



**MINUTES
OF THE PUBLIC
ORDINARY MEETING
OF COUNCIL
HELD ON
WEDNESDAY, 28 APRIL 2021**

**Council Chambers
Honour Avenue
Wyalkatchem**

Commencement: 4:00pm

Closure: 6:31pm

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 7 May 2021.

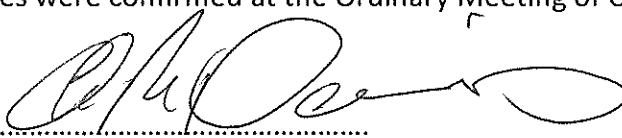


Peter Klein

Chief Executive Officer

Confirmed Minutes

These minutes were confirmed at the Ordinary Meeting of Council held 20 May 2021.

Signed: 

**Cr Quentin Davies, Shire President and Presiding Member
Shire of Wyalkatchem**

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above

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.

TABLE OF CONTENTS

1.	DECLARATION OF OPENING	1
2.	PUBLIC QUESTION TIME	1
2.1.	Response to Public Questions Previously Taken on Notice	1
2.2.	Declaration of Public Question Time opened	1
2.3.	Declaration of Public Question Time closed	1
3.	ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE	1
3.1.	Attendance	1
3.2.	Apologies	1
3.3.	Approved Leave of Absence	1
3.4.	Applications for Leave of Absence	1
4.	OBITUARIES	1
5.	PETITIONS, DEPUTATIONS, PRESENTATIONS	2
5.1.	Petitions	2
5.2.	Deputations	2
5.3.	Presentations	2
6.	DECLARATIONS OF INTEREST	2
6.1.	Financial and Proximity Interest	2
6.2.	Impartiality Interests	2
7.	CONFIRMATION AND RECEIPT OF MINUTES	3
7.1.	Confirmation of Minutes	3
7.1.1.	Ordinary Meeting of Council – 18 March 2021	3
7.2.	Receipt of Minutes	3
7.2.1.	Special Audit and Risk Committee Meeting Minutes – 28 April 2021	3
7.2.2.	Northam District Operations Advisory Committee Meeting Minutes – 16 March 2021 (Draft)	5
7.2.3.	NEWROC Executive Minutes – 23 February 2021	5
7.2.4.	NEWTRAVEL General Meeting Minutes – 25 February 2021	5
8.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	5
9.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	6
9.1.	10.1.4 OVERDUE RATES AND CHARGES – MARCH 2021	6
9.2.	14.1 MEDICAL SERVICES AGREEMENT RENEWAL	6
10.	REPORTS	7

10.1.	CORPORATE AND COMMUNITY SERVICES	7
10.1.1.	ACCOUNTS FOR PAYMENT – MARCH 2021	7
10.1.2.	ACCOUNTS FOR PAYMENT – CREDIT CARDS – FEBRUARY 2021.....	9
10.1.3	MONTHLY FINANCIAL REPORT – MARCH 2021	11
10.2.	GOVERNANCE AND COMPLIANCE.....	13
10.2.1.	CHIEF EXECUTIVE OFFICER REPORT – MARCH 2021	13
10.2.2.	PRINCIPAL ENVIRONMENTAL HEALTH OFFICER REPORT - MARCH 2021	15
10.2.3.	STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION POLICY	17
10.2.4.	CODE OF CONDUCT REVIEW	19
10.2.5.	AUTHORISATION OF COMPLAINTS OFFICER	21
10.2.6.	BUILDING ACT 2011 DELEGATIONS REVIEW	23
10.2.7.	COMMON SEAL FOR THE AGREEMENT FOR PROVISION OF SERVICES WITH THE COMMUNITY RESOURCE CENTRE.....	25
10.2.8.	POLICY AMENDMENT – COUNCIL VEHICLES ISSUED TO STAFF	27
10.3.	WORKS AND SERVICES	31
10.3.1.	OFFICERS REPORT – MANAGER OF WORKS – MARCH 2021	31
10.3.2.	CAPITAL PROJECTS REPORT – MARCH 2021.....	34
11.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	39
12.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	39
13.	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	39
14.	MATTERS BEHIND CLOSED DOORS.....	39
14.1.	10.1.4 OVERDUE RATES AND CHARGES – MARCH 2021	39
14.2.	AGREEMENT RENEWAL – GENERAL PRACTITIONER SERVICES	41
15.	INFORMATION BULLETIN.....	42
15.1.	Information Bulletin.....	42
15.2.	Business Arising from the Information Bulletin.....	42
16.	CLOSURE OF THE MEETING	42

1. DECLARATION OF OPENING

The Chairperson, Shire President Cr Davies opened the meeting at 4:00pm.

The meeting moved directly to item 5.3 Presentations – Mr Sam Green – Waste Management. (See comment 5.3)

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 4:31pm

2.3. Declaration of Public Question Time closed

Public question Time closed at 4:31pm

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	

Staff:	Peter Klein	Chief Executive Officer
	Ally Bryant	Manager of Corporate Services
	Stephanie Elvidge	Governance Executive Officer
	Terence Delane	Acting 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 David Lawrence had recently passed away. David was a long term resident of Wyalkatchem with strong family ties.

It was advised that Carol Farrell had recently passed away. Carol was a resident of Wyalkatchem and wife of Shire CEO C (Lee) Farrell 1981-1986.

Cr Rachel Nightingale, a great Councillor and friend to many, sadly passed away on 5th April.

Councillor's and staff thoughts and prayers are with Will, Harry and Lauren and their families, and the Shire has received condolences far and wide for this great loss to the community.

Rachel has been a huge part of Council's decision making and will 'remain in the room' (Shire Chambers) until October 2021.

Cr Davies expressed his gratitude for all the support received to help set up the Town Hall for Cr Rachel Nightingale's memorial service. The live stream was much appreciated by people from all over the world.

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.1. Petitions

Nil

5.2. Deputations

Nil

5.3. Presentations

Mr Sam Green – Waste Management.

A regional approach to waste management was identified as a strategic priority by NEWROC in 2018.

Later in 2018, Giles Perryman of ASK Waste Management attended a NEWROC meeting in Koorda and facilitated a discussion on how the NEWROC members could work together to improve waste management infrastructure, practices and processes.

To further develop the strategic priority, NEWROC engaged ASK Waste Management in 2019 to undertake and complete the following tasks:

- Assess current waste facilities across each member local government.
- Investigate ways to improve each member's landfill site (and to use the study as a base for grant applications).
- Investigate improved options for waste management across the region.

Mr Green gave a presentation on the proposed changes on behalf of ASK Waste Management.

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 – 18 March 2021

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 18 March 2021 (Attachment 7.1.1)

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(254 /2021) Moved: Cr Garner

Seconded: Cr Gamble

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 18 March 2021 (Attachment 7.1.1) be confirmed as a true and correct record.

CARRIED 5/0

7.2. Receipt of Minutes

7.2.1. Special Audit and Risk Committee Meeting Minutes – 28 April 2021

Minutes of the Special Audit Committee Meeting of Thursday 28 April 2021 (Attachment to be provided).

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(255 /2021) Moved: Cr Holdsworth

Seconded: Cr Gamble

That the minutes of the Special Audit Committee Meeting of Thursday 28 April 2021 (Attachment provided) be received by Council.

CARRIED 5/0

MATTERS ARISING FROM THE SPECIAL AUDIT COMMITTEE MEETING

7.1.1 Meeting with the Auditor and Management Letter

VOTING REQUIREMENT

Simple Majority

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee recommends that Council;

- 1. Accept the 2019/2020 Management Letter prepared by Office of Auditor General and accepts management comments and actions in relation to the audit outcomes and recommendations.*
- 2. Accept and endorse the Report on Significant Matters for the financial year ended 30 June 2020.*
- 3. Acknowledge that the Audit and Risk Management Committee has met with the Auditors and has discharged its obligations, in accordance with Section 7.12A (2)) of the Local Government Act.*

COUNCIL RESOLUTION:

(256 /2021) Moved: Cr Gamble

Seconded: Cr Holdsworth

That Council;

- 1. Accept the 2019/2020 Management Letter prepared by Office of Auditor General and accepts management comments and actions in relation to the audit outcomes and recommendations.**
- 2. Accept and endorse the Report on Significant Matters for the financial year ended 30 June 2020.**
- 3. Acknowledge that the Audit and Risk Management Committee has met with the Auditors and has discharged its obligations, in accordance with Section 7.12A (2)) of the Local Government Act.**

CARRIED 5/0

7.1.2 Annual Report and Financial Statements

VOTING REQUIREMENT

Absolute majority

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee recommends that Council;

- 1. Accept the Audit Report for the 2019/2020 financial year.*
- 2. Accept the Annual Report and Financial Statements for the year ended 30 June 2020.*
- 3. Holds a General Meeting of Electors on the 20 May 2021 commencing at 6pm at the Shire of Wyalkatchem Council Chambers.*

COUNCIL RESOLUTION:

(257 /2021) Moved: Cr Stratford

Seconded: Cr Gamble

That Council;

- 1. Accept the Audit Report for the 2019/2020 financial year.**
- 2. Accept the Annual Report and Financial Statements for the year ended 30 June 2020.**
- 3. Holds a General Meeting of Electors on the 20 May 2021 commencing at 6pm at the Shire of Wyalkatchem Council Chambers.**

CARRIED 5/0

NOTE: COUNCIL ADOPTED EN BLOC (MOVED BY CR STRATFORD AND SECONDED BY CR GARNER), THE MEETING MINUTES FROM ITEMS 7.2.2 TO 7.2.4 INCLUSIVE.

7.2.2. Northam District Operations Advisory Committee Meeting Minutes – 16 March 2021 (Draft)

Minutes of the Northam District Operations Advisory Committee Meeting held on Tuesday 16 March 2021 - Draft (Attachment 7.2.2).

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(258 /2021) Moved: Cr Stratford Seconded: Cr Garner

That the minutes of the Northam District Operations Advisory Committee Meeting of Tuesday 16 March 2021 - Draft (Attachment 7.2.2) be received by Council.

CARRIED 5/0

7.2.3. NEWROC Executive Minutes – 23 February 2021

Minutes of the NEWROC Executive Meeting held on Tuesday 30 March 2021 (Attachment 7.2.3).

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(259 /2021) Moved: Cr Stratford Seconded: Cr Garner

That the minutes of the NEWROC Executive Meeting of Tuesday 30 March 2021 (Attachment 7.2.3) be received by Council.

CARRIED 5/0

7.2.4. NEWTRAVEL General Meeting Minutes – 25 February 2021

Minutes of the NEWTRAVEL General Meeting held on Thursday 25 February 2021 (Attachment 7.2.4)

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(260/2021) Moved: Cr Stratford Seconded: Cr Garner

That the minutes of the NEWTRAVEL General Meeting held on Thursday 25 February 2021 (Attachment 7.2.4) be confirmed as a true and correct record.

CARRIED 5/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Cr Davies explained that there was a reduced attendance from Council members and Shire staff at the ANZAC Day Ceremony due to the COVID – 19 restrictions. Cr Davies thanked the Shire staff and the RSL for all their efforts for setting up and supporting ANZAC Day.

Manager of Works Keith Mills completes his contract with the Shire on Friday 30 April. Cr Davies wished him all the best and welcomed Terry Delane to the acting Manager of Works position.

Cr Davies reminded the community to stay safe and follow the COVID – 19 guidance, rules and regulations. Please continue to use COVID apps when signing in.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

9.1. 10.1.4 OVERDUE RATES AND CHARGES – MARCH 2021

9.2. 14.1 MEDICAL SERVICES AGREEMENT RENEWAL

Cr Holdsworth left the meeting at 4:43pm

Cr Holdsworth returned to the meeting at 4:46pm

10. REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – MARCH 2021

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	7 April 2021
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 – March 2021

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

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 –

- Presented to the council at the next ordinary meeting of the council after the list is prepared; and
- 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 March 2021 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 \$0.00.

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	16888	16889
Municipal & Trust	EFT	EFT1036	EFT1037
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 / COUNCIL RESOLUTION:

(261 /2021) Moved: Cr Garner

Seconded: Cr Stratford

That Council endorse the following payments for the month of March 2021:

- 1. Cheque 16889 payments in the Municipal Fund totalling \$240.00;*
- 2. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$250,604.40;*
- 3. Direct Debit (DD) payments in the Municipal Fund totalling \$36,103.24;*
- 4. Payroll Journal (JNL) payments in the Municipal Fund totalling \$90,520.62;*
- 5. Total payments for the month of March 2021 being \$377,468.26*

CARRIED 5/0

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS – FEBRUARY 2021

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	10 March 2021
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 – February 2021

BACKGROUND

Council governance procedures require that Council endorse credit card payments at each ordinary council meeting.

The attached credit card payment report has been reviewed by the Manager of Corporate Services and CEO and no anomalies or matters requiring further explanation have been identified.

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 FY21 Annual Budget.

COMMUNITY & STRATEGIC OBJECTIVES

This matter is consistent with the following Strategic Community Plan goal

Goal No.	Strategies		Actions
Goal 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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(262 /2021) Moved: Cr Stratford Seconded: Cr Gamble

That Council, endorse the credit card payments made for the period 29 January to 26 February 2021, totalling \$471.88 (refer attachment 10.1.2).

CARRIED 5/0

10.1.3 MONTHLY FINANCIAL REPORT – MARCH 2021

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	8 April 2021
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 – March 2021

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 of 10% or \$10,000 whichever is the greater.

COMMENT

The attached 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 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 / COUNCIL RESOLUTION:

(263/2021) Moved: Cr Holdsworth Seconded: Cr Garner

That Council accept the Statement of Financial Activity for the month ending 31st March 2021 as included in attachment 10.1.2.1, as presented and notes any material variances.

CARRIED 5/0

10.2. GOVERNANCE AND COMPLIANCE

10.2.1. CHIEF EXECUTIVE OFFICER REPORT – MARCH 2021

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	7 April 2021
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 last report the CEO has attended the following meetings and events to progress community and Council's interests;

- Sandra Clohessy – Account Manager LGIS re various insurance matters
- Sheryl Wemm – Friends of the Cemetery
- Bobby Reilly – re Tidy Towns
- Joanne Eggleston & Shauna McQuade – LGIS HR Risk Consultant
- NEWROC Executive Meeting
- Clive Davis – re youth engagement

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

These meetings and their actions delivers the Strategic Community Plan objective to be a responsive, ratepayer focussed organisation that demonstrates community inspired leadership.

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 / COUNCIL RESOLUTION:

(264 /2021) Moved: Cr Holdsworth Seconded: Cr Garner

That Council accepts the Chief Executives Officer report for the month of March 2021.

CARRIED 5/0

10.2.2. PRINCIPAL ENVIRONMENTAL HEALTH OFFICER REPORT - MARCH 2021

Applicant:	Boss Health Group
Location:	Shire of Wyalkatchem
Date:	7 April 2021
Reporting Officer:	Peter Toboss – Principal Environmental Health Officer
Disclosure of Interest:	NIL
File Number:	13.05.01
Attachment Reference:	NIL

BACKGROUND

The report will provide an insight 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 one day a month.

HEALTH, BUILDING AND PLANNING ENQUIRIES

The PEHO completed a total of eleven (11) health, building and planning enquiries during the reporting period.

FOOD PREMISES INSPECTION

Nil

FOOD BUSINESS APPROVAL

The PEHO received an application for registration of a food business in March to occasionally conduct food activities at Wyalkatchem Bowling Club and Wyalkatchem Recreational Centre. The application was approved and a Certificate of Registration of a food business has been issued.

CONTACT REGISTER INSPECTIONS

The PEHO inspected five (5) businesses in town for compliance with COVID-19 Contact Register Directions. From 5 December 2020, mandatory requirements specified in directions issued under the *Emergency Management Act 2005*, for specified businesses to implement and maintain a contact register of all persons who attend their business premises

HOUSE UNFIT FOR HABITATION INSPECTION

The PEHO conducted inspection of a dwelling house on 13 Piesse Street, for compliance with section 135 of the *Health (Miscellaneous Provisions) Act 1911*. The inspection found the dwelling to be in poor conditions but still habitable at the time of the inspection.

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). No Samples were taken for March 2021 due to the very low water level at the Shire dam and the tennis club tank.

SWIMMING POOL WATER SAMPLING

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

STATUTORY ENVIRONMENT

Food Act 2008,

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

This initiative is consistent with the following Community Strategic Plan goals;

Objective: Healthy, Strong and connected communities

Outcome No.	Outcome	Action No.	Actions
1.1	Enhance community well-being and participation in community life	1.1.2	Promote regional health solutions that are integrated with other governments and entities

Objective: A prosperous and dynamic district

Outcome No.	Outcome	Action No.	Actions
2.1	A Vibrant and activated public places	2.1.1	Enhance and upgrade the amenity of the shopping precinct

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(265 /2021) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council accept the Principal Environmental Health Officer Report for March 2021 as presented.

CARRIED 5/0

10.2.3. STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION POLICY

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	6 April 2021
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01A
Attachment Reference:	Attachment 10.2.3. – Standards for CEO Recruitment, Performance and Termination Policy

BACKGROUND

The *Local Government Legislation Amendment Act 2019* includes a requirement for model standards covering the recruitment and selection, performance review and termination of employment of local government CEO's. These reforms are intended to ensure best practice and greater consistency in these processes between local governments.

COMMENT

A local government must select a CEO in accordance with the principles of merit, equity and transparency and must avoid nepotism, bias or patronage in exercising its powers. Additionally, a local government must not unlawfully discriminate against applicants.

Section 5.40 of the *Local Government Act 1995* (Act) lists a number of general principles of employment that apply to local governments.

The standards and guidelines have been developed by the Department of Local Government, Sport and Cultural Industries (Department), in consultation with representatives from the Public Sector Commission, the Ombudsman, the Western Australian Local Government Association (WALGA) and Local Government Professionals WA (LGPro).

STATUTORY ENVIRONMENT

Local Government Act 1995 S 5.40

Local Government Legislation Amendment Act 2019

POLICY IMPLICATIONS

New Standards for CEO Recruitment, Performance and Termination Policy.

FINANCIAL IMPLICATIONS

Nil

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

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:

(266 /2021) Moved: Cr Stratford Seconded: Cr Garner

That Council adopt the Model Standards covering the recruitment and selection, performance review and termination of employment of local government CEO's (refer attachment 10.2.3.)

CARRIED 5/0

10.2.4. CODE OF CONDUCT REVIEW

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	6 April 2021
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01A
Attachment Reference:	Attachment 10.2.4.1 – Current Code of Conduct Policy 2.1 Attachment 10.2.4.2 – Model Code of Conduct for elected members, committee members and candidates

BACKGROUND

A review of the Local Government Act 1995 (Act), including consultation with community and sector stakeholders, led to the implementation of priority reforms under the Local Government Amendment Act 2019 (Amendment Act).

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms, including a Code of Conduct for council members, committee members and candidates that clearly reflects community expectations of behaviour and supports consistency between local governments in relation to the overall process for managing alleged breaches of that Code.

As a result, key reforms under the Amendment Act include the introduction of a Model Code of Conduct (Model Code) that must be adopted by local governments and applied to council members, committee members and candidates; as well as a separate Code of Conduct for Employees.

The Model Code replaces the previous statutory requirement for local governments to develop and implement an individual code of conduct for their council members, committee members and employees.

The Model Code of Conduct Regulations 2021 (Regulations) have been developed to give effect to the Amendment Act, and provide for:

- Overarching principles to guide behaviour;
- Behaviours and complaints which are managed by local governments; and
- Rules of conduct, contraventions of which are considered by the independent Local Government Standards Panel (Standards Panel) where appropriate.

COMMENT

Section 5.104 of the Act requires that local governments adopt the Model Code as their Code of Conduct Policy within three months of the Regulations coming into operation (by 3 May 2021).

Council's Current Code of Conduct Policy 2.1 (attachment 10.2.4.1) is no longer applicable and is to be removed from the Register of policies to be replaced with the Model Code of Conduct for elected members, committee members and candidates (attachment 10.2.4.2) and a separate Employee Code of Conduct.

The Employee Code of Conduct will be reviewed based on the template that WALGA is currently devising.

A template for Code of Conduct breaches has been provided by The Department of Local Government, Sport and Cultural Industries (DLGSC) (see appendix 1 Attachment 10.2.4.2).

STATUTORY ENVIRONMENT

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

Local Government (Administration) Amendment Regulations 2021

Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021

Local Government (Model Code of Conduct) Regulations 2021

POLICY IMPLICATIONS

Register of policies 2.1 Code of Conduct

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

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:

(267/2021) Moved: Cr Garner

Seconded: Cr Stratford

That Council;

- 1. Adopt the Model Code of Conduct for elected members, committee members and candidates as provided for in Attachment 10.2.4.2*
- 2. Adopt the template for Code of Conduct breaches, appendix 1 Attachment 10.2.4.2*

CARRIED 5/0

10.2.5. AUTHORISATION OF COMPLAINTS OFFICER

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	6 April 2021
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01A
Attachment Reference:	Attachment 10.2.5 – DLGSCI Guidelines on the Model code of Conduct

BACKGROUND

The Department of Local Government, Sport and Cultural Industries (DLGSCI) has produced Guidelines on the Model Code of Conduct for council members, committee members and candidates (attachment 10.2.5).

The guidelines indicate that local governments must authorise at least one person to receive complaints regarding members and candidates.

COMMENT

The Regulations state that the Local Government must, in writing, authorise one or more persons to receive complaints and withdrawals of complaints, but they do not specify who that person(s) will be.

The Complaints Officer could be:

- President,
- Deputy President (especially for complaints about the President),
- Chief Executive Officer, or
- External Consultant

STATUTORY ENVIRONMENT

Local Government Act 1995 s2.7(2)(b) – Determine the Local Government’s policies
Local Government (Administration) Amendment Regulations 2021
Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021
Local Government (Model Code of Conduct) Regulations 2021

POLICY IMPLICATIONS

Model Code of Conduct for elected members, committee members and candidates.

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

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:

(268 /2021) Moved: Cr Stratford Seconded: Cr Holdsworth

That Council appoints the following persons to receive complaints relating to Council Members, Committee Members and Candidates:

- 1. Shire President; and***
- 2. Deputy Shire President***

Further, the template complaints form, provided by the Department of Local Government, Sport and Cultural Industries, be adopted as the approved form for receiving complaints.

CARRIED 5/0

10.2.6. BUILDING ACT 2011 DELEGATIONS REVIEW

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	7 April 2021
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	22.02.02
Attachment Reference:	Attachment 10.2.6.1 Current Delegations Attachment 10.2.6.2 Revised Delegations

BACKGROUND

In accordance with the *Local Government Act 1995*, Council reviews its delegation register annually. The last review was conducted on 21 February 2020.

COMMENT

The CEO recommends the review of Delegation C1 Building Act 2011, 2.1 Council to CEO / Employees; 2.1.1 - Grant a Building permit and 2.1.3 C5 - Grant an occupancy permit or building approval certificates.

The current delegations are from Council to the CEO dated 21 February 2019. (see Attachment 10.2.6.1)

The CEO at the time had exercised the right not to sub – delegate the functions of:

1. *Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].*
2. *Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22].*
3. *Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)].*
4. *Authority to determine an application to extend time during which a building permit has effect [r.23].*
 - i. *Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]*
 - ii. *Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].*

Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26]

And

1. *Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].*
2. *Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].*
3. *Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].*

4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].

It is recommended that the delegation C1 and C5 under the Building Act 2011 be extended to include sub – delegated authority to the Manager of Corporate services and the Governance Executive Officer (Attachment 10.2.6.2).

STATUTORY ENVIRONMENT

Local Government Act 1995 s 5.42 – Delegation of some powers and duties to CEO

Local Government Act 1995 s5.43 – Limits on delegations to CEO

POLICY IMPLICATIONS

Nil

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

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:

(269/2021) Moved: Cr Garner

Seconded: Cr Holdsworth

That Council

Adopt the extension of the following sub - delegations to the Manager of Corporate Services and Governance Executive Officer, as provided for in attachment 10.2.6.2, under the Building Act 2011.

- *2.1.1 C1- Grant a building permit and*
- *2.1.3 C5 - Grant an occupancy permit or building approval certificates.*

CARRIED 5/0

10.2.7. COMMON SEAL FOR THE AGREEMENT FOR PROVISION OF SERVICES WITH THE COMMUNITY RESOURCE CENTRE

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	8 April 2021
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01A
Attachment Reference:	Nil

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.

BACKGROUND

Council endorsed the amendments to the agreement at the ordinary Meeting of Council 17 December 2020.

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

COMMENT

The amended agreement was signed by the relevant parties on 8th April 2021.
The document is best served with the application of the Common Seal.

Part 19.1 (2) of the Shire of Wyalkatchem Standing Orders states:

- (2) *The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.*

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

Nil

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

Absolute Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(270 /2021) Moved: Cr Gamble

Seconded: Cr Stratford

That Council appoint the Chief Executive Officer to affix the Shire's Common Seal to the adopted amended Community Resource Centre Service Agreement.

CARRIED 5/0

10.2.8. POLICY AMENDMENT – COUNCIL VEHICLES ISSUED TO STAFF

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	9 April 2021
Reporting Officer:	Peter Klein – CEO
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01A
Attachment Reference:	Nil

BACKGROUND

The policy currently specifies that executive vehicles are replaced either after 2 years or 60,000kms or 4 years or 80,000kms.

Current practice also allows Leading Hands to home garage a Shire vehicle. However, this policy does not detail any conditions for this practice.

COMMENT

Neither of the options for replacing executive vehicles is currently delivering the lowest replacement cost to Council. It is proposed that the replacement of executive vehicles be reviewed annually to identify the lowest cost option.

The right for Leading Hands to home garage a vehicle is not written into the employment contracts of either of our Leading Hands. The right is historical and verbal.

This said, the right offers recognition for the higher duties performed by these two valued staff members and offers them a capacity to respond when called upon to perform out-of-hours duties.

It is recommended that the practice be allowed to continue subject to the existing policy being amended to read as follows

5.21 - COUNCIL VEHICLES ISSUED TO STAFF

Responsible Department	Corporate Services
Former policy Reference	Nil
Resolution Number	OMC
Resolution Date	15 April 2021
Last Amendment Date	18 April 2019 – New Policy
Shire Related Documents	Nil
Related Legislation	Nil

OBJECTIVE

To supply employees with a means of transportation in order that they may provide effective and efficient services.

POLICY

No employee shall drive a Shire vehicle without a valid “C” class driver’s licence. Upon request, employees will produce their current driver’s licence for inspection by a delegated officer.

The employee shall be responsible for payment of fines incurred as a result of failing to observe the Road Traffic Code and/or any parking prohibitions.

All Shire vehicles are deemed to be ‘pool vehicles’ during normal business hours and are not exclusive in use to the respective assigned employees.

All vehicles shall be appropriately housed and secured at the residence of the employee. It is the responsibility of the employee to maintain the vehicle in a clean and tidy state, and report immediately any damage or malfunction. Smoking is banned in all Shire of Wyalkatchem vehicles.

The following conditions shall apply to staff that have vehicles issued to them by Council:-

- **Chief Executive Officer**

- Unrestricted use of the vehicle, in the South West Land Division of Western Australia or other use as approved by Council;
- No Shire logo
- Choice of colour
- Maximum value of vehicle \$65k (exc. GST) as per the annual budget.
- Replaced at a frequency that minimises net cost to Council which, is to be assessed annually and reported in each annual budget.

- **Manager of Works**

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the Chief Executive Officer provided for in the employee’s contract.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$55k (exc. GST) as per the annual budget.
- Replaced at a frequency that minimises net cost to Council which, is to be assessed annually and reported in each annual budget.
- ~~every 2 years or 60,000km~~

- **Manager Corporate Services**

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the Chief Executive Officer or provided for in the employee’s contract.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$40k (exc. GST) as per the annual budget
- Replaced at a frequency that minimises net cost to Council which, is to be assessed annually and reported in each annual budget.
- ~~every 4 years or 80,000km~~

- **Leading Hand - Plant Operator & Leading Hand – Parks & Gardens**
 - Leading Hands are entitled to home garage a Shire vehicle.
 - Home garaging means driving the vehicle from the place of work to home and from home to the place of work, subject to home being within 10 kms of the Shire Offices.
 - This right is explicitly granted as compensation for the Leading Hands being available to be called upon to work outside of normal working hours.
 - All non-work related out-of-hours use of the vehicle is prohibited.
 - Family members are not entitled to drive the vehicle at any time.
 - The vehicle is a tool-of-trade and prior to taking periods of leave, including Personal Leave, the vehicle is to be left at, or returned to the Depot where it can be made available for use by other team members.

Any alterations to the above allowances will be taken to Council for approval. Maximum values may be considered as part of the budget consideration processed based on estimates and/or quotations for the proposed vehicle/s.

POLICY IMPLICATIONS

This amendment delivers a more prescriptive policy that clarifies an existing grey area that could be the source of staff dispute and disengagement.

FINANCIAL IMPLICATIONS

The tight definition of home garaging means that this amendment will have a minor financial effect on the Council. Please note this is a cost currently being incurred by Council.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with Goal 11 from the Community Strategic Plan as it assists with staff retention and reward and facilitates out-of-hours services to community.

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

Cr Garner left the meeting at 5:50pm

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(271/2021) Moved: Cr Garner

Seconded: Cr Holdsworth

The Policy 5.21 amendments detailing conditions for replacing executive vehicles and home garaging Shire vehicles by Leading Hands, be approved.

CARRIED 4/0

Cr Garner returned to the meeting at 5:50pm

10.3. WORKS AND SERVICES

10.3.1. OFFICERS REPORT – MANAGER OF WORKS – MARCH 2021

Applicant:	Not Applicable
Location:	Shire of Wyalkatchem
Date:	1 April 2021
Reporting Officer:	Keith Mills – 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 month of March 2021.

COMMENT

Road Crew

- The Shire's 20/21 Regional Road Group program has commenced on the Cunderdin/Wyalkatchem Rd with culvert extensions being installed along with drain & backslope clearing/cleaning from SLK26.16 – 24.18.
- The Regional Road Group works program for the Tammin/Wyalkatchem Rd (Shoulder widening and Sealing SLK 13.61 – 16.36) has been changed to Shoulder widening and Sealing to these new sections SLK22.59-22.07 & SLK19.86-17.79 of the same road.
After discussions with Rod Munns, he was in agreeance that the original section would require a lot more work and would be over budget, the new section requested already has the shoulders widened and would require less work to be within budget.

Parks / Town Services Crew

- Town street verge - general maintenance.
- Shire Admin garden - general maintenance.
- Admin Park - mowing.
- Pioneer Park - raking and general maintenance.
- Town Hall garden - general maintenance.
- Railway Barracks - grounds maintenance.
- Repairs continuing with Oval Reticulation.
- Town Dam - pump moved back to the southern side after good rainfall.

Buildings

- Old Tennis Club has now been revamped into the Day Care Centre.
- Block behind Service Station has had the fence removed and area cleaned with the shed remaining.

Waste Management

- Weekly push up of deposited waste at Wyalkatchem's landfill.

Vehicle/Plant

- New Isuzu Crew Cab Truck will be arriving after Easter.

Plant – Servicing and Repairs

- Liebherr 550 loader – Hydraulic Hoist Ram is to be replaced.

Aerodrome

Weekly aerodrome and lighting inspection carried out.

Private works

- Nil

General

- Survey of the Eastern Channel has been completed by Zone 50 Survey from Kewdale.

OSH

Incident Reports

- Nil

Staff

- Diane McDonald has been appointed to the position of Gardening Leading Hand until 31/01/2022.
- John Truman has joined the Gardening crew on a casual basis.
- Dale Stone has returned to the Road Crew.

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 / COUNCIL RESOLUTION:

(/2021) Moved: Cr Garner

Seconded: Cr Gamble

That Council accept the Manager of Work's report for the month of March 2021.

CARRIED 5/0

Cr Gamble left the meeting at 5:54pm

Cr Gamble returned to the meeting at 5:56pm

Cr Holdsworth left the meeting at 6:02pm

Cr Holdsworth returned to the meeting at 6:04pm

10.3.2. CAPITAL PROJECTS REPORT – MARCH 2021

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	9 April 2021
Reporting Officers:	Ally Bryant (MCS) & Peter Klein (CEO).
Disclosure of Interest:	No interest to disclose
File Number:	12.05.02
Attachment Reference:	Nil

BACKGROUND

During the budget process each year the council decides on capital projects that will be included in the scope of works for the next financial year.

The financial statements provide a monthly update on the expenditure of the budgeted capital works and this report is designed to give council a more detailed update of the expenditure and progress of the current projects.

COMMENT

As of 8 April, 12 of our 25 scheduled projects for 2020/2021 have been completed. The projects that are still to be completed are below.

LGRIC Funded Projects

Child Care Centre – All preparation works to the building and grounds has been completed and staff are working with the facilitator to complete purchases of furnishings and program equipment. An application to the Education and Care Regulatory Unit seeking approval for the venue is being submitted and a request for enrolments has been sent to the local families. Target start date is Mid May 2021.

Museum Storage and Display Shed – NM Trailers Kellerberrin has been selected to supply and construct the new storage & display shed. Architectural plans are being finalised and are scheduled for submission to Council in the week beginning 12 April and these plans will be used to obtain building approval. Site works will begin before 7 May and are expected to take about two weeks.

Total project cost is \$83,380 (GST inclusive). Funds will be drawn from LRCI Phase 1 grant allocation (\$80,000) and will be topped-up by a \$10,000 grant from the Collgar Community Fund obtained by the Museum Association.

Town Beautification/Upgrades – Community consultation has identified a list of possible main street improvements however, we consider that delivery of these improvements will exceed the available budget. The Council has therefore written to three landscape architects (RPM Project Management, Ecoscape & Emerge Associates) seeking their assistance in production of designs, cost estimating and prioritising these improvements.

The improvements that the community has supported in principle are as follows;

1. Enhance the memorial wall
 - (a) Protect acknowledgement of our farming pioneers and tidy town organisers & time capsule
 - (b) Repair mosaics (replace or change)

2. Provide story boards around town showing history of earliest shop sites & other town features
3. Encourage people to gather/visit the memorial wall with tasteful shade and seating
4. Basic repair and repaint Railway Terrace shop fronts, subject to owners agreement – potentially provide paint and painting labour, to be confirmed.
5. Resurrect “hay” mural previously displayed at the Railway Terrace / Gamble Street corner. Touch-up other town murals, as necessary.
6. “Waterwise” Garden – Redevelop garden and explore seating, table/s & shade, subject to not blocking view of mural and site owner consent.
7. Ramps to improve access to shops, particularly at the eastern end of Railway Tce.
8. Renew existing pergola and BBQ, construct a nature playground inside a pleasant, low care area and link this east and west with a pathway/s.
9. Install solar lights to mark the path from the Caravan Park to the main street precinct.
10. Upgrade asphalt.
11. Consider creating an RV friendly zone (and dump station) in the vicinity of the existing toilet block.
12. Investigate installing a pedestrian footpath linking CRC to the east. Renew & install name plates for native plants along the Pioneer Trail Walkway.
13. Strategic placement of plants & landscaping.

Separate to the above, we will be establishing a Working Group to develop the stories and points of interest outlined by points 1 & 2 above.

We hope to contract the Landscape Gardener within the next two weeks.

This project has been allocated \$140,000 from the LRCI Phase 1 grant and is at risk of not being delivered by the (soft) 30 June 2021 deadline. An extension will be sought for delivery of this project.

Stormwater upgrades;

- (a) Flint / Gamble Street and Railway Tce / Gamble St - Shawmac has now completed a detailed design and has produced tender documentation. The following program for completion of these works is proposed;

Action	Who	When	Comment
1 Finalise tender document	Shawmac	9-Apr-21	Complete
2 Confirmation of LRCI Phase 2 funding approval	Sophie @ IIP	16-Apr	Unofficially advised of approval 8 April 2021
3 Working Group endorsement	Working Group	11-Apr	
4 Release tender	PK	16-Apr	
5 Tender period		16 April to 7 May	Three week tender period
6 Tender review and selection	PK + AB		
7 Council approval	PK	20-May	
8 Contract execution		28-May	
9 Mobilisation	Contractor	14-Jun	
10 Scope of work delivery	Contractor	5-Jul	
11 Final report to Govt for payment		15-Jul-21	

- (b) Reconstruction of Eastern Channel - Two options are under consideration and these are to either build a new channel based on a new alignment or recondition the existing channel alignment.

Surveyors have surveyed both options and the Working Group is meeting on 11 April to assess the survey documentation and to determine a recommendation for the preferred option.

Funding status of these two projects is summarised in the following table.

	Eastern Channel Reconstruction	Gamble St Upgrades	
Project cost			
Construction	\$89,604	\$201,988.63	
Preliminaries (30%)	\$26,881	\$59,061.00	
Owners costs (25%)	\$29,121		
Contingency (20%)	\$29,121	\$39,157.44	
Total (ex GST)	\$174,728	\$300,207.07	
Original cost estimate	\$144,453	\$148,866	
Original grant claim	\$100,000	\$100,000	
Original Shire allocation	\$44,453	\$48,866	\$93,319
State Community Water Supply Grant	\$100,000	\$79,759	
LRCI Program Extension	\$0	\$226,756	
Total Grant Funding	\$100,000	\$306,515	
New Shire Contribution	\$74,728	-\$6,308	\$68,420
Extra shire contribution	\$30,275	-\$55,174	-\$24,899

Roads

R2R Davies Road – Davies Rd works are completed and as at 8th April the project sits \$13,000 over budget.

RRG Cunderdin-Wyalkatchem Road – status is summarised in the following table;

SLK	Kms	Planned treatment	Budget	Status
26.16 – 24.18	1.98	Widen to 8m & stabilise new shoulders, apply 14mm shoulder seal, then 10mm finishing seal on shoulders only.	\$161,340	Boral appointed for sealing & PO raised for \$32,076. Total project expenses as at 8 April 2021 is \$103,383 (includes Boral PO). Stabiliser to be contracted. Target start date 7 May 2021. On track.
17.85-24.18	6.33	Recondition shoulders to achieve a minimum 10m carriageway in preparation for a future shoulder primerseal.	\$251,850	To be delivered with internal labour but start subject to clearing approvals (11 trees to be removed). A two week submissions period will complete on 16 April. Some culvert replacement already delivered. Delivery timeframe subject to clearing permit approval.

RRG Tammin-Wyalkatchem Road – status summarised in the following table (all \$ quoted ex GST);

SLK	Kms	Planned Treatment	Budget	Status
22.59 - 22.07	0.52	Widen to 8m & stabilise shoulders, apply 14mm shoulder seal and 10mm finishing seal over entire road.	\$172,921	Boral appointed for sealing & PO raised for \$97,254. Total project expenses as at 8 April 2021 is \$101,472 (includes Boral PO). Stabiliser to be contracted. Target start date 7 May 2021. On track.
19.86 - 17.79	2.07	As above		

Council Funded Road Works – After budget review, available funding for this project has been lowered to \$104,000. No work commenced.

Plant & Equipment

Crew Cab Tipper Truck Replacement – Truck was paid for on the 9th April and will be ready for collection this week.

Other Infrastructure

Cemetery Improvements – Total expense to date including outstanding purchase orders is \$9,400 this being for 12 plaques and stands.

Water Tank for Rec centre – not commenced

Land & Buildings

2a Slocum St – No Capital improvements currently commenced.

Parks & Gardens storage Shed – Quotes have been obtained for shed and concreting of floor. Shed construction due to Shire staff Labour will be over budget by approximately \$2,500.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

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: Community and customer service focus

Goal No.	Strategies		Actions
Goal 11	Community and customer service focus	11.1	<ul style="list-style-type: none">Effective communication and engagement with the community, including local groups and organisations
		11.2	<ul style="list-style-type: none">Providing high quality customer and community focused services and programs across the organisation

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

***(273 /2021) Moved: Cr Stratford Seconded: Cr Garner
That Council accept the Capital Projects report.***

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

Nil

14.MATTERS BEHIND CLOSED DOORS

14.1. 10.1.4 OVERDUE RATES AND CHARGES – MARCH 2021

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	5 April 2021
Reporting Officer:	Louise Sequerah
Disclosure of Interest:	No interest to disclose
File Number:	25.08.01
Attachment Reference:	Confidential Attachment 9 - Recalcitrant Rates Debtors - As at 31 March 2021.pdf

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(274 /2021) Moved: Cr Stratford Seconded: Cr Garner

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

- the personal affairs of a person and***
- matters of a contract which may be entered into, by the local government***

CARRIED 5/0

SUMMARY

The Shire of Wyalkatchem recalcitrant rates debtors report as at 31 March 2021 details non-pensioner assessments not paying on an arrangement, with a previous year's balance of more than \$100.

STATUTORY ENVIRONMENT

It is an offence for Council not to recovery outstanding rates and charges.

Local Government Act 1995.

- 6.57. *Non-compliance with procedure in Act not to prevent recovery of rate or service charge***
- In proceedings by or on behalf of a local government for the recovery of an amount due in respect of a rate or service charge, failure by the local government to comply in respect of the rate or service charge with the provisions of this Act, is not a defence, if it appears that it had the power to impose, and did in fact assent to the imposition of, the rate or service charge.***

POLICY IMPLICATIONS

Policy 2.10 Revenue Collection

FINANCIAL IMPLICATIONS

A budget of \$3,500 exists for Rates Debt Collection Expenses. Debt Recovery is an expensive exercise, with a Property Sale & Seizure Order costing \$5,000 per assessment. If active Debt Recovery is commenced, this budget may be exceeded. All expenses for debt recovery is on-charged to the ratepayer and held as an additional debt on the property.

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
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
		10.3	<ul style="list-style-type: none"> High quality corporate governance, accountability and compliance

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION:

(275 /2021) Moved: Cr Garner Seconded: Cr Stratford

That the Council receives the report of Recalcitrant Rates Debtors as presented in the confidential attachment "9 - Recalcitrant Rates Debtors - As at 31 March 2021pdf"

CARRIED 5/0

14.2. AGREEMENT RENEWAL – GENERAL PRACTITIONER SERVICES

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	9 April 2021
Reporting Officer:	Peter Klein – Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01A
Attachment Reference:	Attachment – 14.1 Medical Services Agreement Renewal (Confidential)

POLICY IMPLICATIONS

There is no direct policy relevant to this matter.

FINANCIAL IMPLICATIONS

The delivery of health services requires a commitment of up to \$160,000 in medical practice support in each calendar year. In addition, housing and motor vehicle resources are required. This agreement also provides approximately \$3,000 in funding to apply for accreditation renewal by the RACGP's. There is partial reimbursement of expenses by the Shire of Koorda.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally promotes the delivery of the following Strategic Community Plan objectives.

Goal No.	Strategies		Actions
Goal 1	A safe & healthy community	10.1	<ul style="list-style-type: none"> Support & advocate for appropriate and accessible health services Improving the community emergency readiness

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(276/2021) Moved: Cr Garner

Seconded: Cr Gamble

That Council resolve the following

- 1. Subject to there being no material change to the attached draft replacement GP Agreement, the Council endorse the agreement between the Shire of Wyalkatchem and Dr Emmanuel Olamidele AWOGUN for the provision of general practitioner (medical services) by Dr Awogun for a period of three years, commencing 2 February 2021; and***
- 2. Authorise the affixing of the Common Seal and execution of the agreement by the Shire President and the Chief Executive Officer in accordance with clause 9.49A (2) & (3).***

CARRIED 5/0

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION:

(277/2021) Moved: Cr Holdsworth Seconded: Cr Gamble
That Council move out from behind closed doors.

CARRIED 5/0

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

Status Report – Dance school update – hopefully will open within 2 weeks.

16.CLOSURE OF THE MEETING

There being no further business to discuss, the Chairperson thanked everyone for their attendance and closed the meeting at 6:31pm.