



**MINUTES
OF THE
ORDINARY MEETING
OF COUNCIL**

**HELD ON
THURSDAY, 17 December 2020**

**Council Chambers
Honour Avenue
Wyalkatchem
Commencement: 4:01pm
Closure: 6:29pm**

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 6 January 2021.



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

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1. DECLARATION OF OPENING

The Chairperson, Shire President Cr Davies opened the meeting at 4:01pm.

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 were no questions.

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	President (Presiding Member)
	Cr. Owen Garner	Deputy
	Cr. Emma Holdsworth	
	Cr. Stephen Gamble	
	Cr. Mischa Stratford	
	Cr. Rachel Nightingale	

Staff:	Peter Klein	Chief Executive Officer
	Ally Bryant	Manager of Corporate Services
	Stephanie Elvidge	Governance Executive Officer
	Keith Mills	Manager of Works

Visitors: Nil

3.2. Apologies

Nil

3.3. Approved Leave of Absence

Nil

3.4. Applications for Leave of Absence

Nil

4. OBITUARIES

It was advised that Mark Belfield recently passed away.

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.1. Petitions

Nil

5.2. Deputations

Nil

5.3. Presentations

Nil

6. DECLARATIONS OF INTEREST

6.1. Financial and Proximity Interest

Councillor Nightingale declared a financial interest in item 13.1. DEVELOPMENT APPROVAL (DA) ON LOTS 10 AND 20, CORNER HONOUR AVENUE AND WILSON STREET, WYALKATCHEM, and item 10.4.1 NUTRIEN AG SOLUTIONS – BUILDING APPROVAL, as she is employed by Nutrien.

The extent of her interest is that she receives a wage for part time work from Nutrien who is the applicant for the development approval and Building approval. Cr Nightingale confirmed that she will not take part in voting on either item.

6.2. Impartiality Interests

Nil

7. CONFIRMATION AND RECEIPT OF MINUTES

7.1. Confirmation of Minutes

7.1.1. Ordinary Meeting of Council – 19 November 2020

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 19 November 2020 (Attachment 7.1.1)

OFFICER RECOMMENDATION:

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 19 November 2020 (Attachment 7.1.1) be confirmed as a true and correct record.

COUNCIL RESOLUTION:

(192/2020) Moved: Cr Nightingale Seconded: Cr Gamble

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 19 November 2020 (Attachment 7.1.1) be confirmed as a true and correct record.

CARRIED 6/0

7.2. Receipt of Minutes

7.2.1. NEWROC Executive Minutes – 24 November 2020

Minutes of the NEWROC Executive Meeting held on Tuesday 24 November 2020 (Attachment 7.2.1)

OFFICER RECOMMENDATION:

That the minutes of the NEWROC Executive Meeting of Tuesday 24 November 2020 (Attachment 7.2.1) be received by Council.

COUNCIL RESOLUTION:

(193/2020) Moved: Cr Stratford

Seconded: Cr Nightingale

That the minutes of the NEWROC Executive Meeting of Tuesday 24 November 2020 (Attachment 7.2.1) be received by Council.

CARRIED 6/0

7.2.2. Central East Aged Care Alliance Inc. Committee Minutes – 26 November 2020

Minutes of the Central East Aged Care Alliance Inc. Committee Meeting of Thursday 26 November 2020 (Attachment 7.2.2)

OFFICER RECOMMENDATION:

That the minutes of the Central East Aged Care Alliance Inc. Committee Meeting of Thursday 26 November 2020 (Attachment 7.2.2) be received by Council.

COUNCIL RESOLUTION:

(194 /2020) Moved: Cr Holdsworth

Seconded: Cr Stratford

That the minutes of the Central East Aged Care Alliance Inc. Committee Meeting of Thursday 26 November 2020 (Attachment 7.2.2) be received by Council.

CARRIED 6/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Cr Davies expressed a warm welcome to Peter Klein, new Wyalkatchem Chief Executive at his first Council meeting. Cr Davies felt that the recruitment process was very thorough and that Mr Klein was the right choice.

Thanks to all Councillors that attended the meeting with Mia Davies; Cr Gamble for attending NEWROC executive Meeting; and Cr Nightingale and Cr Stratford for WACHS. Cr Stratford also attended the CBH meeting in Dowerin and Cr Nightingale the Telstra meeting.

Cr Davies wished everyone happy holidays and wished all a well-deserved break.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

9.1. CONSULTANCY AGREEMENT WITH BOSS HEALTH (PETER TOBOSS)

10.REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – NOVEMBER 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	3 December 2020
Reporting Officer:	Tegan Maitland, Finance Officer
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.1 – Accounts for payment – November 2020

SUMMARY

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

BACKGROUND

In accordance with the *Local Government (Financial Management) Regulations 1996, s13(1)*, If a local government has delegated to the CEO the exercise of 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 for each account paid since the last such list was prepared.

A list prepared under sub regulation (1) is to be –

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

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

COMMENT

A payment listing for the month of November 2020 is presented for Council for their endorsement and includes payments made via cheque, Electronic Funds Transfer (EFT) and Direct Debit.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$25.63.

Previous Accounts for Payment report to enable council to check that no sequential payment numbers have been missed from the previous accounts for payment reports and the report presented as attached, the following information is provided on the last cheque or EFT number used

Bank Account	Payment Type	Last Number	First Number in report
Municipal	Cheque	16887	No Payments
Municipal & Trust	EFT	EFT819	EFT820
Trust	Cheque	Cheque	No Payments
Reserves	EFT	EFT	No Payments

Please note that the above does not include payments made via Direct Debit (DD) as they are not in sequential number order.

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 2020/2021 Annual Budget.

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.

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

That Council endorse the following payments for the month of November 2020:

- 1. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$227,581.70;*
- 2. Direct Debit (DD) payments in the Municipal Fund totalling \$4,727.67;*
- 3. Payroll Journal (JNL) payments in the Municipal Fund totalling \$55,574.00;*
- 4. Total payments for the month of November 2020 being \$287,883.37.*

COUNCIL RESOLUTION

(195/2020) Moved: Cr Garner

Seconded: Cr Nightingale

That Council endorse the following payments for the month of November 2020:

- 1. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$227,581.70;*
- 2. Direct Debit (DD) payments in the Municipal Fund totalling \$4,727.67;*
- 3. Payroll Journal (JNL) payments in the Municipal Fund totalling \$55,574.00;*
- 4. Total payments for the month of November 2020 being \$287,883.37.*

CARRIED 6/0

Ms Bryant left the meeting at 4:09pm,

Ms Bryant returned to the meeting at 4:09pm.

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS – OCTOBER 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	4 December 2020
Reporting Officer:	Tegan Maitland
Disclosure of Interest:	No interest to disclose
File Number:	File Ref: 12.10.02
Attachment Reference:	Attachment 10.1.2 – Credit Cards – October 2020

SUMMARY

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the period 29 September to 28 October 2020.

BACKGROUND

This information is provided to Council on a monthly basis in accordance with the provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Council is presented with the monthly accounts for payment at each Council meeting, providing information of payments made for the reporting period (note attachment 10.1.2). This report includes the monthly payment of the credit card debit to the National Australia Bank.

COMMENT

Accountability in local government can be multifaceted, as council seek to achieve diverse social, political and financial goals for the community benefit. The accountability principles of local government are based on strong financial probity, financial propriety, adherence to conflict of interest principals and expectations that the local government is fully accountable for community resources.

This report provides Council with detailed information of purchases paid using the Shire of Wyalkatchem Corporate Credit Cards.

A monthly review of credit card use is independently assessed by the Manager Corporate Services, to confirm that all expenditure has been occurred, is for the Shire of Wyalkatchem and has been made in accordance with Council policy, procedures and the Local Government Act 1995 and associated regulations. The review by the Manager Corporate Services also ensures that misuse of any corporate credit card can be readily detected.

This review has been conducted and no issues are evident and all areas of compliance have been met.

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

Financial implications and performance to budget are reported to Council on a monthly basis. In this regard, expenditure must be in accordance with the 2019/2020 Annual Budget.

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.

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

That Council, in accordance with attachment 10.1.2, endorse credit card payments made for the period 29 September 2020 to 28 October 2020 totalling \$178.20.

COUNCIL RESOLUTION:

(196/2020) Moved: Cr Nightingale Seconded: Cr Gamble

That Council, in accordance with attachment 10.1.2, endorse credit card payments made for the period 29 September 2020 to 28 October 2020 totalling \$178.20.

CARRIED 6/0

10.1.3 MONTHLY FINANCIAL REPORT – NOVEMBER 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	17 December 2020
Reporting Officer:	Ally Bryant, Manager of Corporate Services
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.3 Monthly Financial Report – November 2020

SUMMARY

For Council to review and accept the monthly financial report for the period ending 30 November 2020.

BACKGROUND

The *Local Government (Financial Management) Regulations 34* states that a local government must prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d) and states the information required to be included in the financial activity reporting.

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

COMMENT

In the attachment Financial activity reports have been prepared in accordance with the *Local Government (Financial Management) Regulations (34)*.

The report includes

Statement of Financial Activity by Program (p.3)

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

The statements provide details of the Shires 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 are supporting documents to the Statements of Financial Activity for Councillor's information

The notes provided are:

Note 1 – Explanation of the composition of net current assets: This note details the current funding position of the Shire.

Note 2 - 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.

Note 3 – 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 4 - 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 5 – Capital Acquisitions: This note details the capital expenditure program for the year.

Note 6 – Disposal of Assets: This note gives details of the capital asset disposals during the year.

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 7 – Non-Operating Grants and Contributions Received: This note provides information on non-operating grants received.

Note 8 – Operating Grants and Contributions Received: This note provides information on operating grants received.

Note 9 – Rate Revenue: This note provides details of rates levied during the year.

Note 10 – 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 11 – Payables: This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

Note 12 – Borrowings: This note shows the Shire’s current debt position and lists all borrowings.

Note 13 – Lease Liabilities: This note provides information relating to monies owed for equipment leases.

Note 14 – Budget Amendments: This note is used to show Council any amendments that are made to the Budget during the course of the financial year.

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

Nil – Monthly Statement of Financial Activity reporting on council’s current financial position

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.

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

That Council accepts the Statement of Financial Activity for the month ending 30th November 2020, as included in attachment 10.1.3, as presented and notes any material variances.

COUNCIL RESOLUTION:

(197/2020) Moved: Cr Stratford

Seconded: Cr Nightingale

That Council accepts the Statement of Financial Activity for the month ending 30th November 2020, as included in attachment 10.1.3, as presented and notes any material variances

CARRIED 6/0

10.1.4. REVIEW OF FEES AND CHARGES

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	19 November 2020
Reporting Officer:	Ally Bryant, Manager of Corporate Services
Disclosure of Interest:	No interest to disclose
File Number:	12.05.07
Attachment Reference:	Nil

SUMMARY

In accordance with the *Local Government Act 1995, section 6.16*, a local government may impose a fee or charge for any goods or services that it provides.

BACKGROUND

The fees & Charges for 2020/2021 were adopted with the annual budget in August 2020.

Fees and charges for Plant Hire rates - private works and Special Event Camping have been reviewed by staff for council consideration.

COMMENT

The fees and charges for Plant hire and camping at Recreation Centre have been reviewed. Manager of Works reassessed the plant hire and has provided a day rate along with the revised hourly rate.

The powered site at the Recreation Centre fee was originally imposed for when there were special events that required more camping accommodation in town. The Recreation Centre has currently been used due to lack of caravan camping availability in town. The current fee is high considering the amenities available.

<u>Plant Hire Rates - Private Works</u>	OLD Charges		NEW Charges	
	<u>Per Hour</u>	<u>Per day</u>	<u>Per Hour</u>	<u>Per day</u>
Labour	\$70.00		\$85.00	
Mini Excavator	N/A	N/A	\$95.00	\$620.00
125/hr CAT 120M WM017	\$185.00	N/A	\$150.00	\$975.00
Loader WM009	\$195.00	N/A	\$165.00	\$1,075.00
Isuzu Truck WM015 with trailer	\$185.00	N/A	\$170.00	\$1,100.00
Isuzu Dual Cab Truck WM003	\$120.00	N/A	\$120.00	\$780.00
New Holland Tractor WM005	\$140.00	N/A	\$130.00	\$845.00
Amman Roller WM160	\$180.00	N/A	\$115.00	\$745.00
Skid Steer WM830	\$120.00	N/A	\$125.00	\$815.00
Concrete Saw - Dry Hire	\$120.00	N/A	N/A	\$120.00
Compactor - Dry Hire	\$75.00	N/A	N/A	\$75.00
Lawn corer - Dry Hire	\$60.00	N/A	N/A	\$60.00
Tree Planter - Dry Hire	\$110.00	N/A	N/A	\$110.00
<u>Recreation & Culture</u>	-	-		
Powered Site	N/A	\$36.00	N/A	\$20.00

STATUTORY ENVIRONMENT

Local Government Act 1995, section 6.16.

6.16. Imposition of fees and charges

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

* Absolute majority required.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Income derived from fees and charges in the 2020/2021 financial year.

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

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

Absolute Majority

OFFICER’S RECOMMENDATION

That Council adopt the revised charges as per the attached table.

COUNCIL RESOLUTION:

(198/2020) Moved: Cr Gamble

Seconded: Cr Garner

That Council adopt the revised charges as per the attached table.

AMENDMENT

(199/2020)Moved: Cr Gamble Seconded: Cr Garner

That the wet hire charges for the Mini Excavator increase to \$125/hr and an appropriate day charge (to be determined). Labour is also to be listed separately. The original figure in the table was incorrect.

CARRIED 6/0

10.2. GOVERNANCE AND COMPLIANCE

10.2.1. CHIEF EXECUTIVE OFFICER REPORT – NOVEMBER/ DECEMBER 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	10 December 2020
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 with information about CEO activities and Council operations.

COMMENT

Since the CEO's commencement on 23 November, he has attended the following meetings and events;

- Introductory meetings with road and gardening crews
- NEWROC Executive – Trayning
- Great Eastern Country Zone meeting - Merredin
- NEWROC Council Meeting – Koorda
- Will Nightingale & Bernie Quade – tennis courts
- Emily Gray – Airport Terminal
- Bec McCall, Shire of Dowerin – re short stay accommodation
- David Holdsworth – D & D Transport
- Tom & Sue Nelson – Wyalkatchem Caravan Park
- Grant Thornton – re financial audit report
- Ash Fisher, Director Avon Waste - re curb side services
- Mia Davies, Member for Central Wheatbelt – re aged care services & communication reliability
- Rachele Ferrari & Karen Horsley, WACHS – re aged care services
- CBH (Jason, Peter Rob Dickie & John O'Neill) – re long term accommodation requirements
- Boyd Brown & Kevin Donnellan, Telstra – re communication reliability

For the remainder of 2020, the following meetings and events are scheduled;

- Dr Jegede – Wyalkatchem surgery
- New Health meeting – re Environmental Health Officer services
- December Council meeting
- Road & Gardening teams – Council Depot

The Shire Office will close for the Christmas/New Year period from Monday 21 December and will reopen on Monday 4 January 2021.

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

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

Outcome No.	Action No.	Actions
10 Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
	10.2	Ensuring sound financial management and plans for the Shire’s long term financial sustainability
	10.3	High quality corporate governance, accountability and compliance
	10.4	Maintaining Integrated Strategic and Operational plans
12 Form strategic partnerships and 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

That Council accepts the CEO’s report for the month of November/ December 2020.

COUNCIL RESOLUTION:

(200/2020) Moved: Cr Holdsworth

Seconded: Cr Gamble

That Council accepts the CEO’s report for the month of November/ December 2020.

CARRIED 6/0

10.2.2. PRINCIPAL ENVIRONMENTAL HEALTH OFFICER REPORT

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	10 December 2020
Reporting Officer:	Peter Toboss – Principal Environmental Health Officer
Disclosure of Interest:	NIL
File Number:	13.05.01
Attachment Reference:	NIL

SUMMARY

Council is to consider and accept the Principal Environmental Health Officer report for November 2020 as presented.

BACKGROUND

The report will provide an insights into the important tasks undertaken by the Principal Environmental Health Officer (PEHO) on Monthly basis.

COMMENT

The Principal Environmental Health Officer attends the Wyalkatchem office each Monday. The following meetings and events were attended in the month of November 2020:

- WHS and Local Government Webinar on Thursday, 19 November
- Environmental Health COVID webinar

HEALTH, BUILDING AND PLANNING ENQUIRIES

The PEHO completed a total of fifteen (15) health, building and planning related enquiries completed in November 2020.

FOOD PREMISES INSPECTION

Nil

SWIMMING POOL WATER SAMPLING

The swimming pool water sampling for November 2020 was undertaken and the test results met the required standards.

RECYCLED WASTEWATER SAMPLING

The PEHO undertook the monthly sampling of Wyalkatchem Wastewater Treatment Plant in accordance with the Department of Health Guidelines for the Non-Portable Uses of Recycled Water in Western Australia (2011). The laboratory results of the water sample taken from the tennis tank outlet for November met the required standards.

2019/20 PUBLIC HEALTH ACT 2016 LOCAL GOVERNMENT – OPTIONAL REPORTING

Under the Public Health Act there is also a statutory requirement for local governments to report annually to the Chief Health Officer on their performance of functions under the Act. The PEHO completed the online reporting and submitted to the Department of Health. All responses submitted will assist the Department of Health in determining how public health risks should be managed in Western Australia and the way forward under the Public Health Act.

STATUTORY ENVIRONMENT

Public Health Act 2016

Health (Aquatic Facilities) Regulations 2007

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

Goal 12 Form strategic partnerships and advocate for the community

Outcome No.	Outcome	Action No.	Actions
12	Form strategic partnerships and 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

Goal 9 Sustainable management of resources

Outcome No.	Outcome	Action No.	Actions
9	Sustainable management of resources	9.1	Providing effective & efficient Waste Management Services
		9.2	Encouraging recycling & support recycling initiatives and programs
		9.3	Increase availability of water catchment and treatment options, waste re-use and recycling.
		9.4	Preservation of significant heritage properties & precincts

		9.5	Manage the natural environment within available resources
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VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Principal Environmental Health Officer Report for November 2020 as presented.

COUNCIL RESOLUTION:

(201/2020) Moved: Cr Nightingale Seconded: Cr Stratford

That Council accept the Principal Environmental Health Officer Report for November 2020 as presented.

CARRIED 6/0

10.2.3. REVIEW OF COUNCIL MEETING AND AUDIT COMMITTEE MEETING DATES

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	7 October 2020
Reporting Officer:	Stephanie Elvidge – Governance executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.5.12
Attachment Reference:	NIL

SUMMARY

Council to consider and endorse the dates for the Ordinary Council Meetings and Audit and Risk Committee meetings for the 2021 calendar year.

BACKGROUND

Council had adopted policy number 6.1 Ordinary Council Meeting Dates which stipulates that the Ordinary Council Meetings be conducted on the Third Thursday of each month, except January, unless otherwise determined by a Council as a ‘Special Meeting’ and that Council meetings commence at 3.30pm, with Public notice to be given annually.

At its December 2019 meeting there was a desire to investigate the following;

- Reduction in Council meeting frequency
- Reduction in Workshop meeting frequency
- Workshop and Council meetings held on the same day
- Change of meeting times.

Council adopted the following schedule of meetings.

That Council;

1. *Holds Ordinary Meetings of Council commencing at 4.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem on the following dates for the coming year:*

*20 February 2020
19 March 2020
21 May 2020
18 June 2020
16 July 2020
17 September 2020
15 October 2020
17 December 2020*

2. *In accordance with the Local Government (Administration) Regulations, gives Public Notice of the Ordinary Meeting dates, time and place.*

3. *Holds Audit and Risk Committee Meetings commencing at 3.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem on the following dates for the coming year:*

20 February 2020
21 May 2020
17 September 2020
17 December 2020

4. In accordance with the *Local Government (Administration) Regulations*, gives Public Notice of the Audit and Risk Committee Meeting dates, time and place.

5. That the monthly Councillor Workshop, date and time be determined by the Chief Executive Officer.

5. That workshop meetings to be closed to the public.

COMMENT

As elected representatives in local government, elected members are required to attend Council and committee meetings. It is in meetings that elected members participate in discussion and debate on a wide variety of issues to make decisions representing the overall public interest of the local government area.

Elected members have a duty and responsibility to attend all council meetings to ensure that the district's electors are adequately represented. The number of council and committee meetings that elected members will be required to attend will vary according to the frequency of their local government's scheduled ordinary and committee meetings.

Ordinary Council Meetings

Ordinary council meetings are formal meetings of the elected council members and are required to be open to the public (although under certain conditions, council meetings can be closed under provisions of the Act). In order to promote the transparency and accountability required for good governance the closed meeting provisions should be applied as infrequently as possible.

Section 5.3 of the *Local Government act 1995* (the Act) requires a council to hold ordinary meetings and provides that they may hold special meetings. Ordinary meetings are to be held not more than three (3) months apart.

While section 5.3 of the Act requires Council meetings to be held not more than three (3) months apart, the *Local Government (Financial Management) Regulations 1996* section 34(1)(a) requires the Financial Activity Statement required each month to be presented at the Ordinary meeting of Council within 2 months after the of month to which the statements relate. Therefore it is compliance with the *Local Government (Financial Management) Regulations* driving the minimum frequency meeting structure.

Committee Meetings

The Act enables councils (section 5.8 of the Act) to form committees to assist it with its functions. Committee members can include elected members, employees and members of the public in a variety of combinations. Committees can operate with council delegated decision making powers or solely on an advisory basis. Advisory committees where members are drawn from both council

and the community give the community a significant opportunity to provide input into the council's decision making meeting process

As required under the Act, Council operates an Audit Committee, being the Audit and Risk Committee. This is the only committee that currently exists under section 5.8 of the Act.

Due diligence

Council has conducted its due diligence when considering potential meeting structure options, with the objective of ensure that it achieves the following principals;

- Transparent and effective processes and decision making in the public interest.
- Demographic representation, social inclusion and meaningful community engagement;
- Good governance of, and by, local government; and
- Ethical and legal behaviour of elected members and local government employees.

Review and Recommendation

On completion of its due diligence and consideration of the effectiveness of the 12 month meeting structure trial implemented in 2020, the following meeting structure is recommended for the 2021 calendar year. It is recommended that the April and August Meetings are reinstated, and that the January and November months remain clear.

Ordinary Council Meetings

That

The Ordinary Council Meetings be conducted on the Third Thursday on the month as follows;

No January Meeting

18 February 2021

18 March 2021

15 April 2021

20 May 2021

17 June 2021

15 July 2021

19 August 2021

16 September 2021

21 October 2021

No November Meeting

16 December 2021,

unless otherwise determined by the Shire President as a 'Special Meeting', and that Council meetings commence at 4pm, unless otherwise determined by the Shire President.

That, in accordance with the Act, are open to the public, with the exception of confidential matters as defined under section 5.23(2) of the Act, where the meeting or part of the meeting is closed to the public.

Audit and Risk Committee Meetings

That the Audit and Risk Committee Meeting be conducted on the Third Thursday on the month as follows;

18 February 2021
20 May 2021
16 September 2021
16 December 2021

That Audit and Risk Committee meetings commence at 3pm, unless otherwise determined by the Shire President.

That, in accordance with the Act, are open to the public, with the exception of confidential matters as defined under section 5.23(2) of the Act, where the meeting or part of the meeting be closed to the public.

Workshop

That the Chief Executive Officer may convene a Councillor Workshop on the Third Thursday of the month as required and that Workshop meetings are to commence at the conclusion of the Ordinary Meeting of Council.

That budget focused workshops be convened in the Month of May and June 2021.

That where the CEO, in consultation with the Shire President, has determined that an extended workshop is required, the Workshop meetings will be scheduled for the first Thursday of the month. The CEO, in consultation with the Shire President, may convene other workshops as required.

That Workshop meetings are not opened to the public.

STATUTORY ENVIRONMENT

The matter of the role of Council and conducting of Council and Committee meetings are prescribed within the *Local Government Act 1995*, *Local Government (Administration) Regulations 1996*, and *Local Government (Rules of Conduct) Regulations 2007*.

In particular, the following statutory environment is referenced in relation to this item;

Local Government Act 1995- Section 5.3(2)

Local Government Act 1995- Section 5.8

Local Government Act 1995- Section 5.23

Local Government (Administration) Regulations 1996 – Regulation 12(1)

Local Government (Financial Management) Regulations 1996 section 34(1)(a)

POLICY IMPLICATIONS

The adoption of the proposed reviewed meeting structure will be in direct conflict with the following policies;

- 6.1 Ordinary Council Meeting Dates
- 6.2 Council Workshop Meeting Dates

Policies are to be revised.

FINANCIAL IMPLICATIONS

While there are no direct financial implications in relation to this item, the change in meeting structure and meeting time may result in additional staff costs to attend required meetings.

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.

Goal 10: Community and customer service focus

Goal 10	Strategies	
Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
	10.2	Ensuring sound financial management and plans for the Shire's long term financial sustainability
	10.3	High quality corporate governance, accountability and compliance
	10.4	Maintaining integrated strategic and operational plans

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council;

1. *Holds Ordinary Meetings of Council commencing at 4.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem on the following dates for the coming year:*

No January Meeting

18 February 2021

18 March 2021

15 April 2021

20 May 2021

17 June 2021

15 July 2021

19 August 2021

16 September 2021

21 October 2021

No November Meeting

16 December 2021

2. *In accordance with the Local Government (Administration) Regulations, gives public notice of the Ordinary Meeting dates, time and place.*

3. *Holds Audit and Risk Committee Meetings commencing at 3.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem on the following dates for the coming year:*
18 February 2021
20 May 2021
16 September 2021
16 December 2021
4. *In accordance with the Local Government (Administration) Regulations, gives public notice of the Audit and Risk Committee Meeting dates, time and place.*
5. *That the monthly Councillor Workshop, date and time be determined by the Chief Executive Officer*
6. *That workshop meetings to be closed to the public.*

COUNCIL RESOLUTION:

(202/2020) Moved: Cr Nightingale

Seconded: Cr Holdsworth

That Council;

1. ***Holds Ordinary Meetings of Council commencing at 4.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem on the following dates for the coming year:***
No January Meeting
18 February 2021
18 March 2021
15 April 2021
20 May 2021
17 June 2021
15 July 2021
19 August 2021
16 September 2021
21 October 2021
No November Meeting
16 December 2021
2. ***In accordance with the Local Government (Administration) Regulations, gives public notice of the Ordinary Meeting dates, time and place.***
3. ***Holds Audit and Risk Committee Meetings commencing at 3.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem on the following dates for the coming year:***
18 February 2021
20 May 2021 (3:45pm)
16 September 2021
16 December 2021
4. ***In accordance with the Local Government (Administration) Regulations, gives public notice of the Audit and Risk Committee Meeting dates, time and place.***

5. ***That the monthly Councillor Workshop, date and time be determined by the Chief Executive Officer.***
6. ***That workshop meetings to be closed to the public.***

CARRIED 4/2

Minor adjustment to recommendation - May ARC meeting to commence at 345pm.

Cr Holdsworth left the meeting at 4:55pm

Cr Holdsworth re-joined the meeting at 4:59pm

Cr Nightingale left the meeting at 5:02pm

Cr Nightingale returned to the meeting at 5:03pm

10.2.4. REGIONAL AIRPORTS GRANT PROGRAM

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	7 October 2020
Reporting Officer:	Peter Klein – CEO
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.2.4 – Wyalkatchem Aerodrome Safety Inspection

Summary

Council to support the submission of an application to the Federal Government’s Regional Airport Grant Program for \$230,443, (amended to \$294,443) to reseal the airport’s main runway and entrance.

Background

In November 2020, the Federal Government released Round 2 of its \$100M Regional Airports Grant Program.

This Program’s objective is to improve the safety and accessibility of regional airports by funding essential works. For projects with a cost of less than \$300,000 the grant amount will cover 100% of project cost.

Eligible works include:

- i. sealing and/or re-sealing and/or re-sheeting of aircraft pavements
- ii. extending or strengthening a runway, taxiway parking bays and/or related areas
- iii. repair, restoration and/or reconstruction of the airstrip, taxiway and/or apron, and
- iv. air side drainage works.

Comment

On 13 March 2020, the Wyalkatchem Aerodrome was inspected by Aerodrome Management Services Pty Ltd. See Attachment 10.2.4 - Wyalkatchem Aerodrome Safety Inspection.

This inspection found the sealed surfaces on both runways had oxidised causing the bitumen to become brittle. It was recommended that a reseal of all surfaces should be considered.

There is a combined total of 55,420sqm of bitumen seal on the main and secondary airstrips. Boral has quoted a contract price of \$230,443 + GST to deliver the following works;

- i. Reseal the runways - \$210,000 + GST
- ii. Runway strip markers and line marking - \$15,000 + GST
- iii. Seal the airport entrance - \$5,443 +GST

Further Comment

Due to a discrepancy in the recommendation of 5mm sealing as recommended by Boral, to 10/7 mm sealing as recommended by the Civil Aviation Safety Authority, the scope of works has been modified to the following works;

1. Reseal the main runway - \$274,000
2. Seal the airport entrance and carpark - \$5,443
3. New line marking and runway strip marker replacement – 15,000
4. Total project budget cost - \$294.443.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.7(2)(a) – Provides that Council is to oversee the allocation of Government Finances and Resources.

Section 2.10(a)(d) - Council is to represent the interests of the electors, ratepayers and residents of the district and
Council is to participate in local government’s decision making processes at Council and Committee meetings.

POLICY IMPLICATIONS

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS

Nil

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal 10: Transparent, accountable and effective governance.

Goal No.	Action No.	Actions
10	10.1	Ensuring a well-informed Council makes good decisions for the community
	10.2	Ensuring sound financial management and plans for the Shire’s long term financial sustainability
	10.3	High quality corporate governance, accountability and compliance
	10.4	Maintaining Integrated Strategic and Operational plans

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council supports the Shire of Wyalkatchem to submit an application to the Federal Government's Regional Airport Grant Program for \$230,443 (amended to \$294,443) to reseal the airport's main runway, entrance and carpark.

COUNCIL RESOLUTION:

(203/2020) Moved: Cr Gamble

Seconded: Cr Stratford

That Council supports the Shire of Wyalkatchem to submit an application to the Federal Government's Regional Airport Grant Program for \$230,443 (amended to \$294,443) to reseal the airport's main runway, entrance and carpark.

CARRIED 6/0

Cr Stratford left the room at 5:09pm

Cr Stratford returned to the meeting at 5:11pm

10.2.5. AMENDMENT TO THE AGREEMENT FOR PROVISION OF SERVICES WITH THE COMMUNITY RESOURCE CENTRE

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	8 December 2020
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	8.14.06
Attachment Reference:	10.2.5 Community Resource Centre Service Agreement

SUMMARY

The Council has an agreement with the CRC essentially, for the provision of library and visitor information services.

Every 2 years during the Term, the range of services, CRC’s performance and the contract price is to be reviewed. This review was undertaken by Stephen Tindale and Ally Bryant with the assistance of the CRC’s Craig Cooper and this paper seeks Council’s endorsement of recommended amendments to this agreement.

These amendments are scheduled to take effect once signed by all parties.

BACKGROUND

On 1 April 2013, the Shire of Wyalkatchem and the Community Resource Centre (CRC) Management Committee commenced an agreement substantially for the provision by the CRC of library services, visitor information services and any other service reasonably requested by the Council in return for the Council paying the agreed Contracted Price.

Subsequently, the CRC agreed to undertake vehicle and licencing services on behalf of the Department of Transport.

The site from which the CRC operates is owned by the Public Transport Authority and was licenced to the Council for a period of 10 years, commencing 1 June 2012. The building was constructed and is owned by the Council. The Council has subsequently sub-licenced the site and building to the CRC but continues to hold the building maintenance obligation.

The Agreement with the CRC is set to expire 30 May 2022.

COMMENT

It has been challenging to determine the performance of the CRC over the last two years due to the lack of requests for reports by the CRC in the Service Agreement which has led to a lack of insight into its performance.

The contract amendments agreed with CRC primarily seek to strengthen their reporting obligations to the Council.

The recommended amendments are as follows:

2.1 Clause 4 - amend clause as follows –

- (a) create and maintain records, details and information for library members on the Library Management System.
- (b) record the issue and return of loaned items through the Library Management System.
- (g) undertake stock takes annually, or at such other frequency or times required by the State Library of Western Australia and provide results to the principal.
- (k) carry out any other function as is required by the State Library of Western Australia.
- (m) provide to the Principal, a monthly list of boxes supplied by and returned to the State Library of Western Australia.
- (n) provide a quarterly report on or before the 7th of January, April, July and October of the following statistics for the previous quarter –
 - Number of current members.
 - Number of library users in past 3 months.
 - Number of items on loan from the Library
 - List of overdue items including lost/stolen items
- (o) contractor is to check Library system for overdue items on a weekly basis and issue letters to library members who have overdue items.

Clause 5 – amend this clause by adding the following requirement;

- (g) provide a report to the Principal, each quarter on the number of patrons using visitors centre

Schedule 2 Financial requirements - remove this schedule as the CRC is not collecting any money or payments in the performance of the agreed services.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

The Contract Price payable by the Council to the CRC for the provision of agreed services will increase by March CPI.

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal No.	Strategies		Actions
2	An active, engaged and social community	2.5	Provision of Library services
4	Increase visitors to the region.	4.3	Provide facilities to encourage tourist and resident visitation
		4.5	Encouraging visitors into the town centre

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the amendments to the Agreement for Provision of Services by the Wyalkatchem Community Resource Centre.

COUNCIL RESOLUTION:

(204/2020) Moved: Cr Nightingale

Seconded: Cr Holdsworth

That Council adopt the amendments to the Agreement for Provision of Services by the Wyalkatchem Community Resource Centre.

CARRIED 6/0

10.3. WORKS AND SERVICES

10.3.1. MANAGER OF WORKS REPORT

Applicant:	Not Applicable
Location:	Shire of Wyalkatchem
Date:	11 December 2020
Reporting Officer:	Keith Mills – Manager of Works
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

SUMMARY

Council to consider and accept the Manager of Works report for the month of November 2020.

BACKGROUND

To inform Council of the activities of the works and services team during the month of November 2020.

COMMENT

Road Crew

- The Shire's Roads to Recovery re-sheeting program has been completed on Elsegood Rd (26/11/2020) and has now commenced on Davies Rd (2/12/20).
- Off hired Axle hire truck (water cart) Friday 4/12/2020 and replaced with AVPE Northam Water cart (wet hire) on 7/12/2020 for the Davies Road project.

Parks / Town Services Crew

- Town street verge maintenance.
- Shire Admin garden, rose trimming and general maintenance.
- Admin Park mowing.
- Pioneer Park, rose trimming, raking and general maintenance.
- Town Hall garden and tree trimming maintenance.
- Railway Barracks grounds maintenance.

Buildings

- 2 Slocum Street - house renovations are now coming to completion, with bathroom repairs (re-tiling), new carpet throughout along with Vinyl kitchen floor replacement and will be ready for Diane (gardener) and family to move into before and during the Christmas break.
- Quotes received for installation of 7 new air-conditioners at the Railway Barracks – winning quote was KTY Electrical Services.
- 22b Flint St gas regulator replaced.
- Swimming Pool – outer fence has been temporarily repaired and this section will be replaced during winter closure. Shower head replaced in men's change room.

Waste Management

- Weekly push up of deposited waste at Wyalkatchem's landfill.
- We still have Children and Adults opening bags of rubbish to gather cans and bottles, leaving bags uncovered for contents to blow around the waste site.

Vehicle/Plant

- **2020 SR extra cab ute (Gardening Crew)** – Picked up 27/11/20
- **2020 SR5 Dual Cab (MOW)** – Picked up 1/12/20

Plant – Servicing and Repairs

- MOW SR5 work vehicle – 80,000km service Thursday 26/11/20 by Petchell Mechanical.
- Liebherr loader blew a hydraulic hose and waiting parts to arrive from the Eastern States (10 working days).
- Shires Side Tipper and Dolly booked in for the 18/1/2021 at Petchell Mechanical – service brakes, bearings etc.
- MOW SR5 work vehicle - Avon Valley Toyota for 1,000km service 11/12/2020 and Tonneau cover fitted.
- Doctors Kluger taken to Speciale Panel Beaters in Northam for damage repair quote.

Aerodrome

Weekly aerodrome and lighting inspection carried out.

Private works

- Nil

General

- Waiting on Quotations for the upgrade of Reticulation on all Shire Assets - as the reticulation we have at the moment is continually failing.
- MOW would like thoughts on second hand purchasing – re Front End Loader for Rubbish Tip & Semi Water Cart (Open for Discussion).
- Town beautification plan for approval (see map for discussion).
Quotation for Strut Bin Surround with Vinyl Graphics = \$2,450.00 + gst each (printed and delivered).

OSH

- Meeting was held with Chris Gilmour (LGIS), Peter Klein and Myself in regards to safety throughout the workforce and Depot Audit's.

Incident Reports

- Diane (gardener) had a dead tree lay down on her whilst repairing reticulation at 57 Flint St (Doctors house).
- Doctor hit bollard in Perth car park denting passenger's side of New Kluger.

Staff

- Casual employee (Lachlan Anderson) commenced work on Wednesday 16/11/20, to assist in general gardening duties until early February for a minimum of 25-30hrs per fortnight.

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 no 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 8: Our built environment responds to the accessibility and connectivity needs of all

Outcome No.	Action No.	Actions
8 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 & planning community infrastructure to improve use & social interaction
	8.3	Implement Aged Friendly Plan
	8.4	Implement the Disability Access and Inclusion Plan (DAIP

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Manager of Work's report for the month of November 2020.

COUNCIL RESOLUTION:

(205/2020) Moved: Cr Gamble

Seconded: Cr Nightingale

That Council accept the Manager of Work's report for the month of November 2020.

CARRIED 6/0

Ms Bryant left the meeting at 5:50pm

Ms Bryant re-joined the meeting at 5:51pm

10.4. PLANNING AND BUILDING

The presiding Person advised the meeting that late item 13.1 would be best discussed prior to item 10.4.1. Item 13.1 was received from the Planning Consultant post Agenda setting.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the order of business in the agenda be changed to allow item 13.1 to be brought forward and dealt with at this time.

COUNCIL RESOLUTION:

(206/2020) Moved: Cr Stratford Seconded: Cr Gamble

That the order of business in the agenda be changed to allow item 13.1 to be brought forward and dealt with at this time.

CARRIED 6/0

*Cr Nightingale declared a financial interest in item. 13.1 and 10.1.4. See Declaration of interest- 6.1
Cr Nightingale left the room at 6:05pm.*

COUNCIL RESOLUTION

(207/2020) Moved: Cr Stratford Seconded: Cr Gamble

That Cr Nightingale be allowed to participate in the discussion and debate the items but not the vote on either matter.

CARRIED 5/0

Cr Garner left the meeting at 6:06pm

Cr Garner and Cr Nightingale returned to the meeting at 6:06pm

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

That the presiding member approves considering late item 13.1 DEVELOPMENT APPROVAL (DA) ON LOTS 10 AND 20, CORNER HONOUR AVENUE AND WILSON STREET, WYALKATCHEM.

COUNCIL RESOLUTION:

(208/2020) Moved: Cr Garner Seconded: Cr Holdsworth

That Council considers late item 13.1. DEVELOPMENT APPROVAL (DA) ON LOTS 10 AND 20, CORNER HONOUR AVENUE AND WILSON STREET, WYALKATCHEM.

CARRIED 6/0

13.1. DEVELOPMENT APPROVAL (DA) ON LOTS 10 AND 20, CORNER HONOUR AVENUE AND WILSON STREET, WYALKATCHEM.

Applicant:	Nutrien Ag Solutions
Location:	Shire of Wyalkatchem
Date:	16 th December 2020
Reporting Officer:	Paul Bashall, Planwest (WA) Pty Ltd
Responsible Officer:	Peter Klein – Chief executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	12.05.07
Attachment Reference:	Nil

EXECUTIVE SUMMARY

This report recommends that **EITHER**, the Council advertise the proposal for a minimum period 14 days in accordance with clause 64 (3) (a) of the deemed provisions, **OR** the Council **approves** the DA for a new chemical storage shed and shop as submitted, subject to the conditions specified.

BACKGROUND

On 23rd November 2020 a DA was received from Nutrien Ag Solutions. The DA was accompanied by a set of building plans and elevations, however there was no site plan. Following contact with the applicant, a site plan was provided shortly afterwards.

Location

The property is located on the corner of Honour Avenue and Wilson Street in Wyalkatchem. The property is composed of three lots although the proposed development is only on two of these lots.

Figure 1 provides a location plan of the site, and **Figure 2** shows an enlargement of the site area.

The lots total an area of 3,033m², with Lot 10 1,012m², Lot 19 490m² and Lot 20 1,533m².

Nutrien Ag Solutions provides expert advice in a range of different farming areas, including precision farming services, marketing livestock and wool, agricultural services, water, finance, insurance, merchandise and real estate.

Nutrien Ag Solutions is the largest distributor of both farming supplies and fertiliser in Australia and provide unparalleled access to solutions. The company's team of more than 4,000 farming experts are committed to upholding the mission and values that make us the Ag retailer of the future.

The Council values the presence of the company and its operations in Wyalkatchem is keen to support its business where possible.

FIGURE 1 – LOCATION PLAN



FIGURE 2 – ENLARGED AERIAL PHOTOGRAPH



Source: Nearmap, Planwest

Local Planning Scheme

The land is zoned ‘Commercial’ in the Local Planning Scheme No 4 (the Scheme). **Figure 3** shows the zoning of the property and surrounding land.

The Deemed Provisions (of the *Planning and Development (Local Planning Schemes) Regulations 2015*) require that a DA is necessary (clause 61).

The two uses proposed include a shop and a chemical store.

A shop in a Commercial zone is a ‘P’ use (means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme).

A use class of storage is a ‘D’ use (means that the use is not permitted unless the local government has exercised its discretion by granting planning approval).

FIGURE 3 – SCHEME MAP EXTRACT



Source: DPLH, Planwest

The proposed development is to ensure that the storage of chemicals (used in the agricultural sector) is enclosed indoors. This is consistent with the objectives of the Scheme for development in a Commercial zone that states:

To preclude the storage of bulky and unsightly goods where they may be in public view.

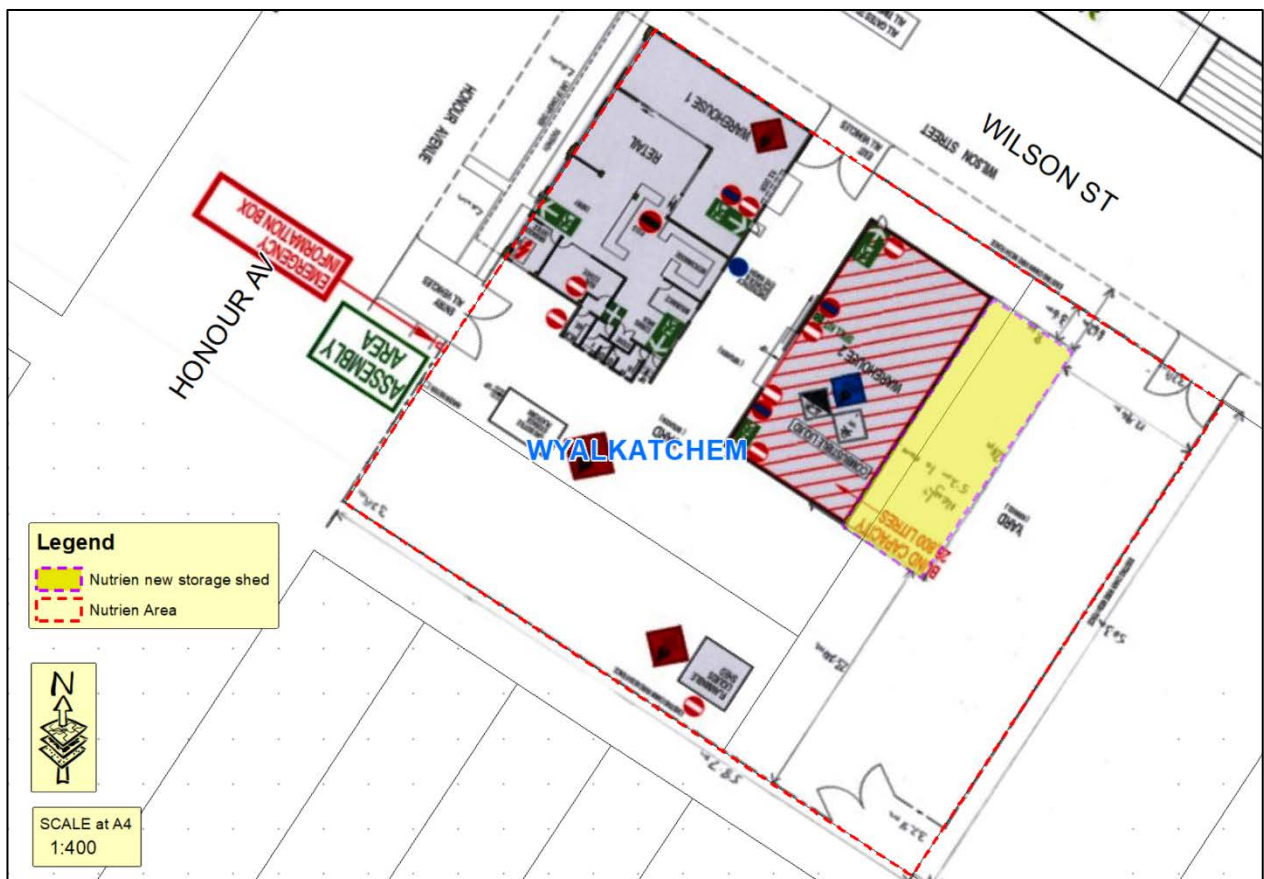
Another relevant objective relates to streetscape; however, this objective is mainly designed to protect any heritage buildings in the commercial area:

To maintain the compatibility with the general streetscape for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.

Proposed Development

Figure 4 shows an extract from the site plan provided by the applicant. The footprint of the proposed building is shown in yellow and clearly straddles the existing lot boundary between Lots 10 and 20.

FIGURE 4 – PROPOSED DEVELOPMENT



Source: Applicant, Planwest

The street setback of the existing shed is 3.6m from the front boundary fence. The height of the proposed development is about 1.3 metres higher than the existing shed that it will abut (shown red striped in **Figure 4**).

Although there are no carparking bays or landscaping shown on the site plans, it is unlikely that these would be seen as necessary for the proposed expansion. The storage of chemicals does not necessarily lead to increased patronage requiring additional parking. Landscaping is not seen as necessary in a commercial area.

Bushfire Attack Level (BAL)

The proposed development is not within the area of Bushfire Prone mapping.

DISCUSSION

The proposed development is consistent with the zone objectives and provisions, however the setbacks for industrial uses (regardless of the zoning) is at least 10 metres from the street. It is clear that these provisions are aimed at new industrial activities in an industrial area. There is no specific requirement for a storage shed and therefore the Council can use its discretion in determining the application.

The setback of the proposed shed is consistent with the existing structure, however, as the proposed structure is 1.3m higher than the existing shed, and it faces an existing residential area, it is suggested that the proposal could be advertised, and the occupiers and owners be advised of the proposal and be given the opportunity to comment.

The deemed provisions (that apply to all Schemes in the State) provide several ways in which a DA can be advertised. The most appropriate option is considered to be clause 64 (3) (a) which reads as follows;

by giving notice of the proposed use or development to owners and occupiers of properties in the vicinity of the development who, in the opinion of the local government, are likely to be affected by the granting of development approval, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to the person;

The proposed structure straddles an existing lot boundary and therefore cannot maintain the setbacks required under the Scheme. Buildings cannot be constructed across a lot boundary unless the relevant building code requirements can be satisfied.

Advice received indicates that the applicants are prepared to amalgamate properties to resolve this issue.

The risk of storing chemicals near sensitive uses (like residences) requires Environmental Protection Authority clearances. A Dangerous Goods Licence has been sighted, however this, and any other certificates, will need to satisfy the Council's health and building officers.

CONSULTATION

- Council
- Peter Toboss – Environmental Health Officer
- Neighbouring Properties
- Paul Bashall – Planwest, Town Planning Consultant

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Wyalkatchem Local Planning Scheme No 4

POLICY IMPLICATIONS

Policy 11.2 Outbuildings in residential and town site zoned areas

FINANCIAL IMPLICATIONS

There are no financial implications applicable to this item.

COMMUNITY AND STRATEGIC OBJECTIVES

Goal	Strategies		Actions
Goal 5	Growth in business opportunity	5.1	Support new industry, business, investment & diversity while encouraging growth of local businesses
Goal 5	Growth in business opportunity	5.2	Encourage community to support local business
		5.4	Town planning strategies support industry growth
Goal 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
Goal 12	Form strategic partnerships and advocate for the community	12.2	Ensuring that the Shire of Wyalkatchem is well positioned to meet future needs

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

OPTION 2

That the Council approves OPTION 2 RECOMMENDATION – That the DA application is approved subject to the following conditions:

- (i) The lots straddled by the proposed development be amalgamated to ensure building and health requirements can be maintained.*
- (ii) The applicant providing the necessary certificates or clearances from the EPA for the storage of chemicals within proximity of sensitive uses to the satisfaction of the Council.*
- (iii) Any new crossovers to be constructed to the satisfaction of the Council.*

COUNCIL RESOLUTION:

(209/2020) Moved: Cr Gamble

Seconded: Cr Garner

That the Council approves OPTION 2 RECOMMENDATION – That the DA application is approved subject to the following conditions:

- (i) The lots straddled by the proposed development be amalgamated to ensure building and health requirements can be maintained.*
- (ii) The applicant providing the necessary certificates or clearances from the EPA for the storage of chemicals within proximity of sensitive uses to the satisfaction of the Council.*
- (iii) Any new crossovers to be constructed to the satisfaction of the Council.*

CARRIED 5/0

At this point business was resumed in the sequence of the agenda.

10.4.1 NUTRIEN AG SOLUTIONS – BUILDING APPROVAL

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	9 December 2020
Reporting Officer:	Peter Klein – CEO
Disclosure of Interest:	No interest to disclose
File Number:	7.10
Attachment Reference:	Attachment 10.4.1 – Site Plan Attachment 10.4.2 – Chemical shed Plans Attachment 10.4.3 – Planning Approval Application

SUMMARY

For Council to approve the commencement of construction activities by Nutrien Ag Solutions.

BACKGROUND

Nutrien Ag Solutions has sought approval to construct an 8 x 24m extension alongside their existing storage shed.

An Application for Planning Approval was submitted on 23 November and subsequent Town Planning advice recommends granting development approval subject to Lot amalgamation. Attachment 10.4.3 – Planning approval application – to be provided.

At this time of writing this paper, Building Approval is outstanding and is subject to submission by Nutrien Ag Solutions of detailed design drawings and engineering certification.

Approval is expected from the Council’s building surveyor prior to Council’s December meeting.

COMMENT

Nutrien Ag Solutions has written to Council confirming its commitment to amalgamating Lots 19 & 20 Honour Avenue and Lot 10 Wilson St, Wyalkatchem.

To achieve this they have advised RM Surveys have been contracted to complete the subdivision application including any site investigations necessary for a compliant application.

Further, Nutrien Ag Solutions has agreed that if despite their best efforts, the subdivision is unsuccessful, it will undertake any works necessary to ensure compliance with all applicable building codes including, the potential retrospective installation of a compliant firewall.

The decision demonstrates agility in respect to the Building Approval process and facilitates local investment in circumstances where the counter-party is assessed as having a strong financial position, is making a significant contribution to the local economy and has demonstrated a strong and trusted commitment to meeting its compliance obligations to the Council.

STATUTORY ENVIRONMENT

Building Act 2011 Part 2 Division 1 No Building work without a Building Permit.

A person must not do building work unless –

- (a) a building permit is in effect for the building work.

POLICY IMPLICATIONS

Policy 11.2 Outbuildings in Residential and Town site zone areas.

FINANCIAL IMPLICATIONS

There are no financial implications.

COMMUNITY & STRATEGIC OBJECTIVES

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

Aspiration: Accountable, effective and engaged leaders

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

Subject to Building Permit Approval and submission of the Subdivision/Amalgamation Application, that Council approves the commencement of Nutrien Ag Solution’s planned construction program.

COUNCIL RESOLUTION:

(210/2020) Moved: Cr Stratford

Seconded: Cr Holdsworth

That subject to Building Permit Approval and submission of the Subdivision/Amalgamation Application, that Council approves the commencement of Nutrien Ag Solution’s planned construction program.

CARRIED 5/0

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

The presiding member approved considering late item 13.1 DEVELOPMENT APPROVAL (DA) ON LOTS 10 AND 20, CORNER HONOUR AVENUE AND WILSON STREET, WYALKATCHEM, prior to Item 10.4.1 NUTRIEN AG SOLUTIONS – BUILDING APPROVAL.

14.MATTERS BEHIND CLOSED DOORS

OFFICER'S RECOMMENDATION

That Council suspends Standing Orders and moves behind closed doors in accordance with Section 5.23 (2)(a) & (b) and 5.23 (2)(c) of the Local Government Act 1995, to deal with matters that relate to:

- *a matter affecting an employee or employees;*
- *the personal affairs of a person and*
- *matters of a contract which may be entered into, by the local government*

COUNCIL RESOLUTION:

(211/2020) Moved: Cr Stratford Seconded: Cr Garner

That Council suspends Standing Orders and moves behind closed doors in accordance with Section 5.23 (2)(a) & (b) and 5.23 (2)(c) of the Local Government Act 1995, to deal with matters that relate to:

- ***a matter affecting an employee or employees;***
- ***the personal affairs of a person and***
- ***matters of a contract which may be entered into, by the local government***

CARRIED 6/0

14.1. CONSULTANCY AGREEMENT WITH BOSS HEALTH (PETER TOBOSS)

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	9 December 2020
Reporting Officer:	Peter Klein, Chief executive officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 14.1 – Draft Consultancy Services Agreement

SUMMARY

For Council to approve the Consultancy Agreement with Boss Health Group (Peter Toboss) for the delivery of Environmental Health Officer services.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Rental income of \$600/month (after deducting Wyalkatchem’s contribution) is lost but the Council gets access to the property which expands its staff accommodation capability. The proposed agreement is without any additional financial costs as the current budget allocation is more than the proposed service fee.

COMMUNITY & STRATEGIC OBJECTIVES

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

Aspiration: Accountable, effective and engaged leaders

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council approve the execution of the Consultancy Services Agreement with Boss Health Group for the provision of Environmental Health Officer Services.

COUNCIL RESOLUTION:

(212/2020) Moved: Cr Nightingale Seconded: Cr Stratford

That Council approve the execution of the Consultancy Services Agreement with Boss Health Group for the provision of Environmental Health Officer Services.

CARRIED 6/0

OFFICER'S RECOMMENDATION

That Council resumes Standing orders and move out from behind closed doors.

COUNCIL RESOLUTION:

(213/2020) Moved: Cr Gamble Seconded: Cr Garner

That Council resumes Standing orders and move out from behind closed doors.

CARRIED 6/0

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

Nil

16. CLOSURE OF THE MEETING

There being no further business to discuss, the Chairperson thanked everyone for their attendance and closed the meeting at 6:29pm.