the period prior to the April 2023 meeting.

COMMENT

SAFETY / INCIDENTS

LGIS Depot Audit.

- Hydrocarbon waste disposal procedure to be developed.
- Gas appliances inspection due
- Scrap metal and waste storage need attention
- Risk of erosion to rear embankment - Suggested retaining.
- Some fire extinguisher access needs improvement
- Walkway marking on shed floor to be completed.

ROADS – MAJOR PROJECTS

- **Regional Road Group. (RRG)**
 - i. Wylie North Road
 - 1. Final trim completed 12th April.
 - 2. Sealing 14th, 15th 16th April.
 - 3. Signage and guide posts end of April.
 - ii. Cunderdin Road
 - 1. Project complete
- **Wheatbelt Secondary Freight Network (WSFN)**
 - i. Submission started for the Wylie Koorda Rd. (Holdsworth Rd to Wallambin Rd)
 - ii. To commence preliminary work 2023/2024 - \$100K
 - iii. 6.86 kms total. Circa \$1.8M cost, Shire contribution \$120 K
- **Roads 2 Recovery (R2R)**
 - i. Elsegood Road completed except for signage and guideposts.
 - ii. Small section left unsealed due to water ingress to base course - approx 40m
- **Roads Advisory Group (RAG)**
 - i. Separate information to be provided.

- **Black Spot Projects (BSP)**

- i. Quotes are being refreshed for the two safety audits for Benji Hindmarsh and Davies South intersections.
- ii. Proposal to submit them for next year's funding depending on results.

ROAD MAINTENANCE PROGRAM

1. Maintenance grading and wash outs completed in the Benjaberring sector.
2. Floodway repairs on Cox Rd re-gravelled.
3. Verge clearing strategy TBA.

AERODROME

1. Sealing crew advised we are not proceeding and the project will be delayed until 6th November 2023.

PRIVATE WORKS

- Nil

PARKS / TOWN SERVICES CREW

- Street cleaning and some new plantings in progress.
- Cemetery upgrades ongoing

BUILDING MAINTENANCE

- Upgrades of 4 Slocum St complete.

GRACE ST DEPOT

- No activity.

ASHELFORD PARK

- Block laying imminent.

GAMBLE ST UPGRADE – Thurston St Variation

- Modifications to be discussed.

WYLIE WATERPROOFING - NATIONAL GRID CONNECTION PROJECT

- No further developments

RUBBISH TIP

- Major clean up underway.
- Oil recycler scheduled.
- Scrap metal merchant scheduled.
- Major issues with the community only tipping at the entrance.

HUMAN RESOURCES

Update to be provided.

VEHICLE/PLANT

1. Isuzu 6-wheeler booked in to Major Motors for diagnosis and repair of major air leaks and market appraisal.
2. Dolly disposal under way. Sale by Expression of Interest.
3. Kluger expected back from Perth (roll over cage etc) this week.

STATUTORY ENVIRONMENT

There are no statutory environment implications in relation to this item.

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are some financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The list before Council is generally in accordance with the desired outcome as expressed in the Shire of Wyalkatchem Strategic Community Plan.

Goal: Our built environment responds to the accessibility and connectivity needs of all.

Outcome No.	Action No.	Actions
Our built environment responds to the accessibility and connectivity needs of all.	8.1	Improving safety on road, cycle and footpath networks
	8.2	Developing and planning community infrastructure to improve use and social interaction
	8.3	
	8.4	Implement Aged Friendly Plan Implement the Disability Access and Inclusion Plan (DAIP)

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(41/2023) Moved: Cr Garner

Seconded: Cr Stratford

That Council accept the Manager of Work's (MOW) Report March/ April 2023.

CARRIED 6/0

Cr Holdsworth left the meeting at 5:27pm

Cr Holdsworth returned to the meeting at 5:29pm

10.4. PLANNING AND BUILDING

10.4.1. DEVELOPMENT APPROVAL LOT 506 HANDS DRIVE, WYALKATCHEM

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Stephanie Elvidge – Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	7.10 2023 Cricket Wickets
Attachment Reference:	Nil

BACKGROUND

On 27th March 2023 a planning application (DA) was received from the Shire of Wyalkatchem accompanied by the details of the proposed cricket practice net construction, an application form and certificate of title details, requesting approval for the replacement cricket practice nets on the town's recreation area on Hands Drive.

LOCATION

The red border shown in **Figure 1** outlines part of Crown Reserve 15004 that is located on the southern part of Wyalkatchem townsite. The blue rectangle shows the location of the existing cricket practice nets, and the green rectangle shows the proposed replacement cricket practice nets.

The Crown Reserve is a 'C' class reserve with the Shire of Wyalkatchem having the management orders. The Reserve is nearly 38 hectares and is used for various Shire recreational activities.

LOCAL PLANNING SCHEME

The land is classified as 'Parks and Recreation' in the Local Planning Scheme No 4 (the Scheme) as shown in **Figure 2**.

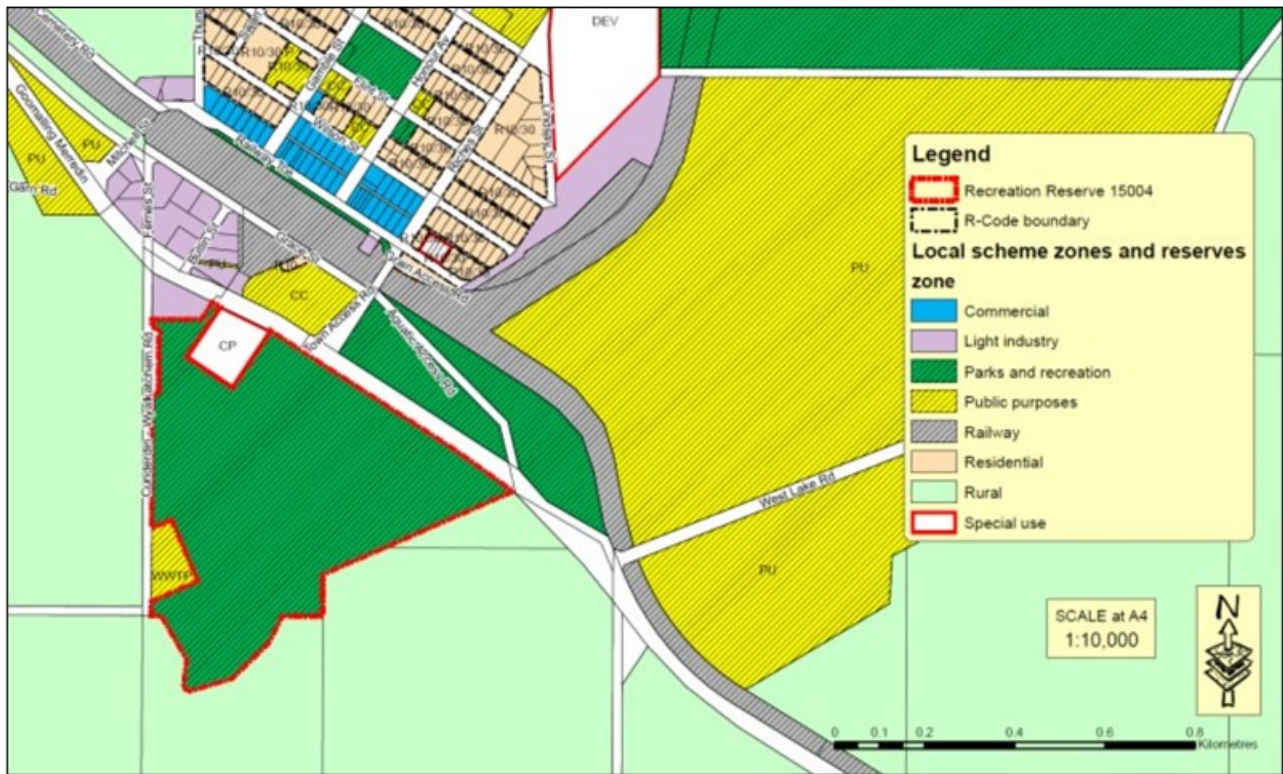
The Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* do not specifically exempt this development from requiring a DA.

Although the new nets will be located within the Bushfire Prone mapping area (see **Figure 3**), it is considered that there are no increased risks of bushfire warranting a Bushfire Attack Level (BAL) assessment.

FIGURE 1 – LOCATION PLAN Source: ESRI, Planwest, Landgate



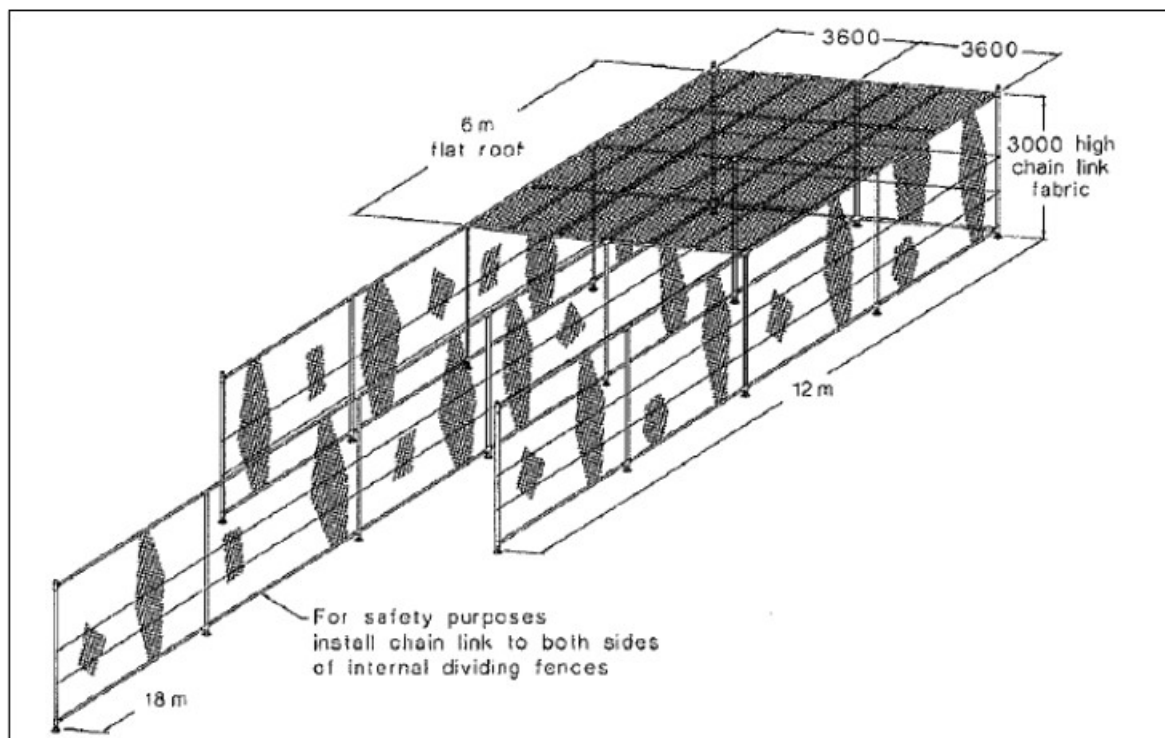
FIGURE 2 – SCHEME MAP EXTRACT



Development Plans

The applicant has provided plans and specifications of the new practice nets. **Figure 4** provides an extract from these details indicating the proposed setup of the new nets. The cost of the proposed development is estimated at \$56,000.

FIGURE 4 – PROPOSED CRICKET PRACTICE NETS



Source: DA

Figure 5 shows the approximate location of the new nets as provided in the DA application.

FIGURE 5 – PROPOSED NETS LOCATION DETAIL



Source: DA

DISCUSSION

The Reserve is appropriately vested for recreation, and the proposed development is clearly for recreational activities.

CONSULTATION

- Council
- Paul Bashall – Planwest, Town Planning Consultant

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Wyalkatchem Local Planning Scheme No 4

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

A budget amendment will be required pending the outcome of a grant submission for 1/3 of the costs to the Community Sporting and Recreation Facilities Fund (CSRFF).

STRATEGIC/RISK IMPLICATIONS

There are no strategic or risk implications applicable to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with the revised Shire of Wyalkatchem Strategic Community Plan.

Objective: A sustainable natural and built environment

Goal	Action No.	Actions
Active and supported sporting, cultural & social clubs and groups. Provision of services for all ages and abilities	1.2.1	Assist clubs to identify and secure funds for activities and facilities
	1.2.2	Work in collaboration with community groups to facilitate, encourage and support community services.
	1.3.2	Support and encourage volunteers to deliver programs.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(42/2023) Moved: Cr Garner

Seconded: Cr Stratford

That Council approves the Development Approval (DA) application for the replacement cricket practice nets on Lot 506 (Reserve 15004) Hands Drive, Wyalkatchem without conditions or footnotes.

CARRIED 6/0

11.MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13.URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

14.MATTERS BEHIND CLOSED DOORS

Nil

15.INFORMATION BULLETIN

15.1. Information Bulletin

The information bulletin has been provided as an attachment (Attachment 15.1)

15.2. Business Arising from the Information Bulletin

Status Report

16.CLOSURE OF THE MEETING

There being no further business to discuss, the Chairperson thanked everyone for their attendance and closed the meeting at 5:34pm.