



Shire of
Wyalkatchem

**PUBLIC MINUTES
OF THE
ORDINARY MEETING
OF COUNCIL
HELD ON
THURSDAY 17 NOVEMBER 2022**

**Council Chambers
Honour Avenue
Wyalkatchem**

**Commencement: 4:04pm
Closure: 5:41pm**

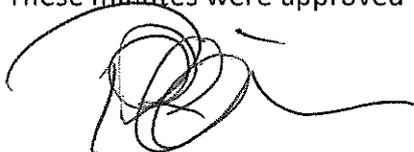
Preface

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 18 November 2022



Peter Klein

Chief Executive Officer

DISCLAIMER

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

DISCLOSURE OF INTEREST

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

Financial Interest:

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

Proximity Interest:

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

Impartiality Interest:

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

Disclosing an Interest:

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

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

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1. DECLARATION OF OPENING

The meeting was declared open at 4:05pm.

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 4:05pm.

There were no questions.

2.3. Declaration of Public Question Time closed

Public Question Time closed at 4:05pm.

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

3.1. Attendance

Members:	Cr. Quentin Davies	Shire President
	Cr. Owen Garner	Deputy president
	Cr. Emma Holdsworth	
	Cr. Stephen Gamble	
	Cr. Mischa Stratford	
	Cr. Christy Petchell	
	Cr. Christopher Loton	

Staff:	Peter Klein	Chief Executive Officer
	Stephanie Elvidge	Governance Executive Officer
	Terence Delane	Manager of Works

3.2. Apologies

Claire Trenorden	Manager of Corporate services
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3.3. Approved Leave of Absence

Nil

3.4. Applications for Leave of Absence

Nil

4. OBITUARIES

It was advised that Maureen Dickson had passed. Sincere condolences to Maureen's family.

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.1. Petitions

5.2. Deputations

5.3. Presentations

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 – 20 October 2022

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 20 October 2022 (Attachment 7.1.1)

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(124/2022) Moved: Cr Stratford

Seconded: Cr Petchell

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 20 October 2022 (Attachment 7.1.1) be confirmed as a true and correct record.

CARRIED 7/0

7.2. Receipt of Minutes

7.2.1. Local Emergency Management Committee (LEMC) Minutes – 26 October 2022

Minutes of the LEMC Meeting held on Wednesday 26 October 2022 (Attachment 7.2.1)

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

(125/2022) Moved: Cr Stratford

Seconded: Cr Garner

That the minutes of the LEMC Meeting held on Wednesday 26 October 2022 (Attachment 7.2.1) be received by Council.

BUSINESS ARISING

LEMC COMMITTEE RESOLUTION/ RECOMMENDATION

Moved – Cr Garner

Seconded – Trent Tyler

That the LEMC Terms of Reference be amended to reflect the change in meeting frequency from quarterly to a minimum of 2 meetings per year and endorsed by Council.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

(126/2022) Moved: Cr Loton

Seconded: Cr Petchell

That the LEMC Terms of Reference be amended to reflect the change in meeting frequency from quarterly to a minimum of 2 meetings per year and endorsed by Council.

CARRIED 7/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Cr Davies thanked Councillors and staff that attended the Remembrance Day ceremony on behalf of the Shire.

Cr Davies thanked Cr Stratford for attending the CEACCA meeting on his behalf and reminded Councillors that the WALGA Great Eastern Country Zone conference will be in Meriden on the 28th February 2023.

All Councillors were encouraged to provide feedback to WALGA on Local Government Week 2022.

Cr Davies formally welcomed Dr Michael Cudjoe to Wyalkatchem and encourages the community to pay him a visit. Cr Davies acknowledged Dr Emmanuel and the Shire of Koorda for the immense effort of all that contributed to the process.

The Shire received an acknowledgement of condolences from Malcolm Carter's sister.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Item 14.1 CHIEF EXECUTIVE OFFICER'S FY22 PERFORMANCE REVIEW

10.REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – OCTOBER 2022

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	01 November 2022
Reporting Officer:	Parul Begum
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.1 – Accounts for Payment – October 2022

SUMMARY

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

BACKGROUND

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

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

COMMENT

The payment listing for October 2022 is presented to Council for endorsement.

Bank Account	Payment Type	Last Number	First Number in the report
Municipal & Trust	EFT	EFT 2333	EFT 2282
DD	DD	DD2337	DD2293

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations, S13.1

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2022/2023 Annual Budget.

COMMUNITY & 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

(127/2022) Moved: Cr Stratford

Seconded: Cr Gamble

That Council endorse the total payments for the month of October 2022 being \$317,835.41 which comprised of:

1. *Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$270,926.02;*
2. *Direct Debit (DD) payments in the Municipal Fund totalling \$46,909.39.*

CARRIED 7/0

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS – SEPTEMBER 2022

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	05 October 2022
Reporting Officer:	Parul Begum – Finance Officer
Disclosure of Interest:	No interest to disclose
File Number:	File Ref: 12.10.02
Attachment Reference:	Attachment 10.1.2 – Credit Cards – September 2022

BACKGROUND

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

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 6 – Financial Management s.6.4
Local Government (Financial Management) Regulations 1996, R34

POLICY IMPLICATIONS

Policy Number 2.1 – Purchasing Policy.
 Policy Number 2.3 – Credit Card Policy.

FINANCIAL IMPLICATIONS

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

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal - Transparent, accountable and effective governance

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

(128/2022) Moved: Cr Gamble

Seconded: Cr Petchell

That Council endorses credit card payments for the period 28 August – 28 September 2022, totalling \$2,227.45 (refer to attachment 10.1.2).

CARRIED 7/0

10.1.3. MONTHLY FINANCIAL REPORT – OCTOBER 2022

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 October 2022
Reporting Officer:	Claire Trenorden, MCS and Megan Shirt, Consultant
Disclosure of Interest:	No interest to disclose
File Number:	25.08
Attachment Reference:	Attachment 10.1.3 – Monthly Financial Report October 2022

BACKGROUND

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

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

COMMENT

The attached 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 Shire’s operations on an actual year to date basis.

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

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

STATUTORY ENVIRONMENT

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

Local Government (Financial Management) Regulations, R34

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS AUGUST 2022

Total Cash Available as at 31 October 2022 is \$5,671,102;

- cash available is made up of unrestricted cash \$2,712,947 (47.84%) and
- restricted cash \$2,958,156 (52.16%).

Rates Debtors balance as at 31 October 2022 is \$304,269 and Rates Notices for 2022-23 were issued in August 2022. Rates collected as at end of October 2022 was \$1,142,663 79%.

October 2022: Operating Revenue – Operating revenue of \$1,885,778 is made up of Rates - 75%, Grants - 17%, Fees and Charges - 7% and other – 1%.

Operating Expenses – Operating expenses of \$1,032,728 is made of Employee Costs – 43%, Materials and Contracts – 37%, Insurance – 15% and Utility – 4% and Other Charges – 1%.

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

(129/2022) Moved: Cr Garner

Seconded: Cr Holdsworth

That Council accepts the Statements of Financial Activity for the months ending 31 October 2022 (refer attachment 10.1.3.)

CARRIED 7/0

10.1.4. RATE EXEMPTION

Applicant:	Roman Catholic Church
Location:	13 Railway Terrace, Wyalkatchem
Date:	02 November 2022
Reporting Officer:	Louise Sequerah
Disclosure of Interest:	No interest to disclose
File Number:	25.08.02
Attachment Reference:	Attachment 10.1.4.1 – E261022 - A934 - 13 Railway Terrace.pdf Attachment 10.1.4.2 – Policy 2-11 Rating Exemptions.pdf

SUMMARY

For Council to consider granting a rate exemption to Roman Catholic Church – Wyalkatchem Parish for 13 Railway Terrace, Wyalkatchem

BACKGROUND

An application from the Roman Catholic Church has been received seeking a rate exemption for their property located at 13 Railway Terrace, Wyalkatchem – A934 (Attachment 10.1.4.1).

Section 6.26(2) of the Local Government Act 1995 provides information on land exempt for rates, including

- (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
- (e) land used exclusively by a religious body as a school for the religious instruction of children; and
- (g) land used exclusively for charitable purposes.

The Act does not provide a definition eligible requirements.

Council Policy 2.11 – Rate Exemption identifies the process to be followed when an organisation wishes to apply for an exemption of rates. Council is required to consider this application and decide to grant or decline an exemption.

COMMENT

Due to diminishing congregation levels, the Wyalkatchem Parish is currently finding it difficult to maintain the four properties that they own within the shire. Whilst the Perth Archdiocese do assist with some expenses the congregation is largely responsible for these properties.

In accordance with Council Policy 2.11 – Rate Exemption, an assessment of the application has been conducted. It has been deemed that this property meets the criteria to be considered for an exemption.

This assessment is based on the grounds that

- The Roman Catholic Church is a registered religious body.
- The hall is used solely by the parishioners or free to community groups.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.26

POLICY IMPLICATIONS

Council Policy 2.11 – Rate Exemption

FINANCIAL IMPLICATIONS

Decrease in rate revenue of \$515 for the 2022/2023 financial year.

Decrease in future rate revenue of approximately \$520 for each 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

Objective: Healthy, strong and connected communities

Goal No.	Outcome	Action No.	Actions
1.1	Enhanced community wellbeing and participation in community life	1.1.5	Support people with complex needs

Objective: A prosperous and dynamic district

Goal No.	Outcome	Action No.	Actions
2.2	Informed, learning and district, connected	2.2.2	Promote learning, networking and sharing opportunities

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION COUNCIL RESOLUTION

(130/2022) Moved: Cr Holdsworth

Seconded: Cr Petchell

That Council:

- 1. Applies Section 6.26 of the Local Government Act 1995 to the property at 13 Railway Terrace, Wyalkatchem owned by the Roman Catholic Church;**
- 2. That the rate exemption is only applicable while the premises and land is owned by the Roman Catholic Church and used exclusively for Religious or non-profit Community use. The rating exemption will cease if the premises or land is used for any commercial activity or gain.**

NOT VOTED

OFFICER'S RECOMMENDATION COUNCIL RESOLUTION

(131/2022) Moved: Cr Holdsworth

Seconded: Cr Stratford

That Council lays this item on the table and seeks further information on the matter.

CARRIED 7/0

Cr Garner and Peter Klein left the meeting at 4:48pm

Cr Garner and Peter Klein returned to the meeting at 4:50pm

10.2. GOVERNANCE AND COMPLIANCE

10.2.1. CHIEF EXECUTIVE OFFICER'S REPORT OCTOBER / DECEMBER 2022

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	08 November 2022
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

SUMMARY

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

COMMENT

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

- DFES - Bush Fire Control Officer training, Wongan Hills
- Nathan Garn – re: grader repairs
- Wyalkatchem DHS – Council meeting
- Dr Emmanuel Awogun re GP recruitment
- WALGA People & Culture seminar
- NEWROC Executive meeting – teleconference
- Brendan Eaton re: equipment storage
- Local Emergency Management Committee
- Wyalkatchem Business Network – Quade Agri Services

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The CEO's activity promotes the Strategic Community Plan objectives particularly, those outlined in Goal 10 which calls on transparent, accountable and effective governance.

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

(132/2022) Moved: Cr Garner

Seconded: Cr Stratford

That Council accepts the Chief Executive Officer's report.

CARRIED 7/0

10.3. WORKS AND SERVICES

10.3.1. MANAGER OF WORKS OFFICER'S REPORT OCTOBER / NOVEMBER 2022

Applicant:	Not Applicable
Location:	Shire of Wyalkatchem
Date:	10 th November 2022
Reporting Officer:	Terry Delane – Manager of Works
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

BACKGROUND

To inform Council of the activities of the works and services team during the month prior to the 10th November 2022.

COMMENT

SAFETY / INCIDENTS

Reported Incidents as follows;

1. Abandoned car in CBH access road removed by staff.

CAPITAL PROJECTS

REGIONAL ROAD GROUP. (RRG)

- i. Cunderdin Rd sealing quotes received.
- ii. Wylie North Rd estimate in progress.

WHEATBELT SECONDARY FREIGHT NETWORK (WSFN)

- iii. MetroCount traffic counters installed on the Koorda Rd.

ROADS 2 RECOVERY (R2R)

- iv. Elsegood Rd commenced.
 1. Minor clearing completed.
 2. Survey completed for blackspot sections.
 3. Gravel production underway (M Grant).
 4. Gravel laying out underway. (Shire and Digga Civil)
 5. Subcontractor for wetmixing under negotiation.

AERODROME

- Resealing still on target for end November

THURSTUN ST DRAINAGE UPGRADE

- Drainage work complete. Trim and reseal of disturbed seal to be completed when the sealing crew is in town.

OVAL IRRIGATION UPGRADE

- Irrigation replacement completed very successfully.
- Subsequent failure of the control wires conducted by same contractor. Suspected heavy plant activity during rodeo is the main contributing factor.

SWIMMING POOL UPGRADE

- Major capital works to be scoped and priced over the next couple of months.
- Emergency repairs to the coping on the outlet channels completed.
- Pool expected to open imminently.
- Main line repairs from W/C meter to pool systems completed.
- Electrical to existing lights on east side made redundant. A new LED solar being trialled.

ASHELFORD PARK

- Block cleared and levelled.

RAILWAY TCE

- Post and chain fence completed. Further installs of this design pending approval.

WYLIE WATERPROOFING - NATIONAL GRID CONNECTION PROJECT

- Railway to Town dam transfer pipe completed
- Plumbing to pump and school system pending (Shire expense at this stage).
- No further update on catchment upgrade.

MINOR WORKS AND MAINTENANCE

MAINTENANCE GRADING

- Program essentially completed. Some priority roads to be redone when time permits either during or after the Elsegood Rd work is finished.

PARKS / TOWN SERVICES CREW

- Focus has been on reticulation repairs to council / public properties.
- Cricket season commenced. Leading Hand Cris to be applauded for his work assisting me to curate the wickets. Invaluable advice received from ex Wyalkatchem and WACA curator Tony Kelly and ex WACA lead curator, David Crane.

GRACE ST DEPOT

- Safety shower and washing slab installed.

RUBBISH TIP

- Some indiscriminate tipping still occurring including a load of pickled wheat.

HUMAN RESOURCES

- Interviews closed for Works Admin position.

VEHICLE/PLANT

- Some upgrades to the community bus in progress.

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

Outcome No.	Action No.	Actions
Our built environment responds to the accessibility and connectivity needs of all.	8.1	Improving safety on road, cycle and footpath networks
	8.2	Developing & 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

(133/2022) Moved: Cr Gamble

Seconded: Cr Loton

That Council accept the Manager of Work's (MOW) Report up to 10th November 2022.

CARRIED 7/0

10.4. PLANNING AND BUILDING

10.4.1. DEVELOPMENT APPROVAL (DA) LOT 20955 (HN 4398) PARSONS ROAD, KORRELOCKING

Applicant:	Crips Wireless
Location:	Lot 20955 Parsons Road, Korrelocking
Date:	08 th November 2022
Reporting Officer:	Peter Klein on behalf of Paul Bashall, Planwest (WA) Pty Ltd
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

BACKGROUND

This report considers a proposal to build a new communications facility on the western edge of a large farming property in Korrelocking.

On 12th October 2022 a Development Approval (DA) application was submitted by Crisp Wireless for the construction of a 30m aerial and associated infrastructure to provide for improved wireless connectivity in the locality.

The DA application form is accompanied by an authority from the executor of the deceased estate, summary and location of the proposal, how the proposal fits within the Council’s Local Planning Scheme No 4 (the Scheme), details of the components of the facility and a copy of the certificate of title.

LOCATION

The property is located about 19 kilometers south southeast of Wyalkatchem townsite and about 18 kilometers south of Korrelocking Townsite.

Figure 1 provides a location plan of the site showing its relationship to these townsites and the rural nature of the surrounding properties.

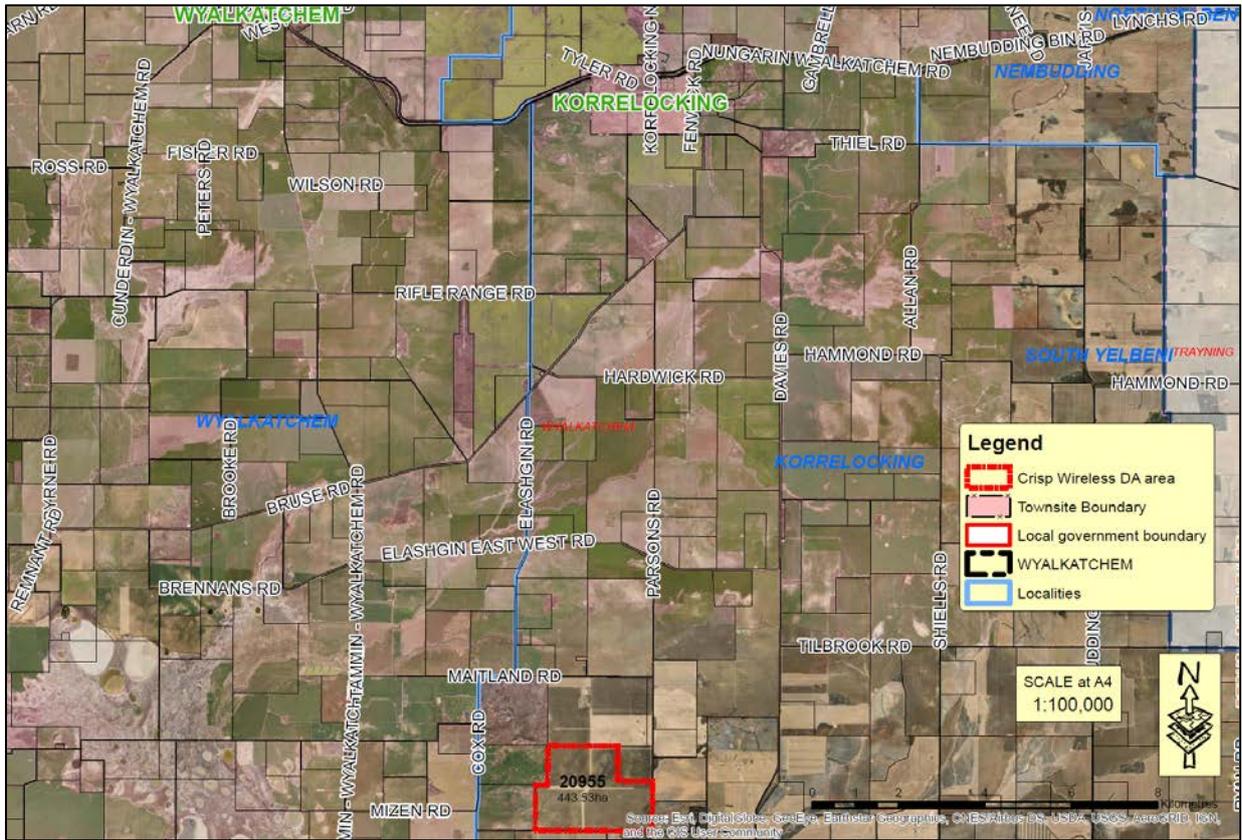
Figure 2 shows an enlargement of the whole property indicating the location of the facility on the western boundary. Lot 20955 is about 433 hectares and largely used for cropping. A closer examination of the aerial photograph shows a firebreak on the boundary.

This figure also provides the areas of the property that are affected by the Bushfire Prone mapping.

These bushfire prone areas are determined by existing vegetation areas – plus 100 metres. As the Figure shows, many of these bushfire prone areas are resulting from road reserves where trees and vegetation has remained. The road reserve abutting the development site is 20 metres wide but unconstructed. It appears that this road reserve area remains isolated from any abutting road reserve as is therefore unlikely to be constructed or used in the future.

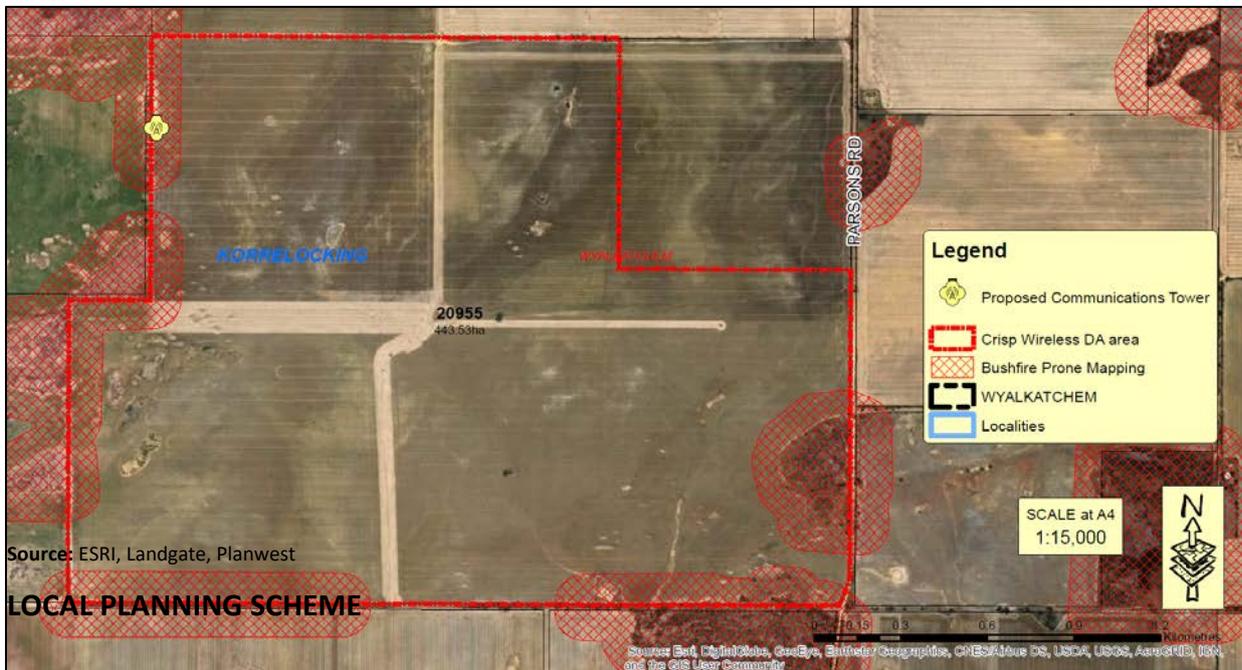
Bushfire provisions essentially relate to the protection of lives that are involved in buildings or works. As this facility will be unmanned and require very little on-site maintenance the risk and consequences of a bushfire are considered remote.

FIGURE 1 – LOCATION PLAN



Source: ESRI, Landgate, Planwest

FIGURE 2 – ENLARGEMENT OF PROPERTY



Source: ESRI, Landgate, Planwest

LOCAL PLANNING SCHEME

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

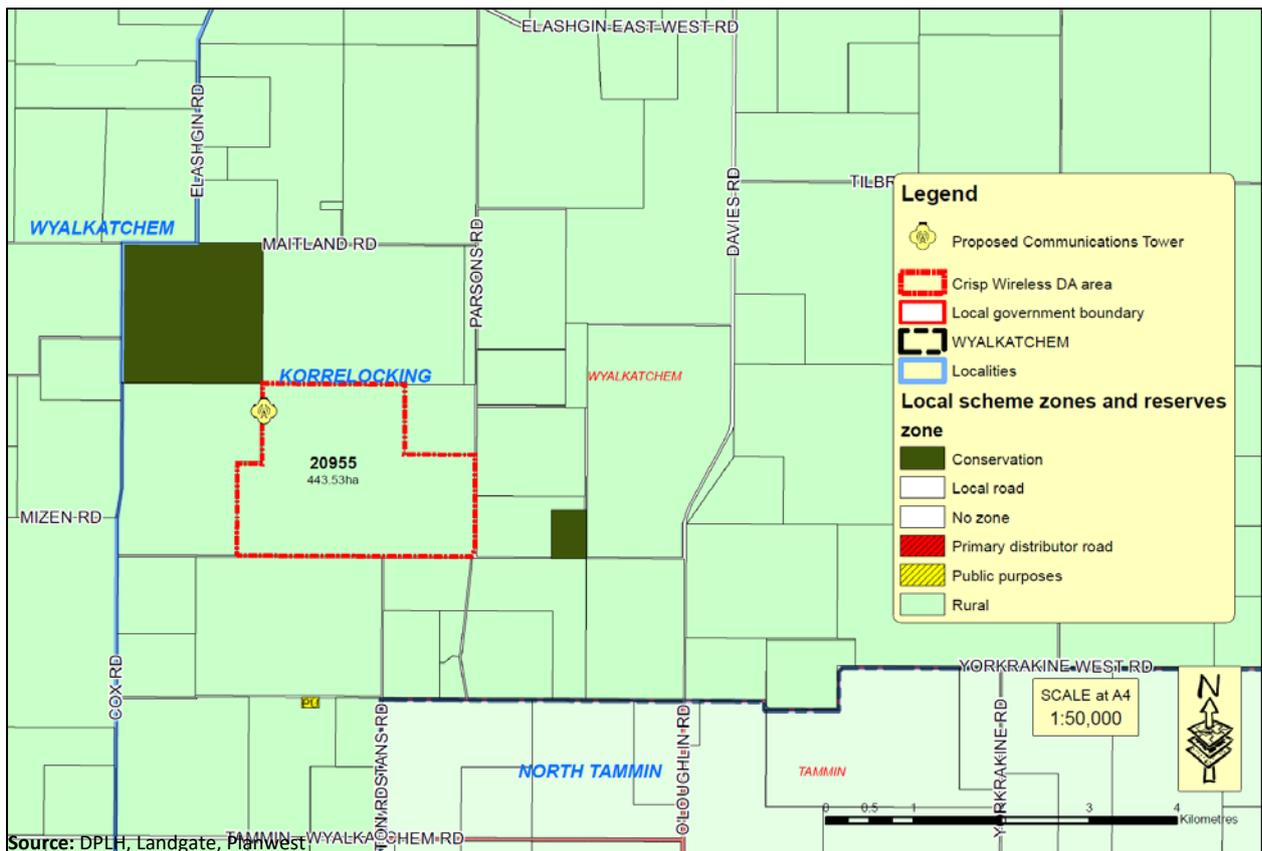
All the surrounding properties are also zoned 'Rural' and appear to be largely cropped as well.

As noted by the applicant, Table 1 – Zoning Table of the Scheme provides for a Telecommunications infrastructure as a ‘D’ use in a Rural zone.

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

The Deemed Provisions (of the *Planning and Development (Local Planning Schemes) Regulations 2015*) do not exempt the development from requiring a DA (clause 61).

FIGURE 3 – SCHEME MAP EXTRACT



PROPOSED DEVELOPMENT

The proposed development consists of:

- A 30m steel tower.
- A combination of Dual Pole Parabolic Antennas (Dishes) and Sector.
- A sea container housing the communications equipment; and
- Solar panels to power the system on the roof of the sea container.

The details in the DA are contradictory whereas Figure 5 of the application shows the hut separated from the aerial, but the hut diagrams following Figure 5 clearly shows the aerial attached to the hut.



Clarification from the applicant confirms that the configuration 'is more likely to look like Figure 4' of the application. This figure clearly shows the two components separated (see adjacent).

The hut will be self-sufficient in power through solar panels to service its operations remotely.

The DA shows that the guy wires extend 15 metres from the base of the tower and the tower will be located 16 metres from the western boundary of the property. This setback only allows for a 1 metre gap to maintain a perimeter firebreak.

It would not be possible for the firebreak machinery to travel under the guy wires without becoming tangled. It will therefore be necessary to set the installation slightly further away from the boundary to allow a firebreak vehicle to maintain the perimeter

firebreak – as well as a fire break around the proposed facility.

The applicant has been advised of this information and has agreed to the requirement.

The applicant indicates that access will be via farm tracks from Parsons Road, however, other than the construction phase, visits to the facility should be infrequent.

SUMMARY

The proposed facility is unlikely to have a significant impact from any surrounding development or public places. The nearest dwelling is over 1 kilometre to the west and another over 1.5 kilometres northwards of the site.

The nearest public place is the abutting road reserve which is not accessible to the general public as it is land locked. The nearest other public road is probably Cox Road that is over 1.6 kilometres to the west. The facility will be barely noticeable at this distance.

Due to the nature of the facility parking and landscaping provisions are considered unnecessary.

It is not considered necessary to advertise the DA.

CONSULTATION

Paul Bashall – Planwest, Town Planning Consultant

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 CHIEF EXECUTIVE OFFICER'S FY 22 PERFORMANCE REVIEW

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

(135/2022) Moved: Cr Stratford

Seconded: Cr Petchell

That Council moves behind closed doors in accordance with Section 5.23 (2)(b) and (e)(iii) of the Local Government Act 1995 which states, that a Council may move its meeting behind closed doors;

- to deal with matters that relate to the personal affairs of a person and***
- to deal with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.***

CARRIED 7/0

14.1. CHIEF EXECUTIVE OFFICER'S FY 22 PERFORMANCE REVIEW

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	8 November 2022
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 14.1 – KPI Review November 2022- confidential

SUMMARY

The performance of the CEO must be reviewed annually.

The local government and the CEO must agree on —

- (a) the process by which the CEO's performance will be reviewed; and
- (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

(2) The local government must —

- (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
- (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

STATUTORY ENVIRONMENT

The process for reviewing the CEO’s performance is outlined in the *Local Government (Administration) Regulations 1996 – Division 3.*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

It is proposed that subject to Council passing the resolution to accept the performance review, that the CEO’s salary be escalated. The CEO has not received a salary increase since his recruitment in November 2020.

COMMUNITY & STRATEGIC OBJECTIVES

The CEO’s activity promotes the Strategic Community Plan objectives particularly, those outlined in Goal 10 which calls on transparent, accountable and effective governance.

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

Goal No.	Action No.	Actions
10 Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
	12.2	Ensuring that the Shire of Wyalkatchem is well positioned to meet future needs

VOTING REQUIREMENT

Absolute majority

OFFICER’S RECOMMENDATION

(136/2022) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council accepts the Chief Executive Officer’s Performance Review, KPI’s and proposed salary increase.

CARRIED 7/0

OFFICER’S RECOMMENDATION / COUNCIL RESOLUTION

(137/2022) Moved: Cr Holdsworth

Seconded: Cr Stratford

That Council move out from behind closed doors.

CARRIED 7/0

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

15.2.1. Status Report Discussion

16. CLOSURE OF THE MEETING

There being no further business to discuss, the Chairperson thanked everyone for their attendance and closed the meeting at 5:41pm.