



AGENDA

ORDINARY COUNCIL MEETING

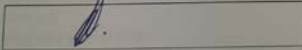
WESTERN AUSTRALIAN Electoral Commission LG40

DRAW FOR POSITION ON BALLOT PAPER FOR COUNCILLORS
Local Government (Elections) Regulations 1997, Reg 30

Local government district WYALKATCHEM
Ward (if any) N/A
Date of election 21st October 2023

In Order of Draw		
Family Name	Other Names <small>(as they are to appear on the ballot paper)</small>	Gender <small>(M) Male (F) Female</small>
FAULKNER	Donald	(M)
BEGLEY	Justin	(M)
LANSON KERR	Rod	(M)
HAWSER	Nikki	(F)
STRATFORD	Mischa	(F)
DICKSON	Tracy	(F)
AUDRAIN	Kaitlyn	(F)

I have recorded the particulars and have determined the order of the names of the candidates as they shall be placed on the ballot paper, as required by regulation 30 of the Local Government (Elections) Regulations 1997.

 07 / 09 / 2023
Signature of Returning Officer Date

Scan and Email to nominations@elections.wa.gov.au immediately after the draw.

Returning Officer to retain original form in Book of Arrangements binder.

128074

21 September 2023

Commencing at 4:00pm in the
Shire of Wyalkatchem Council Chambers
27 Flint Street, Wyalkatchem

NOTICE OF COUNCIL MEETING

The next Ordinary Meeting of the Wyalkatchem Shire Council will be held on Thursday 21 September 2023 in the Council Chambers, 27 Flint Street Wyalkatchem, commencing at 4:00pm.

An Agenda for this meeting will be made available from the Shire Administration Office and on our website www.wyalkatchem.wa.gov.au

ORDER OF EVENTS

Thursday, 21 September 2023

4:00pm

**Ordinary Meeting of Council
followed by workshop and refreshments.**

I have reviewed this agenda, I am aware of all recommendations made to Council, and I support each as presented.



Claire Trenorden

MANAGER OF CORPORATE SERVICES

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

2. PUBLIC QUESTION TIME

- 2.1. Response to Public Questions Previously Taken on Notice**
- 2.2. Declaration of Public Question Time opened**
- 2.3. Declaration of Public Question Time closed**

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

- 3.1. Attendance**
- 3.2. Apologies**
- 3.3. Approved Leave of Absence**
- 3.4. Applications for Leave of Absence**

4. OBITUARIES

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

- 5.1. Petitions**
- 5.2. Deputations**
- 5.3. Presentations**

6. DECLARATIONS OF INTEREST

- 6.1. Financial and Proximity Interest**
- 6.2. Impartiality Interests**

7. CONFIRMATION AND RECEIPT OF MINUTES

7.1. Confirmation of Minutes

7.1.1. Ordinary Meeting of Council – 17 August 2023

Minutes of the Shire of Wyalkatchem Ordinary Meeting of Council held on Thursday 17 August 2023 ([Attachment 7.1.1](#))

OFFICER RECOMMENDATION:

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 17 August 2023 (Attachment 7.1.1) be confirmed as a true and correct record.

7.2. Receipt of Minutes

7.2.1. Special Audit and Risk Management Committee Meeting – 17 August 2023

Minutes of the Shire of Wyalkatchem Audit and Risk Management Committee Meeting held on Thursday 17 August 2023 ([Attachment 7.2.1](#))

OFFICER'S RECOMMENDATION

That the minutes of the Shire of Wyalkatchem Special Audit and Risk Management Committee Meeting of Thursday 17 August 2023 (Attachment 7.2.1) be received.

7.2.2. NEWROC Council Meeting – 21 August 2023

Minutes of the Shire of the NEWROC Council Meeting held on Monday 21 August 2023 ([Attachment 7.2.2](#)).

OFFICER RECOMMENDATION:

That the minutes of the NEWROC Council Meeting held on Monday 21 August 2023 (Attachment 7.2.2) be received.

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

10. REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – AUGUST 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	07 September 2023
Reporting Officer:	Parul Begum
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.1 – Accounts for Payment – August 2023

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorse the total payments for the month of August 2023 being \$371,866.87 which comprised of:

1. Electronic Funds Transfer (EFT) payments from the Municipal Fund totalling \$304,949.79;
2. Direct Debit (DD) payments from the Municipal Fund totalling \$66,917.08.

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 August 2023 is presented to Council for endorsement.

Bank Account	Payment Type	Last Number	First Number in the report
Municipal and Trust	EFT	EFT 3067	EFT 3006
DD	DD	DD 2858.1	DD 2807.1

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 2023/2024 Annual Budget.

COMMUNITY and STRATEGIC OBJECTIVES

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

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

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARD – JULY 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	07 September 2023
Reporting Officer:	Parul Begum, Finance Officer
Disclosure of Interest:	No interest to disclose
File Number:	File Ref: 12.10.02
Attachment Reference:	Attachment 10.1.2 – Credit Card – July 2023

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council endorses credit card payments for the period 29th June to 28 July 2023 totalling \$7,915.91 (refer to attachment 10.1.2).

BACKGROUND

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal - Transparent, accountable and effective governance.

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

10.1.3. MONTHLY FINANCIAL REPORT – JULY 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	13 September 2023
Reporting Officer:	Claire Trenorden, Manager of Corporate Services
Disclosure of Interest:	No interest to disclose
File Number:	25.08
Attachment Reference:	Attachment 10.1.3 – Monthly Financial Report July 2023

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

BACKGROUND

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

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

COMMENT

The attached reports include:

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

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

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

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

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 6 – Financial Management S6.4
Local Government (Financial Management) Regulations, R34

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Total Cash Available as at 31 July 2023 is \$5,797,007;

- cash available is made up of unrestricted cash \$2,566,701 (44.28%) and
- restricted cash \$3,230,306 (55.72%).

Rates Debtors balance as at 31 July 2023 is \$1,692,175 and Rates Notices for 2022-23 were issued in July 2023. Rates collected as at end of July 2023 was \$149,448- 10%.

July 2023: Operating Revenue – Operating revenue of \$1,766,327 is made up of Rates - 85%, Grants - 9%, Fees and Charges - 6%, Interest earnings – 0% and other – 0%.

Operating Expenses – Operating expenses of \$355,829 is made of Employee Costs – 22%, Materials and Contracts – 52%, Depreciation – 0%, Insurance – 25% and Utility – 1% and Other Charges – 0%.

COMMUNITY AND STRATEGIC OBJECTIVES

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

Goal: Transparent, accountable and effective governance.

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

10.2. GOVERNANCE AND COMPLIANCE

10.2.1. CHIEF EXECUTIVE OFFICER'S REPORT – AUGUST/ SEPTEMBER 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	13 September 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the Chief Executive Officer's report.

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 substantial meetings and events to progress community and Council's interests;

- WALGA Officers Waste Advisory Committee.
- Dell Pladdy re aged care services.
- CEACA Management Committee meeting – Merredin.
- Rodeo Organising Committee meeting.
- Doctors Awogun & Cudjoe, Jannah Stratford & Lana Foote and Quentin Davies re GP services.
- Lyn Stewart re aged care services.
- Sharon Palumbo & Gabrielle Quade re Family Day-care Services.
- Dennis Pease re aerodrome maintenance.
- Tim Roberts – CBH re workers accommodation.
- Sadiq Sheikh – re café building lease.
- Mark Kestel & Steve Hann re rodeo preparation

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 direct 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 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

10.2.2. AGED CARE SERVICES

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	09 September 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.2.2.1 – Draft InCasa Contract Attachment 10.2.2.2 – Draft Terms of Reference Attachment 10.2.2.3 – Home Aged Care Job Description

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council,

- 1. Approve the In-Home Aged Care Management Agreement with InCasa Country for execution in accordance with Section 9.49A of the Local Government Act (1995).*
- 2. Approves the formation of the In-Home Aged Care Management Committee and endorses its Terms of Reference.*
- 3. Notes the job description for the position titled, In Home Aged Care Service Coordinator.*
- 4. Approves a budget amendment for expenditure of up to \$20,000 to launch the service and for this sum to be drawn from the higher than anticipated opening surplus.*

DISCUSSION

It is generally recognised that aged care services across Australia need redesign as a result of a number of existing issues.

In Wyalkatchem these issues are all amplified due to our steadily aging population and our relative remoteness from providers who deliver aged care to Wheatbelt communities. ABS census records show that between 2016 and 2021 the median age of Wyalkatchem Shire residents increased from 52 to 55 whereas, over this same period, the median age of all Australians was unchanged at 38.

With an absence of new industry to attract a younger workforce, the Wyalkatchem community's age is expected to continue its trajectory and if so, by the next census in 2026 we can expect the median age of Wyalkatchem residents to increase to 58 and demand for aged care services to increase further.

The 2021 census data shows that 43% of Wyalkatchem residents are aged over 60.

It is therefore imperative, that as a community we explore all options to keep our existing residents in place and to achieve this the provision of effective and efficient support services to senior residents, although already important, will in-future become even more important.

Critical to the success of any services is that people receiving aged care want to be treated with care, dignity and respect. Individual needs and preferences vary, but compassionate care, dignity and respect are the building blocks of an aged care system worthy of our support.

In developing this proposal, we are also driven to make it easy for our older residents to access the aged care they need. Having easy access means a person can get the information, support or care they need, when they need it. It also includes getting aged care appropriate to a person's individual needs, including care that is culturally appropriate and safe.

The aged care system is difficult to access and navigate. People trying to get aged care have reported the experience as time-consuming, overwhelming, frightening and intimidating. The availability of helpful and comprehensive information is critical to ensuring older people get timely access to the care they need and to empowering them to make choices about their care.

This proposal, for the provision of aged care services has been developed to address a number of existing and growing issues, including:

- the ageing population and increasing cost of aged care for government
- the unsuitable and unsustainable nature of institutionalised care for aged and disabled people
- the inability for people in small rural towns, such as Pingelly, to access in-home aged care services
- the cost of loneliness and disconnection and the emotional pain experienced by regional people having to leave their family, friends and community toward the end of their lives
- the inability for service providers to find stable, suitable staff in order to provide services in smaller, regional areas
- the negative perception of ageing and the resultant discrimination faced by older people

Our Purpose

To ensure all Wyalkatchem residents can simply access the care they need to live an active, self-determined and meaningful life in a safe and caring environment that allows for dignified living in old age.

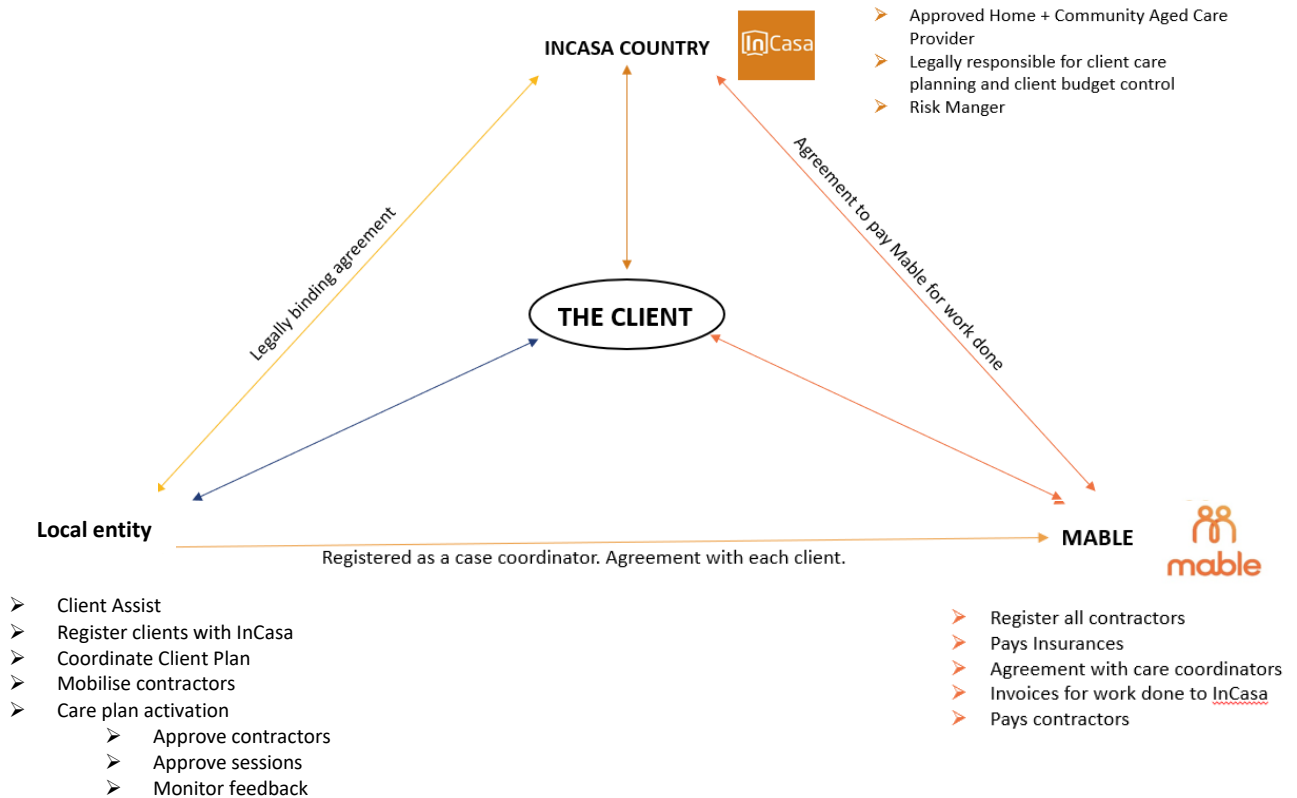
Delivery Method

Aged Care Services

There are currently a range of aged care funding services available through the Commonwealth and State governments. These services are available to the population of Wyalkatchem, though the uptake of the services is lower in regional areas like Wyalkatchem, due to a lack of awareness and the inability to find service providers.

Service Delivery Structure

The structure proposed for delivering services in Wyalkatchem is summarised by the following diagram;



Project Coordinator

The success of this project will rest heavily on the project coordinator whose role will initially incorporate the following activities;

1. Coordinate the local hub.
2. Deliver the Shire's obligations under its agreement with InCasa Country and obtain access to documents, policies and procedures. Host a visit from InCasa for induction.
3. Register as a coordinator with Mable and get access to Mable technology and online employment platform.
4. Place info in local newsletter and social media
 - a. Service to start.
 - b. Locals to become paid support workers.
 - c. Assist people to register on Mable.
5. Find first client.
 - a. Help to get ACAT if not already done.
 - b. Wait for HCP funding, then send code to InCasa.
 - c. Register client with InCasa and on Mable.
 - d. Complete InCasa on boarding process documentation. Scan and send to InCasa.
 - e. Review clinical care plan and service plan, individualised budget and discuss with client. Sign off by client.
 - f. Sign InCasa home care agreement and send copy of signed agreement to InCasa.
6. Have client agree on available contractors on Mabel for sessions / schedules of work.
7. Contractor sends invoice for approval when session done. Approve and send to InCasa.
8. Maintain contact with client and review as required.

Budget

An initial draft annual budget for the delivery of this services is outlined below;

Activity	Value	units	Value/yr
Revenue			
Level 1	\$9,180		
Level 2	\$16,417	0	\$0
Level 3	\$35,139	3	\$105,417
Level 4	\$53,268	2	\$106,536
Local entity admin fee			
Level 1 & 2 (11% of package)			\$0.00
Level 3 & 4 (13% of package)			\$27,045.20
			\$27,045.20

Activity	Cost	Unit	Cost/wk	Cost/yr
Expenses				
Coordinator's salary (casual 8hrs/week)	\$32.73	/hr	\$261.84	\$12,568.32
Employment on-costs	\$5.89	/hr	\$5.89	\$282.79
Shire Induction	2	day	\$11.29	\$587.05
Incasa induction	1	day	\$5.94	\$308.97
Mable induction	1	day	\$5.94	\$5.94
Admin o'heads (finance & reporting)	\$82.50	/hr	\$165.00	\$8,580
Computer & mobile phone purchase	\$2,800	1	\$54	\$2,800
Start-up costs (promotion & catering)	\$2,000		\$38.46	\$2,000
Total			\$548.21	\$27,133.07

The cost of this service in the first 12 months is estimated to be about \$27,045. Approximately \$18,000 is expected to be spent in the current financial year (FY24).

To recover the annual expense, the local entity would need to recruit at least 5 clients, for example three clients on a level 3 package and two on level 4 packages.

STATUTORY ENVIRONMENT

Commercial enterprise

Clause 3.59 of the *Local Government Act (1995)* deals with commercial enterprises by local governments. Under this clause, a trading activity is defined as an activity carried out by a local government with a view to producing a profit.

The Act would categorise the Council providing an aged care service as a trading undertaking but not a major trading undertaking because our expenditure on the undertaking is less than the prescribed amount of 10% of last year's operating expenditure from the municipal fund. In FY 23 total expenditure from this fund was \$4.5M.

Formation & Operation of a Committee

Clause 5.8 of the LG Act states that a local government is able to establish (by absolute majority) committees to assist the Council and to exercise the powers and discharge the duties that can be delegated to committees.

A committee may comprise Council members, employees and other persons but must be appointed by absolute majority by the Council. Other person is defined as a person who is not a Council member or an employee.

A local government is unable to delegate any of its powers or duties to a committee comprising other persons other than in respect to local government property or the management of an event (clause 5.17 (1)(c)).

The provision of an aged care service does not meet either of these criteria and therefore the committee will have no authority delegated to it and all its decisions will be formed as recommendations to the Council.

The members of a committee are to elect a presiding member from amongst themselves and may elect a deputy presiding member (refer Schedule 2.3, Division 1 & 2).

A quorum for a committee is at least 50% of its members.

Clause 5.20 – a decision of a committee must be made by a simple majority.

The person presiding at a committee meeting is to ensure that minutes are taken and these must be presented at the next committee meeting for confirmation. After the minutes are confirmed the presiding member is to sign the minutes.

If a matter is voted on at a meeting of a committee, the person presiding must cause the following information to be recorded in the minutes –

- (a) the total votes cast for;
- (b) the total votes cast against;
- (c) the individual vote of each member of the committee.

As there will be no powers delegated to the Committee, there is no requirement for the committee meetings to be open to the public (clause 5.23(1)(b)).

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

A budget amendment is required to account for expenditure of up to \$18,000 on this initiative during this current financial year.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the Strategic Community Plan's objective for the provision of services for the aged;

Goal No.	Action No.	Actions
3 – A community for all ages	1.3.3	Enhance the availability of in-home aged care services

10.2.3. LOCAL LAW UNDERTAKINGS

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	09 September 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	NIL

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the WA Joint Parliamentary Joint Standing Committee on Delegated Legislation be advised that:

- 1. The new cat's local law that the Shire is in the process of making will contain a clause repealing the invalid Shire of Wyalkatchem Cats Local Law 2022 gazetted on 30 June 2023;*
- 2. The new public places and local government property amendment local law that the Shire is in the process of making will contain a clause repealing the invalid Public Places and Local Government Property Amendment Local Law 2022 gazetted on 30 June 2023;*
- 3. On Gazettal, the date of the making of the local laws in their preamble by council will be amended; and*
- 4. The title of the local laws will be amended to 2023 from 2022.*

SUMMARY

The Shire is in the process of updating its local laws. The process is almost complete, with several amendment local laws are in the process of being 'made.' Two of these local laws in draft form were Gazetted and the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) has requested that Council provide an undertaking to include in the new local laws a clause that makes it clear that the Gazettal has no effect.

COMMENT

Almost all of the Shire's local laws were amended or updated in 2022 and a number of outdated or redundant ones repealed.

Part of the process to make local laws requires local governments to submit a copy to the JSCDL, which oversees the making of subsidiary legislation such as local laws. The JSCDL has noted the Gazettal in June 2023 and pointed out that while the process is incomplete, Gazettal may mean that they have legislative effect. It has requested that Council provide the further undertakings as reflected in the Officer Recommendation.

Council has previously given undertakings at the Committee's request to:

- Amend the *Shire of Wyalkatchem Public Places and Local Government Property Local Law* to amend clauses 5.10 (lost property) and 9.2 (animals - cat); (Council meeting 15 June 2023 Item 10.2.2 refers); and

- Re-make the *Shire of Wyalkatchem Cats Local Law* to deal with the JSCDL view that a significant change to original LL should have been re-advertised (Council meeting 15 June 2023 Item 10.2.3 refers).

In accordance with the process required under s3.12 of the Local Government Act 1995, the draft local laws were advertised for public comment and copies sent to the Minister. The advertising period closed on 6 September and the results will be presented to council at its meeting to be held on 19 October 2023.

The Shire should amend the proposed new local laws as requested and provide the undertaking to the Committee. The requested changes can be added to the draft local laws when the results of the public consultation period are considered by council in October.

STATUTORY ENVIRONMENT

Local Government Act 1995

Cat Act 2012

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

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

Objective: Transparent, accountable and effective governance and community and customer service focus.

Outcome	Action No.	Actions
High quality corporate governance, accountability & compliance.	4.1.1.3	Workplace safety is proactively managed and demonstrates our care for each other & community
Community is engaged in the direction & decisions of Council.	4.2	Effective communication & engagement with the community, including local groups and organisations

10.3. WORKS AND SERVICES

10.3.1. MANAGER OF WORKS OFFICER'S REPORT 8 JUNE – 1 JULY 2023

Applicant:	Not Applicable
Location:	Shire of Wyalkatchem
Date:	13 September 2023
Reporting Officer:	Terry Delane, Manager of Works
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Reports available on request

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the Manager of Works Officer's report.

BACKGROUND

To inform Council of the activities of the works and services team during the period prior to the 13 September 2023.

COMMENT

ROADS – MAJOR PROJECTS

- **Black Spot Projects (BSP)**
 - i. Cliff Robinson (MRWA) scheduled 2nd week September to assist with the process of report to completion.
 - ii. Roadwise program onboarding.

- **ROAD MAINTENANCE PROGRAM**
 1. Grading nearly complete.
 2. Re-sheeting work in progress on Borgward, Davies Sth, and Benjaberring -Hindmarsh Roads.
 3. Box out of sink hole section completed on Elsegood Rd.
 4. Verge clearing concluded. Costs will be tabled at OMC.
 5. Asphalt repairs scheduled for Koorda Rd and Elsegood Rd in 2 – 3 weeks.
 6. Major clean up required after storms 13th September.

- **REGIONAL ROAD GROUP**
 1. Programming for Wyalkatchem North Rd is under way. Advice was sought on splitting the program either side of harvest.
MRWA advised to leave it and complete the works in the period after Xmas in one program to avoid waves in the seal. I concur.

- **ROAD 2 RECOVERY**

I have Suggested asphalt repairs and re-sheeting works to be funded by R2R.

- **PARKS / TOWN SERVICES CREW**
 1. Tidy Towns focus to catch-up on outstanding weeding and general tidiness of the town.
 2. Oval and parks sprayed for black beetle.
 3. Oval topdressing and fertilising completed.
 4. Wickets scarified.

- **WYLIE WATERPROOFING - NATIONAL GRID CONNECTION PROJECT**
 1. Commissioning and testing of the Super Chlorinator at the Town Dam is complete.
 2. Issues with the irrigation pump have delayed handover to the Shire.

- **RUBBISH TIP**

Weekly push ups continuing in the short term.

- **VEHICLE/PLANT**
 1. LV and plant windscreens bulk fitting session
 2. Major fail of slasher arm
 3. Dolly ready for pick up
 4. Truck purchase ongoing

- **HUMAN RESOURCES**

Nil

- **OH&S**

Toolbox meeting undertaken on the 13th September.

Topics covered

 - Plant health and maintenance
 - Accidents in the workplace
 - FFW Policy

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are some financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

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

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

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

10.4. PLANNING AND BUILDING

10.4.1. DEVELOPMENT APPROVAL LOT 9984 TAMMIN-WYALKATCHEM RD

Applicant:	Owner
Location:	Shire of Wyalkatchem
Date:	11 May 2023. Application received 14 September 2023
Reporting Officer:	Peter Klein, CEO via Consultant
Disclosure of Interest:	No interest to disclose
File Number:	7.10
Attachment Reference:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

that Council grant Planning Approval for the placement of a single house and Ancillary dwelling on Lot 9984 Tammin-Wyalkatchem Rd, Wyalkatchem.

CONDITIONS

- Storm water to be contained within the lot.

EXECUTIVE SUMMARY

The council is in receipt of a planning application, seeking council approval to establish an ancillary dwelling, to provide accommodation for the manager and family members on single lot zoned rural. The zone is permissible for a single house only.

It should be noted that the 'R codes' do not apply to rural zoning and have provisions for an ancillary dwelling on residential zoned lots. Therefore a planning development application is required to assess the impact permissibility of two single level dwellings on the same lot, under a use not listed within the Planning Scheme.

The lot size is 21,124m² and both dwellings can achieve the setback requirements as stipulated in the scheme. The Shire of Wyalkatchem Local Planning Scheme No 4 (LPS) does not have any provisions for an ancillary dwelling as most neighbouring shires and it has been assessed that the two dwellings do not create any impact on the surrounding neighbours or impact the zone objectives. The development also supports the current strategic community plan.

It is recommended that Council grant Planning Approval for the placement of an ancillary dwelling to assist with the daily operation of farming pursuits, by allowing the manager and his family members to reside on the farm.

BACKGROUND

The applicant is seeking approval for an ancillary dwelling on **Lot 9984 Tammin-Wyalkatchem Rd, Wyalkatchem**. The subject site is located approximately 8 kilometres southwest of Korrelocking townsite. The development application is for a 4-bedroom 2-bathroom dwelling, using the same lot driveway with a floor area of 227m² and a total area of 371m².

The definition of the ancillary dwelling as defined in the R-codes states the following: *Self-contained on the same lot as a single house which may be attached to, integrated with or detached from the single house.*

The Shire of Wyalkatchem Local Planning Scheme No 4 section 4.4 Interpretation of the Zoning Table 4.4.1 - *Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.*

4.4.2 *If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –*

(a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;

(b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or

(c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

Lot 9984 Tammin-Wyalkatchem Rd is currently zoned 'Rural' under the Local Planning Scheme.

The Rural Zone objectives are as follows:

- To provide for a range of rural pursuits that are compatible with the capability of the land and retain the rural character and amenity of the locality.
- To protect land from urban uses that may jeopardise the future use of that land for other planned purposes that are compatible with the zoning.
- To protect the land from closer development that would detract from the rural character and amenity of the area.
- To prevent any development that may affect the viability of a holding.
- To encourage small scale, low impact tourist accommodation in rural locations.
- To encourage a diversification of rural activities that will reduce the dependency of the rural sector on traditional crops.
- To support mining activities where an environmental management plan has been prepared and is acceptable to the Council and EPA.
- To preclude the disposal of used tyres or any other material that may be detrimental to the quality of the land.

The proposed development has no adverse effects on the street appearance or the rural environment. Instead, it actively promotes rural life by accommodating additional working members on the farm, thereby facilitating efficient farming operations. Additionally, it's worth highlighting that the low-scale tourism accommodation aligns perfectly with the zoning objectives, including the Department of Planning Lands and Heritage Position Statement 'Workforce Accommodation' stating the following: Where practicable, workforce accommodation should be provided in established towns and in locations suitable to its context, to facilitate their ongoing sustainability. Planning and development of workforce accommodation should be consistent with local planning strategies and schemes, except where the Mining Act 1978 and State Agreement Acts prevail.

Figure 1: Proposed Dwelling

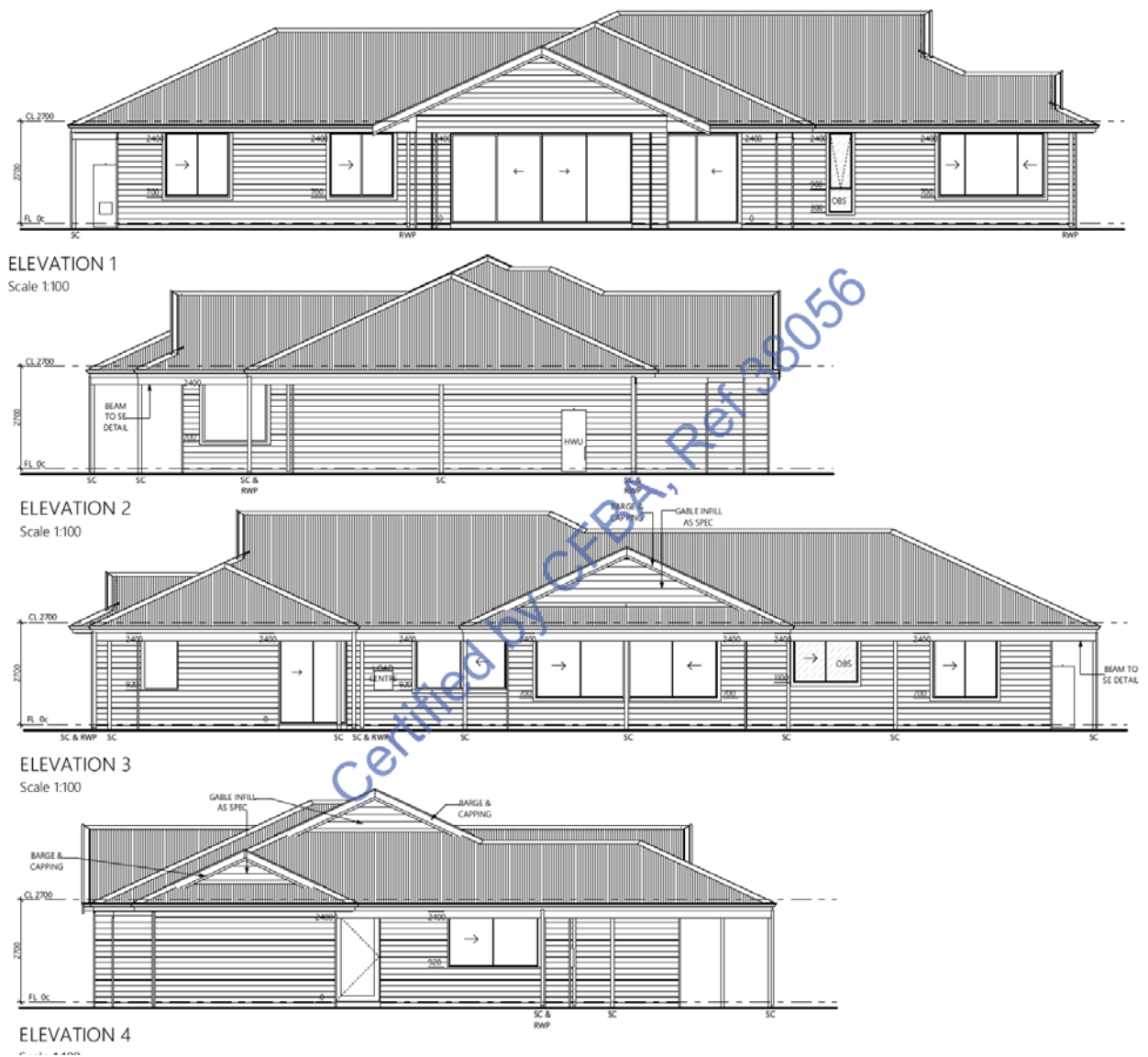


Figure 2: Site and Location

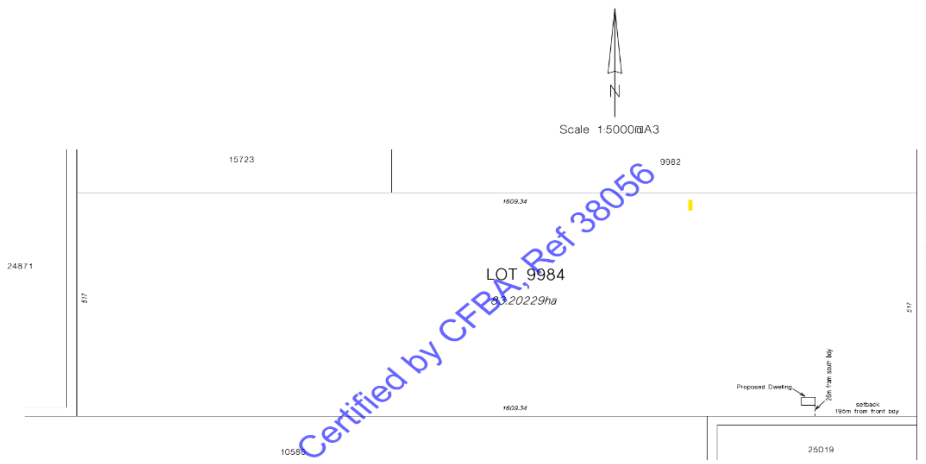


There are no specific setback distances prescribed in the Shire of Wyalkatchem Local Planning Scheme No 4 Scheme, however section 4.10 states the following:

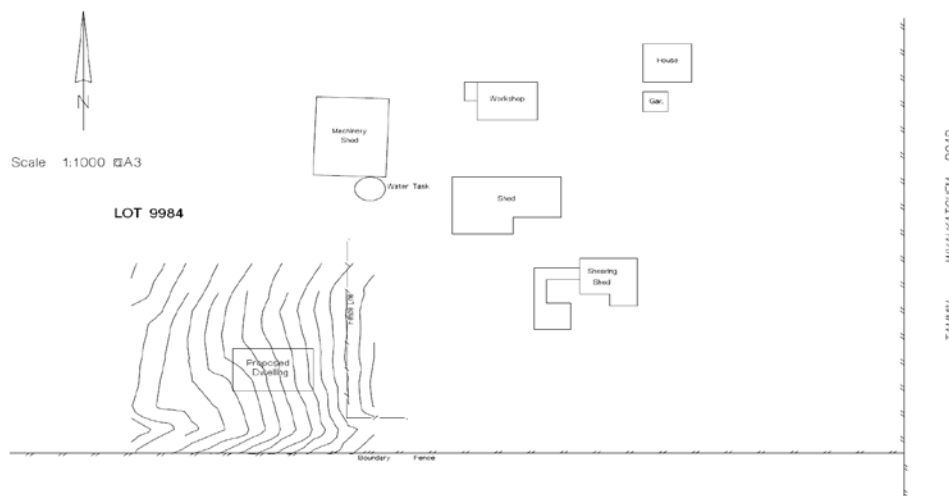
RURAL ZONE: Notwithstanding the right to develop a single house on an existing lot, residential development in the 'Rural' Zone shall comply with the specific requirements of the Local government, however these shall not be lesser than those specified for the Residential Design Code 'R2'.

- The minimum primary street setback required is 20m.
- Secondary & rear minimum 10 m

The Ancillary is proposed to be setback 26m form the side boundary and 195m from the front boundary.



The lot spans nearly 83 hectares, with most of the infrastructure situated on the eastern side of the property, ensuring convenient access to Tammin-Wyalkatchem Road. The image below shows the current infrastructure on the site used for farming operations and existing dwelling.




CONSULTATION

There has not been any formal consultation on this development proposal.

STATUTORY ENVIRONMENT

As to the planning framework a 'Ancillary dwelling' is assessed and determined under the provisions of the Shire of Wyalkatchem Local Planning Scheme No.4 Accordingly, the following table provides a summary of legal and other requirements in relation to this proposal:

Shire of Wyalkatchem Local Planning Scheme (LPS) No.4 <i>(Statutory instrument)</i>	
Current Zoning	<p>Rural 'Rural' – See extract of Zoning Map below – green colour</p>  <p>The image is a zoning map extract. It shows a grid of land parcels. A central parcel is highlighted with a light blue border and labeled 'Site'. To the right of this parcel, there is a vertical strip of land highlighted with yellow diagonal hatching and labeled 'PU'. The rest of the map area is shaded in light green, representing the 'Rural' zoning.</p>
Permissibility (Table 1 – Zoning Table)	<p>Table 1 – Zoning Table of LPS 4 The Shire of <i>Wyalkatchem Local Planning Scheme No 4</i> section 4.4 Interpretation of the Zoning Table</p> <p>4.4.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.</p> <p>4.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –</p> <p>(a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;</p> <p>(b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or</p> <p>(c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.</p>
Objectives	<p>The Council's LPS 4 nominates the objectives of the Rural I Zone to:</p> <ul style="list-style-type: none"> • To provide for a range of rural pursuits that are compatible with the capability of the land and retain the rural character and amenity of the locality. • To protect land from urban uses that may jeopardise the future use of that land for other planned purposes that are compatible with the zoning.

	<ul style="list-style-type: none"> To protect the land from closer development that would detract from the rural character and amenity of the area. To prevent any development that may affect the viability of a holding. To encourage small scale, low impact tourist accommodation in rural locations. To encourage a diversification of rural activities that will reduce the dependency of the rural sector on traditional crops. To support mining activities where an environmental management plan has been prepared and is acceptable to the Council and EPA. To preclude the disposal of used tyres or any other material that may be detrimental to the quality of the land.
Development Standards	<p>LPS 4 section 5.3 stipulates the following standards for development in the Rural Zone:</p> <p>Notwithstanding the right to develop a single house on an existing lot, development setbacks for residential development in the 'Rural' Zone shall comply with the specific requirements of the Council, however these shall not be lesser than those specified for the Residential Design Code 'R2'.</p>
<p>Planning and Development (Local Planning Scheme) Regulations 2015 (Statutory instrument)</p>	
Schedule 2; Part 9; Clause 68(2)	<p>This clause empowers Council to determine Development Applications under the planning legislation having regard to the zoning and other Scheme provisions pertinent to the application under consideration.</p>
Schedule 2; Part 9; Clause 76 (1) and (2)	<p>This part of the Planning Regulations affords the applicant the right to apply to the State Administration Tribunal (SAT) for a review of the Council's decision in relation to the decision on the proposed use and or development of the land.</p>
<p>State Planning Policy 3.7 – Planning in Bushfire Prone Areas (Statutory instrument – tied to Planning Regulations)</p>	
Generally	<p>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) directs how land use should address bushfire risk management across WA. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas. SPP 3.7 is a guide to implementing effective risk-based land use planning to preserve life and reduce the impact of bushfire on property and infrastructure.</p>
6.2 Strategic planning proposals,	<p>Section 6.2 of SPP 3.7 a) states:</p> <p>a) Strategic planning proposals, subdivision and <u>development applications</u> within designated bushfire prone areas relating to land that has or will</p>

<p>subdivision and development applications</p>	<p>have a Bushfire Hazard Level (BHL) above low and/or where a Bushfire Attack Level (BAL) rating above BAL-LOW apply, are to comply with policy measures.</p> <p>b) Any strategic planning proposal, subdivision or <u>development application</u> in an area to which policy measure 6.2 a) applies, that has or will, on completion, have a moderate BHL and/or where BAL-12.5 to BAL-29 applies, may be considered for approval where it can be undertaken in accordance with policy measures 6.3, 6.4 or 6.5.</p> <p>c) This policy also applies where an area is not yet designated as a bushfire prone area but is proposed to be developed in a way that introduces a bushfire hazard, as outlined in the Guidelines.</p>
<p>Planning Bulletin 111/2016 - Planning in Bushfire Prone Areas (Guidance document – tied to SPP 3.7)</p>	
<p>5. Exemptions</p>	<p>Planning Bulletin 111/2016 states exemptions from the requirements of SPP 3.7 includes renovations, alterations, extensions, improvements, or repair of a building, and incidental uses (including outbuildings, verandas, unenclosed swimming pools, carports, patios, and storage sheds for example). SPP 3.7 does not specify these exemptions, however where the proposal is exempt under the deemed provisions or local planning scheme and does not:</p> <ul style="list-style-type: none"> • result in the intensification of development (or land use); • result in an increase of residents or employees; • involve the occupation of employees on site for any considerable amount of time; or • result in an increase to the bushfire threat; the proposal may also be exempt from the provisions of SPP 3.7.

POLICY IMPLICATIONS

There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

RISK ASSESSMENT

The risk assessment in relation to this development is low. It poses no significant environmental implications to the site or neighbouring properties. The development is minor.

COMMUNITY & STRATEGIC OBJECTIVES

Improvement and Priorities identified in the CSP –

- Focus on attracting and retaining the population.
- Attraction and retention of the population (particularly families);
- Economic development (new business, support for existing businesses) and employment creation;

Goal No.	Action No.	Actions
5 Growth in business opportunity	5.5	Town planning strategies support industry growth
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	12.2	Ensuring that the Shire of Wyalkatchem is well positioned to meet future needs

ADVICE NOTES FOR DA APPROVAL

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- a. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Dowerin.
- b. Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c. The applicant is advised a Building Permit is required prior to commencement of any building works. In this regard the applicant is advised that conditions relating to BAL assessment may result in conditions being imposed at the building permit stage to mitigate the risk for burning embers as part of a preventative approach to bushfire attack.
- d. The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

11.MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

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

14.MATTERS BEHIND CLOSED DOORS

OFFICER’S RECOMMENDATION

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

- b) to deal with matters that relate to the personal affairs of a person;*
- c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- e) (1) information that has a commercial value to a person; or
(11) to deal with a matter that if disclosed, would reveal Information about the business, professional, commercial or financial affairs of a person.*

14.1.1. CAFÉ SITE – LOT 17 RAILWAY TERRACE

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	08 September 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 14.1.1 – Draft Café Site Lease Agreement - confidential

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council approve the lease agreement negotiated with Sadiq Sheikh for the café building and equipment for execution under Common Seal.

Council’s intention is not to operate the café itself, but rather to identify a person or a group of people willing to operate the café under a sub-lease arrangement.

This being the case and in anticipation of Council approval for the lease agreement, an expression of interest has been released to identify a potential sub-lessee, willing to reopen and operate the café.

STATUTORY ENVIRONMENT

The *Local Government Act (1995)*, clause 3.58(3) outlines the process used by Council to identify its sublessee.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Rental amount of \$2,200/year (\$42.31/week) has been negotiated.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the following Strategic Community Plan objectives;

Goal No.	Action No.	Actions
5 - Growth in business opportunity	5.2	Support new industry while encouraging the growth in local businesses.
10 – transparent accountable & effective governance	10.1	A well-informed Council makes decisions that benefit the community.

14.1.2. BOTTOM DEPOT LEASE

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	08 September 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 14.1.2 – Draft Lease - Confidential

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council approve the lease agreement negotiated with Elders Rural Services Australia Limited for execution under Common Seal.

DISCUSSION

An invitation to submit an Expression of Interest in leasing the Council's former Bottom Depot site at 73 Wilson St Wyalkatchem, was released to the public on 6 June 2023.

Three submissions were received including a submission from Elders *Rural Services Australia Limited*. During its July meeting, Council approved the lease being offered to Elders *Rural Services Australia Limited* as their offer was assessed as presenting the best value for money proposition.

Management has subsequently negotiated the lease terms and a copy of these terms is attached for approval.

STATUTORY ENVIRONMENT

The *Local Government Act (1995)*, clause 3.58 makes prescription regarding the methods to determine the valuation of property leased by a local government. In presenting a valuation for this property the Council has relied on Clause 3.58(4)(c)(ii).

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Rental amount of xxx /year has been negotiated.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the following Strategic Community Plan objectives;

Goal No.	Action No.	Actions
5 - Growth in business opportunity	5.2	Support new industry while encouraging the growth in local businesses.
10 – transparent accountable & effective governance	10.1	A well-informed Council makes decisions that benefit the community.

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

16. CLOSURE OF THE MEETING



SEPTEMBER 21 2023

ATTACHMENTS SEPTEMBER 2023

- 1. 7.1.1 OMC Minutes – 17 August 2023**
- 2. 7.2.1 Special Audit and Risk Committee Minutes – 17 August 2023**
- 3. 7.2.2 NEWROC Council Meeting Minutes – 21 August 2023**
- 4. 10.1.1 Accounts for Payment – August 2023**
- 5. 10.1.2 Credit Card Declaration – July 2023**
- 6. 10.1.3 Monthly Financial Report – July 2023**
- 7. 10.2.2.1 Draft InCasa Contract**
- 8. 10.2.2.2 Draft Terms of Reference – InCasa Committee**
- 9. 10.2.2.3 Aged Care Service Co-Ordinator Position Description**
- 10.14.1.1 Wyalkatchem Café – Draft Lease – confidential**
- 11.14.1.2 Bottom Depot Lease – confidential**



**MINUTES
OF THE
ORDINARY MEETING
OF COUNCIL
HELD ON
THURSDAY 17 AUGUST 2023**

**Council Chambers
Honour Avenue
Wyalkatchem**

**Commencement: 4:09pm
Closure: 5:24pm**

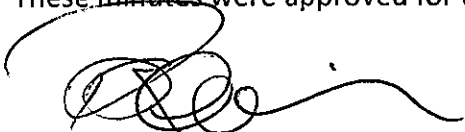
Preface

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 August 2023.



Peter Klein
Chief Executive Officer

DISCLAIMER

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

DISCLOSURE OF INTEREST

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

Financial Interest:

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

Proximity Interest:

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

Impartiality Interest:

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

Disclosing an Interest:

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

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

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1. DECLARATION OF OPENING

Shire President, Cr Davies, declared the meeting open at 4:09pm.

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 4:09pm.

There weren't any members of the public.

2.3. Declaration of Public Question Time closed

Public Question Time closed at 4:09pm.

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

3.1. Attendance

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

Visitors: Nil

3.2. Apologies

Nil

3.3. Approved Leave of Absence

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(81/2023) Moved: Cr Loton Seconded: Cr Gamble

That the leave request by Cr Petchell for the meeting of 17th August 2023 be approved.

CARRIED 6/0

3.4. Applications for Leave of Absence

- Cr Petchell – 17th August 2023

4. OBITUARIES

It was advised that Kevin Richardson had recently passed away.

It was advised that previous Shire Works Manager Trevor Webb's mother Margaret Webb had passed. Condolences to Trevor and his family.

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.1. Petitions

Nil

5.2. Deputations

Nil

5.3. Presentations

Nil

6. DECLARATIONS OF INTEREST

6.1. Financial and Proximity Interest

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 July 2023

Minutes of the Shire of Wyalkatchem Ordinary Meeting of Council held on Thursday 20 July 2023 (Attachment 7.1.1)

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(82/2023) Moved: Cr Stratford Seconded: Cr Holdsworth

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 20 July 2023 (Attachment 7.1.1) be confirmed as a true and correct record.

CARRIED 6/0

7.2. Receipt of Minutes

7.2.1. Audit and Risk Management Committee Meeting – 20 July 2023

Minutes of the Shire of Wyalkatchem Audit and Risk Management Committee Meeting held on Thursday 20 July 2023 (Attachment 7.2.1)

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(83/2023) Moved: Cr Stratford Seconded: Cr Garner

That the minutes of the Shire of Wyalkatchem Audit and Risk Management Committee Meeting of Thursday 20 July 2023 (Attachment 7.2.1) be received.

CARRIED 6/0

7.2.2. NEWTRAVEL General Meeting – 27 July 2023

Minutes of the NEWTRAVEL General Meeting held on Thursday 27 July 2023 (Attachment 7.2.2).

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(84/2023) Moved: Cr Holdsworth Seconded: Cr Garner

That the minutes of the NEWTRAVEL General Meeting held on Thursday 27 July 2023 (Attachment 7.2.2) be received.

CARRIED 6/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Cr Davies thanked those councillors and potential candidates for attending the WALGA webinar on Monday 14th August.

Cr Davies has attended the following meetings:

- Live Sheep Export – NEWROC presentation to Independent Panel regarding the phasing out of live sheep exports by sea (via Zoom).
- Senate Inquiry into the closure of Regional Banks in Beverly.

In Meriden there will be a Great Eastern Country Zone Meeting on Monday 21st August and a CEACA meeting Monday 4th September – all Councillors are welcome and encouraged to attend.

Cr Davies thanked all that have contributed to organising and assisting with the Wyalkatchem Rodeo readiness – there are only 8 days until campers begin arriving.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

10. REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – JULY 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	07 August 2023
Reporting Officer:	Parul Begum
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.1 – Accounts for Payment – July 2023

SUMMARY

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

BACKGROUND

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

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

COMMENT

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

Bank Account	Payment Type	Last Number	First Number in the report
Municipal and Trust	EFT	EFT 3005	EFT 2893
DD	DD	DD 2804.1	DD 2751.1

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 2023/2024 Annual Budget.

COMMUNITY and STRATEGIC OBJECTIVES

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(85/2023) Moved: Cr Stratford

Seconded: Cr Gamble

That Council endorse the total payments for the month of July 2023 being \$504,628.22 which comprised of:

- 1. Electronic Funds Transfer (EFT) payments from the Municipal Fund totalling \$474,793.09;*
- 2. Direct Debit (DD) payments from the Municipal Fund totalling \$29,835.13.*

CARRIED 6/0

10.2. GOVERNANCE AND COMPLIANCE

10.2.1. CHIEF EXECUTIVE OFFICER'S REPORT – JULY/AUGUST 2023

Applicant:	Shire of Wyalkatchem
Date:	10 August 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

SUMMARY

This report is prepared by the CEO to provide Council and the Wyalkatchem community with information about CEO activities and Council operations.

COMMENT

Since the last report, the CEO has taken two weeks leave and, on his return, has participated in the following substantial meetings and events to progress community and Council's interests;

- Dr Emmanuel, Jannah Stratford, Darren Simmons & Quentin Davies re sustaining GP services;
- Rodeo organising committee meetings (x2);
- Mark Ashelford re support for Chris McKay;
- Wyalkatchem Business Group Sundowner;
- Local Government Reform webinar hosted by DLGSC;
- Meeting with Transition panel re the phasing out of live sheep exports;
- NEWROC Economic Development Subcommittee meeting, Trayning

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 direct 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 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

(87/2023) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council accepts the Chief Executive Officer’s report.

CARRIED 6/0

10.2.2. AMENDED FITNESS FOR DUTY POLICY

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	10 August 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.2.2 – Fitness for Duty Policy - Final

DISCUSSION

Following its introduction, the Fitness for Duty Policy has been tested by implementing a random drug and alcohol screening test and as a result of further discussion with staff. The lessons learnt have underpinned the decision to review this policy.

The key changes clarify

1. the responsibility for staff to give prior notice to management if they are taking a prescribed or over the counter drug but, only if that drug has the potential to affect their fitness for duty; and
2. the response to a non-negative drug test where prior notice has been provided.

Things to note:

1. The policy applies to staff, councillors, contractors, volunteers and anyone accessing Council work sites;
2. Taking part in random alcohol and drug testing is a condition of entry to any Council work location;
3. Cause testing may be conducted following an incident or if there is reasonable suspicion that a worker is under the influence of some substance;
4. If a positive breath test is returned for alcohol, the following process will apply;
 - The worker will be taken to an amenities room and after 20 minutes will be retested. If the retest is 0.000 the worker may resume their normal duties, if not the worker will be escorted from the workplace and disciplinary action may be taken;
 - The worker will be entitled to return to the Council workplace the following day subject to the provision of a negative test result prior to restarting;
5. If a worker takes prescription or over the counter drugs that may affect their ability to work safely, they are responsible for advising their manager of these effects and of any tasks their doctor advises, should be avoided. A form is available to facilitate the worker advising their manager.
6. If a screening test is non-negative but determined to be consistent with the above notice, the worker will be allocated to light duties and will remain on light duties until the consistency is confirmed by the results of a urine test.
7. If a screening test is non-negative and there is no file record of the worker advising their Manager they are taking a prescription or over the counter medicine that may affect their fitness for duty, the worker will be stood down and remain stood down until they have supplied a negative urine test result, at their cost.

The revised policy also provides an obligation on the worker to advise their manager when they cease taking a prescription or over the counter medicine that has the potential to affect their fitness for duty.

STATUTORY ENVIRONMENT

The new Workplace Health & Safety Act 2020 requires employers to ensure, so far as is reasonably practicable, the health and safety of all workers, contractors & volunteers engaged by the employer.

This duty of care must be exercised by eliminating workplace risks “so far as is reasonably practicable”. This policy aims to reduce the risk associated with a worker’s safety being impaired by alcohol or drugs.

POLICY IMPLICATIONS

The Shire of Wyalkatchem’s employee code of conduct is also relevant to this matter.

FINANCIAL IMPLICATIONS

Some cost is associated with random drug & alcohol testing and the FY24 budget has approved funding for 4 drug & alcohol screening tests per staff member.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the following Strategic Community Plan objectives;

Goal No.	Action No.	Actions
4. An engaged & accountable Council working with others to advance our community.	4.1.3	Workplace safety is proactively managed and demonstrates our care for each other.
	4.1.1	Fit for purpose workplaces promote staff productivity & wellbeing.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(88/2023) Moved: Cr Stratford

Seconded: Cr Garner

That Council approves the amended Fitness for Duty Policy.

CARRIED 6/0

10.2.3. COMMUNITY SPORT AND RECREATION FACILITIES FUND APPLICATION – WYALKATCHEM SWIMMING POOL

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	10 August 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.2.3.1 – POOL Mini Business Case – Final Attachment 10.2.3.2 – CSRFF July Small Grants Application Attachment 10.2.3.3 – Quotes Attachment 10.2.3.4 – Letters of Support Attachment 10.2.3.5 – Public Liability COC

DISCUSSION

Management is preparing an application to the State Government’s Community Sport and Recreation Facilities Fund (CSRFF) to upgrade the pool.

The purpose of the CSRFF is to provide WA Government financial assistance to community groups and local governments to develop basic infrastructure for sport and recreation.

The program aims to increase participation in sport & recreation, with an emphasis on physical activity, through development of sustainable and well-designed facilities.

There is \$20 million available for allocation in the 2024/2025 funding round. There are two small grant rounds annually (February and July) for projects with a project cost up to \$500,000. The maximum grant offered for small grant applications is 50% of the project cost, capped at \$200,000.

The estimated cost of the pool upgrade is \$465,000 and so we are seeking \$200,000 from the CSRFF and the balance of \$265,000 to be provided from the Council’s own funds.

The following table shows how our approved budget allocation to this project will be amended if the Council is successful with this grant application;

Funding Source	Approved Budget	If Application is Successful
Sport & Recreation Facilities Reserve	\$142,916	\$0
LRCI Phase 4	\$320,734	\$265,000
CSRFF Grant		\$200,000
Total	\$463,650	\$465,000

Please note - Wet Deck cost estimate is \$463,650 but grant application rounds cost up to \$465,000

A requirement of our submission to CSRFF is evidence of Council approval for both the submission and the allocation of funds required from Council’s own sources.

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

Subject to the EOI outcome, some lease revenue may need to be reported.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the following Strategic Community Plan objectives;

Goal No.	Action No.	Actions
5 - Growth in business opportunity	5.2	Support new industry while encouraging the growth in local businesses.
10 – transparent accountable & effective governance	10.1	A well-informed Council makes decisions that benefit the community.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(89/2023) Moved: Cr Holdsworth *Seconded: Cr Loton*

That Council approves the allocation of \$265,000 of its own funds towards delivering the FY24 Pool Refurbishment Project and endorses submission of the grant application to the Community Sport and Recreation Facilities Fund seeking a further contribution of \$200,000.

CARRIED 6/0

Cr Garner left the meeting at 5:12pm

Cr Garner returned to the meeting at 5:14pm

10.2.4. CITIES POWER PARTNERSHIP – CLIMATE ACTION PLEDGES

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	10 August 2023
Reporting Officer:	Peter Klein, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

DISCUSSION

The Shire of Wyalkatchem, officially became a member of the Cities Power Partnership on 8 February 2023. As a condition of our membership, the Council is required to identify 5 objectives that it has committed to delivering and report annually on progress made on achieving those objectives.

The Cities Power Partnership is a free national program run by the Climate Council and specifically aims to provide local governments with the tools, knowledge and connections to take meaningful action on climate change and capitalise on the global shift to a clean economy.

It is Australia's largest local government climate program with over 145-member councils representing over 60 per cent of Australia's population.

The partnership runs regular webinars to showcase the best climate action initiatives being implement across the country. There is no cost to being a member other than the cost of completing an annual survey.

In July this year, the WA State Government released a Climate Adaption Strategy. This strategy makes the following points;

- The science is clear. WA's climate has changed and further change is inevitable.
- Across Australia since 1910, the temperature has increased by an average of 1.4 degrees
- Since 1970, rainfall May to September in WA's South West has declined by 19%
- Extreme weather events are expected to increase in intensity & frequency
- A comprehensive response to climate change must include measures to reduce emissions, and measures to adapt and build resilience

The state's climate change vision is;

Western Australia's communities, environment and economy are resilient and continuously adapting to climate change in a forward looking, fair & collaborative manner.

A condition of our Shire becoming a member of Cities Power Partnership, is that we make five action pledges across the areas of renewable energy, energy efficiency, sustainable transport, collaboration and advocacy. Current initiatives can be included as pledges.

It is therefore recommended that the Council makes the following 5 pledges;

1. Explore the installation of solar panels & a battery at the Wyalkatchem Swimming Pool to reduce our carbon footprint and expenditure on power consumption.
2. Partner with the Wyalkatchem DHS to develop a tree planting plan to improve the townsite's green canopy and our community's hot weather resilience.

3. Link Railway Dam to Town Dam by pipe & pump to maintain green spaces at our Recreation Reserve, even during drought conditions.
4. Reticulate Railway Terrace gardens from rainwater captured in Museum water-tanks to improve our water sustainability and reduce water consumption charges.
5. Investigate if it is appropriate for Council to commit to WALGA's Climate Change Declaration to demonstrate community leadership in addressing the cause and effect of climate change.

STATUTORY ENVIRONMENT

Actions to address the Council's carbon footprint and community resilience to climate change is consistent with the WA Government's Climate Adaptation Strategy.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The delivery of unbudgeted initiatives will require Council endorsement and where appropriate, a budget amendment.

COMMUNITY & STRATEGIC OBJECTIVES

This initiative promotes the following Strategic Community Plan objectives;

Goal No.	Action No.	Actions
3. Take action to preserve our natural environment.	3.3.2	Develop a plan for the role that Wyalkatchem will play in WA's net-zero carbon emissions future.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(90/2023) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council commit to achieving the following 5 objectives to either reduce the Council's carbon footprint or improve our community's resilience to climate change:

- 1. Explore the installation of solar panels & a battery at the Wyalkatchem Swimming Pool to reduce our carbon footprint and expenditure on power consumption.*
- 2. Partner with the Wyalkatchem DHS to develop a tree planting plan to improve the townsite's green canopy and our community's hot weather resilience.*
- 3. Link Railway Dam to Town Dam by pipe & pump to maintain green spaces at our Recreation Reserve, even during drought conditions.*
- 4. Reticulate Railway Terrace gardens from rainwater captured in Museum water-tanks to improve our water sustainability and reduce water consumption charges.*
- 5. Investigate if it is appropriate for Council to commit to WALGA's Climate Change Declaration to demonstrate community leadership in addressing the cause and effect of climate change.*

CARRIED 6/0

10.3. WORKS AND SERVICES

10.3.1. MANAGER OF WORKS OFFICER'S REPORT 8 JUNE – 11 AUGUST 2023

Applicant:	Not Applicable
Location:	Shire of Wyalkatchem
Date:	11 August 2023
Reporting Officer:	Terry Delane – Manager of Works
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

BACKGROUND

To inform Council of the activities of the works and services team during the period prior to the 11 August 2023.

COMMENT

ROADS – MAJOR PROJECTS

- **BLACK SPOT PROJECTS (BSP)**
 - i. MRWA Safety Audits forwarded to adjacent land owners for their information.
 - ii. Response from Main Roads being solicited.

- **ROAD MAINTENANCE PROGRAM**
 1. Grading ongoing. The current focus is on the North East sector.
 2. Some re sheeting work is in progress on Wallambin Rd, Lackman Rd.
 3. Boxed out and relayed sink hole section on Elsegood Rd.
 4. Some Cowcowing West roads still to be graded.
 5. Floodway repairs using cement stabilised gravel being is being costed as to suitability for R2R funding.
 6. Verge clearing complete. Costs to be provided at Council Meeting.
 7. Asphalt repairs are scheduled for Koorda Rd and Elsegood Rd.

- **REGIONAL ROAD GROUP**
 1. The new Technical adviser is Alistair Butcher.
 2. Programming for Wylie North Rd is under way. The proposal is to get the works to final trim and fully compacted stage in October / November and then seal in February 2024.

- **ROAD 2 RECOVERY**
 1. Suggested projects to be distributed prior to the Council Meeting.

PARKS / TOWN SERVICES CREW

1. Focus is on camping grounds and other Rodeo infrastructure.
2. Town garden and verge clean-up work is planned prior to the Rodeo.

GRACE ST DEPOT

1. Some minor drainage improvements and metal sheeting to control mud and erosion has been completed.
2. The Car port will commence after the Rodeo.
3. Depot doors are still outstanding.

WYLIE WATERPROOFING - NATIONAL GRID CONNECTION PROJECT

- Funding is now available to complete the further proposed stages;
 - Fencing of White Dam infrastructure,
 - Plumbing and pump to Railway Dam to irrigate school facilities,
 - Piping etc to transfer water from White Dam to Museum and on to Railway Tce,
 - Piping to transfer water from School tank to Pioneer Park.

- Commissioning and testing of the Super Chlorinator at the Town Dam is scheduled for 14th – 16th this month. The recreation precinct will be closed to the public pending Health Department sign off.

RUBBISH TIP

1. Fencing and signs are scheduled.
2. Top tip portal being trialled.

HUMAN RESOURCES

1. Performance reviews completed.
2. Manager of Works attended LG Works Conference.

VEHICLE/PLANT

1. Grader and truck leads are being investigated.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are some financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

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

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(91/2023) Moved: Cr Loton

Seconded: Cr Holdsworth

That Council accepts the Manager of Works Officer's report.

CARRIED 6/0

10.4. PLANNING AND BUILDING

No update required.

11.MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

Nil

14.MATTERS BEHIND CLOSED DOORS

Nil

15.INFORMATION BULLETIN

15.1. Information Bulletin

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

15.2. Business Arising from the Information Bulletin

Nil

16.CLOSURE OF THE MEETING

There being no further business to discuss, the Chairperson thanked everyone for their attendance and closed the meeting at 5:24pm.





Shire of Wyalkatchem Audit and Risk Committee (ARC)
Special Meeting Minutes –
Thursday 17 August 2023,
commencing at 3:54pm in the Council Chambers,
Honour Avenue, Wyalkatchem

Regulation 16 of the Local Government (Audit) Regulations 1996 states that:

“An audit committee —

- a)** is to provide guidance and assistance to the local government —
 - i.** as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and*
 - ii.** as to the development of a process to be used to select and appoint a person to be an auditor; and**

- b)** may provide guidance and assistance to the local government as to —
 - i.** matters to be audited; and*
 - ii.** the scope of audits; and*
 - iii.** its functions under Part 6 of the Act; and*
 - iv.** the carrying out of its functions relating to other audits and other matters related to financial management; and**

- c)** is to review a report given to it by the CEO under regulation 17(3) (the CEO’s report) and is to —
 - i.** report to the council the results of that review; and*
 - ii.** give a copy of the CEO’s report to the council.”**

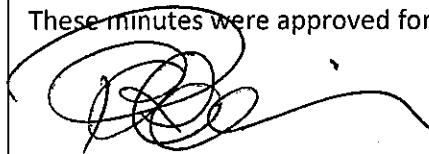
Preface

When the Chief Executive Officer approved these Minutes for distribution they are in essence "Unconfirmed" until the following Audit and Risk Management Meeting 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 August 2023.



Peter Klein
Acting Chief Executive Officer
Shire of Wyalkatchem

Disclaimer

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

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1. DECLARATION OF OPENING

Cr Holdsworth, Acting Chairperson, declared the meeting open at 3:52pm

2. PUBLIC QUESTION TIME

Public question time opened at 3:52pm

There weren't any members of the public.

Public question time closed at 3:52pm

3. ATTENDANCE /APOLOGIES/LEAVE OF ABSENCE

Members:	Cr. Quentin Davies Cr. Garner	Shire President Chairperson and Deputy President, <i>arrived at 4:03pm</i>
	Cr. Mischa Stratford Cr. Christopher Loton Cr. Emma Holdsworth Cr. Stephen Gamble	Deputy Chair and Acting Chair <i>arrived at 4:03pm</i>
Staff:	Peter Klein Stephanie Elvidge	Chief Executive Officer Governance Executive Officer
Apologies:	Nil	
Visitors:	Nil	

Leave of Absence: Cr. Christy Petchell

4. PETITIONS, DEPUTATIONS, PRESENTATIONS

Nil

5. DECLARATIONS OF INTEREST

Nil

6. CONFIRMATION AND RECEIPT OF MINUTES

6.1. AUDIT AND RISK COMMITTEE MEETING – 20 July 2023

Minutes of the Shire of Wyalkatchem's Audit and Risk Committee Meeting held on the 20 July 2023 (Attachment 6.1)

RECOMMENDATION / COMMITTEE RESOLUTION

(02/2022) Moved: Cr Stratford

Seconded: Cr Davies

That the minutes of the Wyalkatchem Audit and Risk Committee Meeting held on the 20 July 2023 (Attachment 6.1) be confirmed as a true and correct record.

CARRIED 4/0

7. MATTERS ARISING FROM THE MINUTES

Nil

8. ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

10. MATTERS REQUIRING A COMMITTEE DECISION

10.1. CORPORATE SERVICES REPORTS

10.1.1. DRAFT FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2023

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	16 August 2023
Reporting Officer:	Claire Trenorden, Manager Corporate Services
Disclosure of Interest:	No interests to disclose
File Number:	12.10.01
Attachment Reference:	Attachment 10.1.1 – Draft Financial Report for the year ended 30 June 2023

SUMMARY

Council is required to note the draft Financial Report prior to the report being provided to the Auditors.

BACKGROUND

As per Section 5.53(1) of the *Local Government Act 1995* the Local Government is required to prepare an Annual Report for each financial year and as per section 5.53(2)(f). This is to contain the Financial Report for the financial year.

The draft Financial Report is required to be sent to the Auditors, who have been appointed by the Office of the Auditor General, at least two weeks prior to the date of the Annual Audit. The Office of the Auditor General have requested that the Audit Committee note the draft Financial Report prior to it being provided to the Auditors.

COMMENT

The Shire's annual audit for year ended 30 June 2023 is scheduled for the 4-5 September 2023. The Office of the Auditor General have requested that the Audit Committee note the draft Financial Report prior to it being provided to the Auditors.

It is noted that the Shire is yet to receive its infrastructure revaluations for year ended 30 June 2023, so these haven't been incorporated into the report. It is expected that the revaluation report will be received around the end of August 2023.

STATUTORY ENVIRONMENT

Local Government Act 1995, s.5.53 to 5.56; *Local Government (Financial Management) Regulations 1996*, s.36; Australian Accounting Standards.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

COMMUNITY & STRATEGIC OBJECTIVES

This matter promotes the following Strategic Community Plan goal.

GOAL 10

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

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION / COMMITTEE RESOLUTION

(03/2022) Moved: Cr Stratford

Seconded: Cr Loton

That the Audit and Risk Management Committee:

- 1. Notes the draft Financial Report for year ended 30 June 2023;*
- 2. Notes that the CEO will issue the report to the auditor (Macri Partners) stating:*
 - a) he is satisfied that the draft report has been through appropriate internal due diligence and*
 - b) he is satisfied the draft report has been prepared with all due care.*

CARRIED 4/0

10.2. RISK MANAGEMENT

Nil

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

Nil

14. MATTERS BEHIND CLOSED DOORS

Nil

15. CLOSURE OF THE MEETING

There being nothing further to discuss, the meeting closed at 4:03pm.





North Eastern Wheatbelt Regional Organisation of Councils

Dowerin | Koorda | Mt Marshall | Mukinbudin | Nungarin | Trayning | Wyalkatchem

Council Meeting

Monday 21 August 2023

MRCLC

MINUTES

Immediately after GECZ Meeting

www.newroc.com.au

E caroline@newroc.com.au

ANNUAL CALENDAR OF ACTIVITIES

MONTH	ACTIVITY	MEETING
January		Executive
February	<ul style="list-style-type: none"> 👉 Council refreshes itself on NEWROC Vision, Mission, Values (review Vision and Mission every other year) 👉 Council reviews NEWROC project priorities / strategic plan 	Council
March	<ul style="list-style-type: none"> 👉 WDC attendance to respond to NEWROC project priorities 👉 Submit priority projects to WDC, Regional Development and WA Planning 	Executive
April	👉 NEWROC Budget Preparation	Council
May	<ul style="list-style-type: none"> 👉 NEWROC Draft Budget Presented 👉 NEWROC Executive Officer Contract/Hourly Rate Review (current contract expires June 2027) 👉 Local Government Week agenda to be discussed at Executive meeting to determine if EA should attend 	Executive
June	👉 NEWROC Budget Adopted	Council
July		Executive
August	<ul style="list-style-type: none"> 👉 Information for Councillors pre-election 👉 NEWROC Audit 	Council
September		Executive
October	<ul style="list-style-type: none"> 👉 NEWROC CEO and President Handover (every 2yrs) 👉 NEWROC Dinner 	Council
November	<ul style="list-style-type: none"> 👉 NEWROC Induction of new Council representatives (every other year) 👉 Review NEWROC MoU (every other year) 	Executive
December	👉 NEWROC Christmas / End of Year Drinks	Council

ONGOING ACTIVITIES

Compliance

Media Releases

NEWROC Rotation

Shire of Mt Marshall

Shire of Nungarin

Shire of Wyalkatchem

Shire of Koorda

Shire of Mukinbudin (Oct 2021 – Oct 2023)

Shire of Trayning

Shire of Dowerin

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NORTH EASTERN WHEATBELT REGIONAL ORGANISATION OF COUNCILS

Minutes for the Council Meeting held at the Merredin Recreation and Leisure Centre, commencing at 1.30pm on 21 August 2023.

MINUTES

1. OPENING AND ANNOUNCEMENTS

Cr Shadbolt, NEWROC President welcomed everyone and opened the meeting at 1.30pm.

2. RECORD OF ATTENDANCE AND APOLOGIES

2.1. Attendance

Cr Gary Shadbolt	President, Shire of Mukinbudin, NEWROC Chair
Cr Jannah Stratford	President Shire of Koorda
Cr Gary Coumbe	Councillor, Shire of Nungarin
Cr Melanie Brown	President, Shire of Trayning
Cr Tony Sachse	President, Shire of Mt Marshall
Cr Robert Trepp	President, Shire of Dowerin
Cr Quentin Davies	President, Shire of Wyalkatchem
Dirk Sellenger	CEO NEWROC, CEO Shire of Mukinbudin
Lana Foote	A/CEO Shire of Koorda
Ben McKay	CEO, Shire of Mt Marshall
John Merrick	A/CEO, Shire of Nungarin
Leanne Parola	CEO, Shire of Trayning
Peter Klein	CEO, Shire of Wyalkatchem

NEWROC Officer

Caroline Robinson Executive Officer, NEWROC

2.2. Apologies

Brian Jones	CEO, Shire of Wyalkatchem
Cr De Lacy	President, Shire of Nungarin

2.3. Guests

Tony Brown WALGA (via TEAMS)

2.4. Leave of Absence Approvals / Approved

Nil

3. Declarations of Interest and Delegations Register

Nil

3.1. Delegation Register

Please find below a delegations register as per the new policy adopted in March 2017:

Description of Delegations	Delegatee	Delegated to	Approval
Records Management	CEO	NEWROC EO	Council

NEWROC Council Meeting 21 August 2023 - MINUTES

NEWROC Financial Management	CEO	NEWROC EO	Council Dec 2017
Bendigo Bank Signatory (NEWROC)	CEO	NEWROC EO	Council Dec 2017
Bendigo Bank Signatory (Shire of Mukinbudin)	Council	CEO	Council Dec 2017
NEWROC Website	CEO	NEWROC EO	Council June 2017

4. Presentations

Tony Brown, presented an update on WALGA's regional subsidiary charter.

Attached #1 is an updated Template for a Charter, with the following **comments from Tony**:

We have updated the charter following advice from the Office of the Minister for Local Government.

We have made the following adjustments to the Draft Model Regional Subsidiaries Charter, noting that the additions are identified in *green* in the Charter:

- Regulation 9(e) - the consequences of a failure to comply with a direction from the participants should be provided for in the charter.

Inserted clause 6.5.5 'Any failure by the Subsidiary to comply with a direction of the participants within 21 days will be treated as a dispute for the purpose of clause 6.8.'

- Regulation 9(o) - the way in which money may be invested by the regional subsidiary. If a regional subsidiary is to be able to invest funds, the "way" should be provided for in the charter.

Inserted clause 5.2.7 'Investment of surplus funds will be made in accordance with the provisions of Regulation 22 of the Local Government (Regional Subsidiaries) Regulations 2017 and in accordance with an Investments Policy to be adopted by the Regional Subsidiary'

- Regulation 9(p) - procedures for the disposal of property should be provided for in the charter.

Inserted clause 4.5.10 – 'ensuring that assets deemed surplus to the needs of the Subsidiary are disposed of in accordance with an adopted Asset Disposal Policy'

- Regulation 9(q) - a means of developing a code of conduct (if any). While having a code of conduct is optional, the charter does need to specify if one is or is not to be developed and, if so, the means of development.

Inserted clause 4.5.15 – 'developing an Employee Code of Conduct which broadly aligns with the requirements of Section 5.51A of the Local Government Act 1995 and associated regulations'

Inserted clause 3.3.8 – 'Developing a Code of Conduct to be observed by Board Members and Committee Member which broadly aligns with the requirements of Section 5.103 of the Local Government Act 1995 and the Local Government (Model Code of Conduct) Regulations 2021'

ACTION

NEWROC Executive to discuss the purpose of the regional subsidiary at the next meeting.

Seek a meeting with the Minister for Local Government.

NEWROC EO meet with Tony Brown to review updated Charter

5. MINUTES OF MEETINGS

Minutes of the Executive Meeting held on 25 July 2023 have previously been circulated.

RESOLUTION

That the Minutes of the Executive Meeting held on 25 July 2023 be received.

Moved Cr Trepp

Seconded Cr Sachse

CARRIED 7/0

Minutes of the Council Meeting held on 27 June 2023 have previously been circulated.

RESOLUTION

That the Minutes of the Council Meeting held on 27 June 2023 be received as a true and correct record of proceedings.

Moved Cr Trepp

Seconded Cr Stratford

CARRIED 7/0

5.1. Business Arising**6. SUB COMMITTEE MEETINGS**

Minutes of the NEWROC Economic Development Sub Committee held on 10 August 2023 are attached #2.

RESOLUTION

That the Minutes of the NEWROC Economic Development Sub Committee held on 10 August 2023 be received.

Moved Cr Trepp

Seconded Cr Davies

CARRIED 7/0

6.1. Business Arising

Nil

7. FINANCIAL MATTERS

7.1. Income, Expenditure and Profit and Loss

FILE REFERENCE:	42-2 Finance Audit and Compliance
REPORTING OFFICER:	Caroline Robinson
DISCLOSURE OF INTEREST:	Nil
DATE:	18 August 2023
ATTACHMENT NUMBER:	#3P and L
CONSULTATION:	
STATUTORY ENVIRONMENT:	Nil
VOTING REQUIREMENT:	Simple Majority

COMMENT

Account transactions for the period 1 June – 31 July 2023.

Date	Description	Reference	Credit	Debit	Running Balance
BB NEWROC Funds-5557					
Opening Balance			117,877.69	0.00	117,877.69
01 Jun 2023	Bendigo Bank		0.00	0.80	117,876.89
01 Jun 2023	Xero Australia	XERO	0.00	56.05	117,820.84
07 Jun 2023	Payment: Alyce Ventris	2049	0.00	3,920.05	113,900.79
07 Jun 2023	Payment: 150Square	INV-0225	0.00	4,090.63	109,810.16
19 Jun 2023	Payment: Nungarin Community Resource Centre	Literary Lunch	0.00	600.00	109,210.16
28 Jun 2023	Payment: Shire Of Nungarin	INV-0103	33,000.00	0.00	142,210.16
28 Jun 2023	Payment: Shire Of Nungarin	INV-0102	33,000.00	0.00	175,210.16
01 Jul 2023	Bendigo Bank		0.00	1.20	175,208.96
03 Jul 2023	Payment: Alyce Ventris	2051	0.00	4,203.19	171,005.77
03 Jul 2023	Xero Australia	XERO	0.00	56.05	170,949.72
03 Jul 2023	Payment: Newroc Arena Submission	Inv 23	0.00	16,500.00	154,449.72
05 Jul 2023	Payment: Ethical Fields	INV-0155	0.00	9,900.00	144,549.72
05 Jul 2023	Payment: 150Square	INV-0228	0.00	4,098.13	140,451.59
Total BB NEWROC Funds-5557			66,000.00	43,426.10	140,451.59
Closing Balance			140,451.59	0.00	140,451.59
Total			66,000.00	43,426.10	22,573.90

Balance Sheet

North Eastern Wheatbelt Regional Organisation of Councils As at 31 July 2023

	31 JUL 2023	30 JUN 2023	31 MAY 2023
Assets			
Bank			
BB NEWROC Funds-5557	140,451.59	175,210.16	117,877.69
BB Term Deposit Account-1388	299,025.69	299,025.69	299,025.69
Total Bank	439,477.28	474,235.85	416,903.38
Total Assets	439,477.28	474,235.85	416,903.38
Liabilities			
Current Liabilities			
GST	(1,242.89)	1,882.11	(611.54)
Rounding	0.05	0.04	0.03
Unpaid ATO Liabilities	2,752.00	2,752.00	-
Total Current Liabilities	1,509.16	4,634.15	(611.51)
Total Liabilities	1,509.16	4,634.15	(611.51)
Net Assets	437,968.12	469,601.70	417,514.89
Equity			
Current Year Earnings	(31,633.58)	116,639.17	64,552.36
Retained Earnings	469,601.70	352,962.53	352,962.53
Total Equity	437,968.12	469,601.70	417,514.89

RESOLUTION

That the income and expenditure from 1 June 2023 to 31 July 2023, P and L and balance sheet be received.

Moved Cr Stratford

Seconded Cr Sachse

CARRIED 7/0

8. MATTERS FOR CONSIDERATION

8.1. WASTE MANAGEMENT

FILE REFERENCE:
REPORTING OFFICER: Caroline Robinson
DISCLOSURE OF INTEREST: Nil
DATE: 22 June 2023
ATTACHMENT NUMBER: #4 Ask Waste Mgt Report (to be supplied)
CONSULTATION: Peter Klein
 Economic Development Sub Committee
STATUTORY ENVIRONMENT: Nil
VOTING REQUIREMENT: Simple Majority

COMMENT

Regional Landfill

Ask Waste Management has completed their Landfill Site Identification report into possible greenfield sites. They have identified 4 potential areas.

Identification of the landowners in each of the areas is currently underway.

OFFICER RECOMMENDATION

NEWROC receives the Landfill Site Identification report

Council asks the Executive to prepare a response for the next Council meeting identifying the landowners and a preferred site.

RESOLUTION

Council asks the Executive to prepare a response for the next Council meeting identifying the landowners and a preferred site.

Moved Cr Trepp

Seconded Cr Coombe

CARRIED 7/0

Discussion:

- Shire of Wyalkatchem will establish a sub committee to discuss waste management and the report site plus four new locations
- CEOs to review the report and provide comment on the locations or suggest more suitable sites

8.2. LIVE SHEEP BY SEA

FILE REFERENCE:
REPORTING OFFICER: Caroline Robinson
DISCLOSURE OF INTEREST: Nil
DATE: 17 July 2023
ATTACHMENT NUMBER: #4 WEROC letter to Minister Watt
 #5 Minister Watt response to WEROC
 #6 Econisis Quote

CONSULTATION:
STATUTORY ENVIRONMENT: Nil
VOTING REQUIREMENT: Simple Majority

COMMENT

Actions since the last meeting:

- Contacted ROCs in the south west land division regarding our letter to Minister Watt and requests to meet, so too an interim report. Since this, WEROC have sent the attached letter
- NEWROC EO has spoken to ACIL Allen regarding their 2021 report and whether a NEWROC specific report could be an extension. Different methodology unfortunately but they were keen to see where our work eventuated.
- Quotes requested from three economists. One is attached for consideration.
 - o Econisis is recommending three approaches – apportioning the state results down to the NEWROC area, using expenditure based economic impact assessment multipliers and running a cost benefit analysis style net community benefit. The idea is that none are going to give the full answer but together the results from the three different approaches will help to cross validate each other and also give you different evidence and information formats for different audiences.

The NEWROC EO also recommends accompanying the above work with a survey to producers in the NEWROC area to gather specific data and that may assist the preferred economist.

Action since the July Executive Meeting:

- Cr Sachse, Cr De Lacy, Cr Davies, Peter Klein and the NEWROC EO attended a 60minute TEAMS meeting with the four members of the Panel (as well as Department staff)
- Summary of the meeting below:

Our letter to Minister Watt was tabled and the Panel was aware of our correspondence.

Each of us brought a different opinion and perspective to the Panel, under the common theme that the policy should not be pursued, and the industry should remain.

The Panel provided an update on their process. They have received and read the submissions and are now in the ‘solutions’ stage.

- *The Panel has commissioned some of their own work to assess the impact of a closure of the trade*
- *They indicated they will push solutions that will maintain the current flock numbers (without live sheep trade) and seek to provide confidence to producers*
- *They are interested in solutions to address supply chain issues, how to support business and communities and whether we had witnessed any successful ‘support’ programs*

We agreed we would put today's meeting on the next NEWROC agenda and discuss further correspondence to the Panel.

Their work is due to the Minister at the end of September.

Thank you to the four members for making themselves available to present to the Panel.

The Panel requested the NEWROC consider what support is required to transition the industry. **Members are asked for their input into what may be required for the NEWROC communities.**

RESOLUTION

NEWROC accept the quotation and approach proposed by Econosis as attached.

NEWROC asks the NEWROC EO to defer consideration of a survey until after the release of the Government report.

NEWROC writes to the Federal Labor Party President outlining our position on the policy.

Moved Cr Stratford

Seconded Cr Davies

CARRIED 7/0

Discussion:

- NEWROC was invited to the National Farmers Federation delegation to Parliament House in September but will approach members of Parliament individually, following the report outcomes
- Report to be available by the October Council meeting
- Report to focus on the implication of the policy on the NEWROC communities

8.3. EMERGENCY SERVICES FUNDING

FILE REFERENCE:	
REPORTING OFFICER:	Caroline Robinson
DISCLOSURE OF INTEREST:	
DATE:	18 August 2023
ATTACHMENT NUMBER:	
CONSULTATION:	
STATUTORY ENVIRONMENT:	Nil
VOTING REQUIREMENT:	Simple Majority

COMMENT

AWARE funding is currently open and is aimed at eligible West Australian Local Governments. Local governments are encouraged to collaborate and submit joint applications.

The 2023-24 AWARE program will distribute \$238,000 to local governments via competitive grants to projects that build emergency management capability.

Local level risk assessments can request a maximum of \$6,000 (no GST is applied).

All other applications must be requesting a minimum of \$2,500 and a maximum of \$35,000 (no GST is applied).

Applicants must contribute at least 25 percent of the total cost of the project as combination of cash and in-kind. In-kind contributions must be expressed in monetary terms.

The AWARE targets projects of up to 12 months duration.

Furthering the emergency risk management process

- Local level risk assessment final report and risk register
 - \$6,000 subsidy available
 - The final report and risk register must be completed using the process outlined in the WA Emergency Risk Management Local Government Handbook, and in consultation with your District Emergency Management Advisor (DEMA) Facilitating capability-based exercises
- To help identify and assess the skills, resources, infrastructure, equipment, systems and plans necessary for response and recovery
 - Includes field, workshop, and desktop settings Assistance in reviewing Local Emergency Management Arrangements (LEMA)
- To enhance the knowledge, capacity and/or awareness of:
 - Community members
 - Emergency services personnel
 - Agencies supporting emergency management activities
- To support the development of contemporary and updated LEMA Delivering emergency management training
- To enhance the knowledge, capacity and/or awareness of personnel involved in emergency management

NEWROC Council Meeting 21 August 2023 - MINUTES

- Includes professional development Hosting or facilitating emergency management events or forums
- To host or facilitate emergency management events or forums that may include:
 - Knowledge sharing
 - Best practice
 - Community engagement/education

OFFICER RECOMMENDATION

Members indicate whether they will be applying for the funding (individually).

Members indicate whether a NEWROC application should be made.

RESOLUTION

Item is discussed

Moved Cr Trepp

Seconded Cr Davies

CARRIED 7/0

Action

NEWROC EO discuss with DFES on their progress in mapping water points.

8.4. EVENTS SUPPORT OFFICER

FILE REFERENCE:	132-1 NEWTravel
REPORTING OFFICER:	Caroline Robinson
DISCLOSURE OF INTEREST:	
DATE:	18 August 2023
ATTACHMENT NUMBER:	#7 NEWTravel Minutes #8 Events Support Officer Position Description Draft
CONSULTATION:	Linda Vernon
STATUTORY ENVIRONMENT:	Nil
VOTING REQUIREMENT:	Simple Majority

COMMENT

NEWTravel has been successful in securing approx. \$60K from FRRR's Future Drought Fund's Helping Regional Communities Prepare for Drought Program for an Events Support Officer.

See attached job description.

The initial application was for \$80K but was reduced by FRRR.

NEWTravel member Councils will be asked to contribute \$1000 each year for 2yrs towards the position.

NEWTravel is requesting \$10,000 each year for 2yrs towards the position.

There is an opportunity to see this position work closely with Dowerin Events Management.

The following resolutions were passed at the NEWTravel 27 July 2023 meeting:

RESOLUTION:

To approach NEWROC to fund the project funding gap of \$20,000 over two years.

Moved: Rebecca McCall

Seconded: Cr Megan Beagley

CARRIED

RESOLUTION:

Approach and initiate a meeting between NEWTRAVEL, Dowerin Events Management, and NEWROC, with the purpose of exploring collaborative opportunities for the joint execution of the Event Support Officer Project over the next two years and beyond.

Moved: Rebecca McCall

Seconded: Stacey Geier

CARRIED

OFFICER RECOMMENDATION

NEWROC contribute \$10,000 towards the position in the 23/24 financial year and review the support when preparing the 24/25 budget.

RESOLUTION

Item lay on the table

Moved Cr Brown

Seconded Cr Coombe

CARRIED 7/0

Discussion:

- NEWROC EO to meet with MADFIG to discuss their FRRR project and if there is alignment
- NEWROC EO to meet with NEWTravel to discuss the request and how to work with Dowerin Events Management
- Further information on additional individual Shire financial commitments

9. MATTERS FOR INFORMATION

9.1. PLACE BASED CAPITAL PROGRAM

FILE REFERENCE:
REPORTING OFFICER: Caroline Robinson
DISCLOSURE OF INTEREST:
DATE: 18 August 2023
ATTACHMENT NUMBER:
CONSULTATION: Meaghan Burkett
 Executive
STATUTORY ENVIRONMENT: Nil
VOTING REQUIREMENT: Simple Majority

COMMENT

The Place Based Capital Program has commenced. The NEWROC group has participated in three online sessions.

A small group of NEWROC members met online prior to the 16th August session. The group discussed how they were tracking, some of the learnings and future applications in NEWROC communities. The group intends to get together in person over the coming weeks.

The NEWROC EO will coordinate a joint meeting of the Economic Development Sub Committee and PBCP group in the future as well.

RESOLUTION

Information is received.

Moved Cr Trepp	Seconded Cr Shadbolt	CARRIED 7/0
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9.2. ECONOMIC DEVELOPMENT

FILE REFERENCE:
REPORTING OFFICER: Caroline Robinson
DISCLOSURE OF INTEREST:
DATE: 18 August 2023
ATTACHMENT NUMBER:
CONSULTATION: Economic Development Sub Committee
Wheatbelt Development Commission
STATUTORY ENVIRONMENT: Nil
VOTING REQUIREMENT: Simple Majority

COMMENT

Economic Development Sub Committee met in Trayning on 10 August. Minutes attached.

The group is seeking quotes from three consultants to develop an Economic Development Strategy.

RESOLUTION

Information is received.

Moved Cr Davies

Seconded Cr Trepp

CARRIED 7/0

9.3. BANK CLOSURES IN REGIONAL AUSTRALIA

FILE REFERENCE: 107-1 Power
REPORTING OFFICER: Caroline Robinson
DISCLOSURE OF INTEREST: Nil
DATE: 18 August 2023
ATTACHMENT NUMBER:
CONSULTATION: Cr Davies
STATUTORY ENVIRONMENT: Nil
VOTING REQUIREMENT: Simple Majority

COMMENT

The NEWROC has been requested to participate in a public hearing, as per the below email.

From: Iacobozzi, Ethan (SEN) <Ethan.iacobozzi@aph.gov.au> **On Behalf Of** RRAT, Committee (SEN)
Sent: Monday, 10 July 2023 7:54 AM
To: caroline@newroc.com.au
Cc: RRAT, Committee (SEN) <RRAT.Sen@aph.gov.au>
Subject: Senate Regional Banking Closures Inquiry - preliminary invite to appear at a public hearing in Western Australia in August 2023



SENATE RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE

10 July 2023

Ms Caroline Robinson
Executive Officer
North Eastern Wheatbelt Regional Organisation of Councils
Email: caroline@newroc.com.au

Dear Ms Robinson

The Senate Rural and Regional Affairs and Transport References Committee is conducting an inquiry into [bank closures in regional Australia](#). As part of this process, the committee has agreed to hold public hearings in Carnamah, Western Australia and Beverley, Western Australia, on 15 and 16 August 2023.

This email is a preliminary invite for the North Eastern Wheatbelt Regional Organisation of Councils to appear as a witness at the public hearing in Beverley, WA, between **9:20 am – 3:00 pm, Wednesday 16 August 2023**. Your indicative time for appearance is between **10:00 am – 10:40 am**, subject to finalisation of the program.

The committee prefers witnesses attend in person where practical, but teleconference can be arranged.

The secretariat expects to send your formal invitation in the next week or two. In the meantime, it would be appreciated if you could indicate your acceptance of the invite and availability for this hearing and provide the names and positions of likely witnesses.

If the time does not suit the key witnesses, please let me know and we can discuss alternatives.

Please feel free to call me with any questions on 6277 3060.

Yours sincerely,

Ethan Iacobozzi | Senior Research Officer

Senate Standing Committee on Rural & Regional Affairs & Transport
Senate Committee Office | Department of the Senate
T: 02 6277 3060 | E: ethan.iacobozzi@aph.gov.au
www.aph.gov.au/senate

The NEWROC EO has responded to Ethan and indicated availability, as well as requesting whether another NEWROC representatives can attend.

Update since the July Executive Meeting:

- Cr Davies and the NEWROC EO attended and presented at the Inquiry in Beverley
- NEWROC EO presented on behalf of all the NEWROC communities, Cr Davies gave insight into the Wyalkatchem community and closure of the NAB
- Senators Canavan (QLD), Brockman (WA) and Rennick (QLD) were in attendance and the day was broadcast live on the APH system

RESOLUTION

Information received.

Moved Cr Davies

Seconded Cr Trepp

CARRIED 7/0

10. GENERAL UPDATES

10.1. Literary Luncheon

Sold out event on Friday 4th August. Well done to the Nungarin CRC and Shire of Nungarin

10.2. Landowners Information Session



**EMPOWERING PRODUCERS TO NEGOTIATE
BETTER LAND ACCESS ARRANGEMENTS**

When it comes to giving resources companies access to land, producers often have little information to help them and they feel powerless to negotiate access or a fair deal.

At this information session we will discuss:

- >> Current and upcoming projects in the eastern Wheatbelt
- >> Ways you can prepare for the knock on the farm gate
- >> Your rights and support systems
- >> Hear from a local case study

2PM - 5.30PM
THURS 7TH SEPT 2023
NUNGARIN RECREATION CENTRE

RSVP essential. Register at
www.newroc.com.au

 **NEWROC**
North Eastern Wheatbelt Regional Organisation of Councils
Dowerin | Koorda | Mt Marshall | Mukinbudin | Nungarin | Trayning | Wyalkatchem

10.3. Dowerin Down Town

10 NEWROC members will be attending the luncheon.

10.4. NEWROC Dinner – LG Week

Discussion at the July Executive Meeting:

Tuesday 19th September after the convention

11. 2023 MEETING SCHEDULE

26 September

Executive

Shire of Mukinbudin

NEWROC Council Meeting 21 August 2023 - MINUTES

31 October	Council	Shire of Mt Marshall
28 November	Council	Shire of Nungarin

12. CLOSURE

The Chairman, Cr Shadbolt thanked everyone for attending and declared the meeting closed at 2.54pm.





Shire of Wyalkatchem
List of Accounts - August 2023

Chq/EFT	Date	Name	Payment Amount	Bank
EFT3006	09/08/2023	SEEK	-\$ 825.00	1
EFT3007	09/08/2023	IT Vision User Group Inc	-\$ 770.00	1
EFT3008	09/08/2023	Five Rivers Plumbing and Gas	-\$ 2,112.93	1
EFT3009	09/08/2023	Iplex Pipelines	-\$ 4,451.01	1
EFT3010	09/08/2023	Snap Midland	-\$ 1,125.00	1
EFT3011	09/08/2023	RAP Painting Services	-\$ 18,040.00	1
EFT3012	09/08/2023	Eatover Pty Ltd ATF The Eatover Trust Trading as Littlefoot Agricultural Services""	-\$ 599.04	1
EFT3013	09/08/2023	Australia Post	-\$ 435.02	1
EFT3014	09/08/2023	Bunnings Midland	-\$ 1,089.00	1
EFT3015	09/08/2023	TOLL Australia	-\$ 687.32	1
EFT3016	09/08/2023	Dunnings	-\$ 12,715.43	1
EFT3017	09/08/2023	Eastern Hills Saws & Mowers	-\$ 32.40	1
EFT3018	09/08/2023	LGIS Liability	-\$ 93,180.32	1
EFT3019	09/08/2023	Local Government Professionals Australia WA	-\$ 185.00	1
EFT3020	09/08/2023	Petchell Mechanical	-\$ 50.60	1
EFT3021	09/08/2023	T & E Services Pty Ltd	-\$ 25,386.90	1
EFT3022	09/08/2023	Wheatbelt Business Network	-\$ 360.00	1
EFT3023	09/08/2023	Wyalkatchem Weekly	-\$ 600.00	1
EFT3024	17/08/2023	Perfect Computer Solutions Pty Ltd	-\$ 382.50	1
EFT3025	17/08/2023	K. E. Myers	-\$ 6,000.00	1
EFT3026	17/08/2023	Onemusic Austraila	-\$ 364.00	1
EFT3027	17/08/2023	Gary Thorpe {Personal}	-\$ 183.82	1
EFT3028	17/08/2023	Newground Water Services Pty Ltd	-\$ 6,577.00	1
EFT3029	17/08/2023	Wormald Australia Pty Ltd	-\$ 1,523.23	1
EFT3030	17/08/2023	Michelle Lea Eaton	-\$ 54.60	1
EFT3031	17/08/2023	Whitney Consulting	-\$ 2,629.00	1
EFT3032	17/08/2023	Hannagans Plumbing, Heating & Cooling	-\$ 5,735.00	1
EFT3033	17/08/2023	Promotions Warehouse	-\$ 4,796.55	1
EFT3034	17/08/2023	Great Eastern Freightlines	-\$ 397.65	1

Shire of Wyalkatchem
List of Accounts - August 2023

Chq/EFT	Date	Name	Payment Amount	Bank
EFT3035	17/08/2023	Jim Mckenzie Pty Ltd	-\$ 4,221.80	1
EFT3036	17/08/2023	TTFS Group PTY LTD	-\$ 5,479.38	1
EFT3037	17/08/2023	TOLL Australia	-\$ 97.10	1
EFT3038	17/08/2023	Wyalkatchem Electrical and Air conditioning Services	-\$ 4,004.00	1
EFT3039	17/08/2023	Nutrien Ag Solutions Ltd	-\$ 34.20	1
EFT3040	17/08/2023	Midalia Steel	-\$ 1,599.73	1
EFT3041	17/08/2023	Shire of Goomalling	-\$ 3,850.00	1
EFT3042	17/08/2023	WA Contract Ranger Services	-\$ 721.05	1
EFT3043	17/08/2023	WA Local Government Association	-\$ 310.50	1
EFT3044	17/08/2023	Westrac	-\$ 1,166.32	1
EFT3045	17/08/2023	Wheatbelt Office & Business Machines	-\$ 399.50	1
EFT3046	31/08/2023	Shire of Chittering	-\$ 1,801.80	1
EFT3047	31/08/2023	CONWAY HIGHBURY PTY LTD	-\$ 2,079.00	1
EFT3048	31/08/2023	HARCHER WHEATBELT (WA DISTRIBUTORS) PTY LTD	-\$ 1,556.75	1
EFT3049	31/08/2023	Novum Networks (Operations) Pty Ltd	-\$ 357.26	1
EFT3050	31/08/2023	Ask Waste Management	-\$ 4,950.00	1
EFT3051	31/08/2023	Michelle Lea Eaton	-\$ 152.88	1
EFT3052	31/08/2023	Great Eastern Freightlines	-\$ 246.40	1
EFT3053	31/08/2023	WA Traffic Planning	-\$ 715.00	1
EFT3054	31/08/2023	Wheatbelt Furniture and Homewares (Basham Holdings Pty Ltd)	-\$ 9,891.60	1
EFT3055	31/08/2023	MACA Civil Pty Ltd	-\$ 26,301.00	1
EFT3056	31/08/2023	Australian Taxation Office	-\$ 7,505.00	1
EFT3057	31/08/2023	BOC Gases	-\$ 55.32	1
EFT3058	31/08/2023	Wyalkatchem Electrical and Air conditioning Services	-\$ 5,038.00	1
EFT3059	31/08/2023	Nutrien Ag Solutions Ltd	-\$ 886.40	1
EFT3060	31/08/2023	Petchell Mechanical	-\$ 698.85	1
EFT3061	31/08/2023	WA Contract Ranger Services	-\$ 316.80	1
EFT3062	31/08/2023	WA Local Government Association	-\$ 26,201.32	1
EFT3063	31/08/2023	Wyalkatchem Hotel	-\$ 242.00	1

Shire of Wyalkatchem
List of Accounts - August 2023

Chq/EFT	Date	Name	Payment Amount	Bank
EFT3064	31/08/2023	Wyalkatchem Spraying Service	-\$ 1,120.00	1
EFT3065	31/08/2023	Wyalkatchem Tyre Service	-\$ 656.50	1
EFT3066	31/08/2023	Royal Flying Doctor Service (Western Operations)	-\$ 16.10	1
EFT3067	31/08/2023	Burgess Rawson (wa) Pty Ltd	-\$ 989.91	1
Total EFT			-\$ 304,949.79	
DD2807.1	01/08/2023	Synergy	-\$ 219.03	1
DD2807.2	01/08/2023	Crisp Wireless	-\$ 526.90	1
DD2809.1	01/08/2023	HESTA Superannuation	-\$ 1,022.61	1
DD2809.2	01/08/2023	Macquarie Super Consolidator II	-\$ 256.33	1
DD2809.3	01/08/2023	MTAA Superannuation Fund	-\$ 176.28	1
DD2809.4	01/08/2023	CBUS Superannuation	-\$ 878.63	1
DD2809.5	01/08/2023	AMP Superannuation	-\$ 990.59	1
DD2809.6	01/08/2023	Aware Superannuation Fund	-\$ 2,279.24	1
DD2809.7	01/08/2023	BT Panorama Superannuation	-\$ 961.35	1
DD2809.8	01/08/2023	Colonial Superannuation	-\$ 609.20	1
DD2809.9	01/08/2023	Suncorp Superannuation	-\$ 66.00	1
DD2812.1	03/08/2023	Synergy	-\$ 546.33	1
DD2815.1	15/08/2023	HESTA Superannuation	-\$ 1,002.92	1
DD2815.2	15/08/2023	Macquarie Super Consolidator II	-\$ 256.33	1
DD2815.3	15/08/2023	MTAA Superannuation Fund	-\$ 224.71	1
DD2815.4	15/08/2023	CBUS Superannuation	-\$ 878.63	1
DD2815.5	15/08/2023	AMP Superannuation	-\$ 990.59	1
DD2815.6	15/08/2023	Aware Superannuation Fund	-\$ 2,246.05	1
DD2815.7	15/08/2023	BT Panorama Superannuation	-\$ 961.35	1
DD2815.8	15/08/2023	Colonial Superannuation	-\$ 609.20	1
DD2815.9	15/08/2023	Suncorp Superannuation	-\$ 90.31	1
DD2817.1	08/08/2023	Telstra	-\$ 11.22	1
DD2821.1	09/08/2023	Synergy	-\$ 2,988.98	1
DD2824.1	10/08/2023	Synergy	-\$ 666.36	1
DD2826.1	11/08/2023	Synergy	-\$ 2,339.40	1

Shire of Wyalkatchem
List of Accounts - August 2023

Chq/EFT	Date	Name	Payment Amount	Bank
DD2829.1	14/08/2023	Synergy	-\$ 154.83	1
DD2830.1	15/08/2023	Water Corporation.	-\$ 314.31	1
DD2832.1	17/08/2023	Foxtel	-\$ 140.00	1
DD2834.1	18/08/2023	Synergy	-\$ 592.28	1
DD2836.1	21/08/2023	Telstra	-\$ 249.60	1
DD2838.1	22/08/2023	Synergy	-\$ 2,764.34	1
DD2841.1	29/08/2023	HESTA Superannuation	-\$ 1,011.14	1
DD2841.2	29/08/2023	Macquarie Super Consolidator II	-\$ 150.06	1
DD2841.3	29/08/2023	MTAA Superannuation Fund	-\$ 278.95	1
DD2841.4	29/08/2023	Spaceship	-\$ 78.54	1
DD2841.5	29/08/2023	CBUS Superannuation	-\$ 878.63	1
DD2841.6	29/08/2023	AMP Superannuation	-\$ 990.59	1
DD2841.7	29/08/2023	Aware Superannuation Fund	-\$ 2,277.47	1
DD2841.8	29/08/2023	BT Panorama Superannuation	-\$ 961.35	1
DD2841.9	29/08/2023	Colonial Superannuation	-\$ 624.04	1
DD2843.1	23/08/2023	NAB	-\$ 15,232.13	1
DD2849.1	18/08/2023	Shire Of Wyalkatchem - MUNI	-\$ 10,663.00	1
DD2851.1	18/08/2023	Shire Of Wyalkatchem - MUNI	-\$ 1,735.00	1
DD2854.1	31/08/2023	Water Corporation.	-\$ 2,003.20	1
DD2856.1	28/08/2023	Water Corporation.	-\$ 2,407.36	1
DD2858.1	29/08/2023	Synergy	-\$ 172.06	1
DD2809.10	01/08/2023	Jonas Superannuation Fund	-\$ 111.77	1
DD2809.11	01/08/2023	Australian Retirement	-\$ 269.55	1
DD2815.10	15/08/2023	Jonas Superannuation Fund	-\$ 124.54	1
DD2815.11	15/08/2023	Australian Retirement	-\$ 269.55	1
DD2841.10	29/08/2023	Suncorp Superannuation	-\$ 217.47	1
DD2841.11	29/08/2023	Jonas Superannuation Fund	-\$ 177.23	1
DD2841.12	29/08/2023	Australian Retirement	-\$ 269.55	1
Total DD			-\$ 66,917.08	
Total EFT and DD			-\$ 371,866.87	

Shire of Wyalkatchem
List of Accounts - August 2023

Chq/EFT	Date	Name	Payment Amount	Bank
Payroll dated on 30/08/2023			\$ 37,197.73	1
Payroll dated on 16/08/2023			\$ 35,475.92	1





**SHIRE OF WYALKATCHEM
NAB BUSINESS VISA
PAYMENTS OF ACCOUNTS BY CREDIT CARD
FOR THE STATEMENT PERIOD: 29 June 2023 to 28 July 2023**

DATE	PAYEE	DESCRIPTION	AMOUNT
CARD NUMBER 4557-XXXX-XXXX-4705			
29-Sep-23	Wyalkatchem Community Resource Centre	Vehicle Registrations 2023/24	\$ 6,125.80
30-Jun-23	Eastway Food Supplies	Refreshment for Mens Mental Health	\$ 91.15
30-Jun-23	Dunnings	Refreshment for members	\$ 52.00
30-Jun-23	Buy Promotional	Stubby Holder - Artwork, Postage for Rodeo	\$ 470.80
05-Jul-23	Express Promo	Beanies and Ponchos for the Rodeo	\$ 742.50
10-Jul-23	SP Safe - T-Rex Austr	Vest With Staff on the back for the Rodeo	\$ 318.40
12-Jul-23	Dunnings	Refreshment for members	\$ 55.45
20-Jul-23	JAMF Software	Subscription for JAMF Software	\$ 17.78
21-Jul-23	Dunnings	Refreshment for Council Meeting	\$ 32.50
28-Jul-23	Card fee and other Bank Charges	Card fee and other Bank Charges	\$9.53
TOTAL CREDIT CARD PAYMENTS			\$ 7,915.91

I, Parul Begum, Finance Officer have reviewed the credit card payments and confirm that from the descriptions on the documentation provide that;

- all transactions are expenses incurred by the Shire of Wyalkatchem;
- all purchases have been made in accordance with the Shire of Wyalkatchem policies and procedures;
- all purchases are in accordance with the Local Government Act 1995 and associated regulations;
- no misuse of the corporate credit card is evident

Parul Begum





SHIRE OF WYALKATCHEM

MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)

For the period ended 31 July 2023

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF WYALKATCHEM
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2023

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	9	1,458,642	1,458,642	1,493,172	34,530	2.37%	▲
Grants, subsidies and contributions	12	274,645	142,883	151,512	8,629	6.04%	▲
Fees and charges		211,683	107,630	119,247	11,617	10.79%	▲
Interest revenue		14,450	1,202	2,396	1,194	99.33%	▲
Other revenue		1,050	87	0	(87)	(100.00%)	▼
Profit on asset disposals	5	142,867	0	0	0	0.00%	
		2,103,337	1,710,444	1,766,327	55,883	3.27%	
Expenditure from operating activities							
Employee costs		(1,505,318)	(125,448)	(76,927)	48,521	38.68%	▲
Materials and contracts		(1,584,764)	(129,179)	(184,761)	(55,582)	(43.03%)	▼
Utility charges		(195,123)	(16,227)	(2,583)	13,644	84.08%	▲
Depreciation		(1,484,522)	(123,698)	0	123,698	100.00%	▲
Finance costs		(2,312)	(192)	(288)	(96)	(50.00%)	▼
Insurance		(170,847)	(114,211)	(89,781)	24,430	21.39%	▲
Other expenditure		(51,681)	(968)	(1,489)	(521)	(53.82%)	▼
		(4,994,567)	(509,923)	(355,829)	154,094	30.22%	
Non-cash amounts excluded from operating activities	Note 2(b)	1,341,655	123,698	0	(123,698)	(100.00%)	▼
Amount attributable to operating activities		(1,549,575)	1,324,219	1,410,498	86,279	6.52%	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions	13	1,570,316	130,860	158,150	27,290	20.85%	▲
Proceeds from disposal of assets	5	244,544	0	0	0	0.00%	
		1,814,860	130,860	158,150	27,290	20.85%	
Outflows from investing activities							
Payments for property, plant and equipment	4	(835,499)	0	(16,870)	(16,870)	0.00%	▼
Payments for construction of infrastructure	4	(1,908,646)	0	(632)	(632)	0.00%	▼
		(2,744,145)	0	(17,502)	(17,502)	0.00%	
Amount attributable to investing activities		(929,285)	130,860	140,648	9,788	7.48%	
FINANCING ACTIVITIES							
Inflows from financing activities							
Proceeds from new debentures	10	165,000	0	0	0	0.00%	
Transfer from reserves	3	472,408	0	0	0	0.00%	
		637,408	0	0	0	0.00%	
Outflows from financing activities							
Repayment of borrowings	10	(62,897)	0	0	0	0.00%	
Transfer to reserves	3	(184,291)	0	0	0	0.00%	
		(247,188)	0	0	0	0.00%	
Amount attributable to financing activities		390,220	0	0	0	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year		2,088,640	2,088,640	2,313,715	225,075	10.78%	▲
Amount attributable to operating activities		(1,549,575)	1,324,219	1,410,498	86,279	6.52%	▲
Amount attributable to investing activities		(929,285)	130,860	140,648	9,788	7.48%	
Amount attributable to financing activities		390,220	0	0	0	0.00%	
Surplus or deficit after imposition of general rates		0	3,543,719	3,864,861	321,142	9.06%	▲

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

* Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF WYALKATCHEM
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 JULY 2023

	Supplementary Information	30 June 2023	31 July 2023
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	2	2,581,555	2,566,701
Trade and other receivables		294,070	1,710,148
Other financial assets		3,230,306	3,230,306
Inventories	7	45,768	56,026
TOTAL CURRENT ASSETS		6,151,699	7,563,181
NON-CURRENT ASSETS			
Trade and other receivables		29,740	29,740
Other financial assets		61,117	61,117
Property, plant and equipment		13,480,595	13,497,465
Infrastructure		51,668,396	51,669,028
TOTAL NON-CURRENT ASSETS		65,239,848	65,257,350
TOTAL ASSETS		71,391,547	72,820,531
CURRENT LIABILITIES			
Trade and other payables	8	371,440	231,776
Other liabilities	11	236,238	236,238
Borrowings	10	53,126	53,126
Employee related provisions	11	88,414	88,414
TOTAL CURRENT LIABILITIES		749,218	609,554
NON-CURRENT LIABILITIES			
Employee related provisions		40,032	40,032
TOTAL NON-CURRENT LIABILITIES		40,032	40,032
TOTAL LIABILITIES		789,250	649,586
NET ASSETS		70,602,297	72,170,945
EQUITY			
Retained surplus		26,325,608	27,894,256
Reserve accounts	3	3,230,306	3,230,306
Revaluation surplus		41,046,383	41,046,383
TOTAL EQUITY		70,602,297	72,170,945

This statement is to be read in conjunction with the accompanying notes.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 JULY 2023

1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

SIGNIFICANT ACCOUNTING POLICES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 16 August 2023

SHIRE OF WYALKATCHEM
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2023

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Net current assets used in the Statement of Financial Activity	Supplementary Information	Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 July 2023
		\$	\$	\$
Current assets				
Cash and cash equivalents	2	2,384,124	2,581,555	2,566,701
Trade and other receivables		377,104	294,070	1,710,148
Other financial assets		3,230,306	3,230,306	3,230,306
Inventories	7	45,768	45,768	56,026
		<u>6,037,302</u>	<u>6,151,699</u>	<u>7,563,181</u>
Less: current liabilities				
Trade and other payables	8	(476,699)	(371,440)	(231,776)
Other liabilities	11	(176,665)	(236,238)	(236,238)
Borrowings	10	(53,126)	(53,126)	(53,126)
Employee related provisions	11	(64,992)	(88,414)	(88,414)
		<u>(771,482)</u>	<u>(749,218)</u>	<u>(609,554)</u>
Net current assets		5,265,820	5,402,481	6,953,627
Less: Total adjustments to net current assets	Note 2(c)	<u>(3,177,180)</u>	<u>(3,088,766)</u>	<u>(3,088,766)</u>
Closing funding surplus / (deficit)		2,088,640	2,313,715	3,864,861

(b) Non-cash amounts excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

Non-cash amounts excluded from operating activities		Adopted Budget	YTD Budget (a)	YTD Actual (b)
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	5	(142,867)	0	0
Add: Depreciation		1,484,522	123,698	0
Total non-cash amounts excluded from operating activities		1,341,655	123,698	0

(c) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

Adjustments to net current assets		Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 July 2023
		\$	\$	\$
Less: Reserve accounts	3	(3,230,306)	(3,230,306)	(3,230,306)
Add: Current liabilities not expected to be cleared at the end of the year:				
- Current portion of borrowings	10	53,126	53,126	53,126
- Current portion of employee benefit provisions held in reserve	3		88,414	88,414
Total adjustments to net current assets	Note 2(a)	(3,177,180)	(3,088,766)	(3,088,766)

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

SHIRE OF WYALKATCHEM
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2023

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$10,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
General rates	34,530	2.37%	▲
Fees and charges	11,617	10.79%	▲
Interest revenue	1,194	99.33%	▲
Other revenue	(87)	(100.00%)	▼
Expenditure from operating activities			
Employee costs	48,521	38.68%	▲
Materials and contracts	(55,582)	(43.03%)	▼
Utility charges	13,644	84.08%	▲
Depreciation	123,698	100.00%	▲
Depreciation won't be run until after the Annual Report is finalised and assets for 2022/23 are capitalised			
Finance costs	(96)	(50.00%)	▼
Insurance	24,430	21.39%	▲
Other expenditure	(521)	(53.82%)	▼
Non-cash amounts excluded from operating activities	(123,698)	(100.00%)	▼
Depreciation won't be run until after the Annual Report is finalised and assets for 2022/23 are capitalised			
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions	27,290	20.85%	▲
Outflows from investing activities			
Payments for property, plant and equipment	(16,870)	0.00%	▼
Surplus or deficit at the start of the financial year	225,075	10.78%	▲
Pre-paid FAGS were \$130,000 higher than anticipated.			
Surplus or deficit after imposition of general rates	321,142	9.06%	▲
Due to variances described above			

SHIRE OF WYALKATCHEM
SUPPLEMENTARY INFORMATION
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SHIRE OF WYALKATCHEM
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2023

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.09 M	\$2.09 M	\$2.31 M	\$0.23 M
Closing	\$0.00 M	\$3.54 M	\$3.86 M	\$0.32 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$2.58 M	44.4%
Restricted Cash	\$3.23 M	55.6%

Refer to 2 - Cash and Financial Assets

Payables	
	% Outstanding
Trade Payables	100.0%
0 to 30 Days	0.0%
Over 30 Days	0.0%
Over 90 Days	0.0%

Refer to 8 - Payables

Receivables		
	\$	%
Rates Receivable	\$1.69 M	9.7%
Trade Receivable	\$0.02 M	% Outstanding
Over 30 Days		0.3%
Over 90 Days		0.3%

Refer to 6 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.55 M)	\$1.32 M	\$1.41 M	\$0.09 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$1.49 M	2.4%
YTD Budget	\$1.46 M	

Refer to 9 - Rate Revenue

Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.15 M	6.0%
YTD Budget	\$0.14 M	

Refer to 12 - Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$0.12 M	10.8%
YTD Budget	\$0.11 M	

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.93 M)	\$0.13 M	\$0.14 M	\$0.01 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.00 M	
Adopted Budget	\$0.24 M	(100.0%)

Refer to 5 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$0.00 M	
Adopted Budget	\$1.91 M	(100.0%)

Refer to 4 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$0.16 M	
Adopted Budget	\$1.57 M	(89.9%)

Refer to 4 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.39 M	\$0.00 M	\$0.00 M	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.00 M
Interest expense	\$0.00 M
Principal due	\$0.05 M

Refer to 10 - Borrowings

Reserves	
Reserves balance	\$3.23 M
Interest earned	\$0.00 M

Refer to 3 - Cash Reserves

This information is to be read in conjunction with the accompanying Financial Statements and notes.

**SHIRE OF WYALKATCHEM
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2023**

2 CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted \$	Restricted \$	Total Cash \$	Trust \$	Institution	Interest Rate	Maturity Date
Municipal Bank Account	Cash and cash equivalents	1,083,108		1,083,108		NAB		
Municipal Investment	Cash and cash equivalents	1,500,000		1,500,000		BOQ	4.80%	Sep-23
Reserve Investment Account	Financial assets at amortised cost	0	3,230,306	3,230,306		BOQ	4.80%	Nov-23
Total		2,583,108	3,230,306	5,813,414	0			
Comprising								
Cash and cash equivalents		2,583,108	0	2,583,108	0			
Financial assets at amortised cost		0	3,230,306	3,230,306	0			
		2,583,108	3,230,306	5,813,414	0			

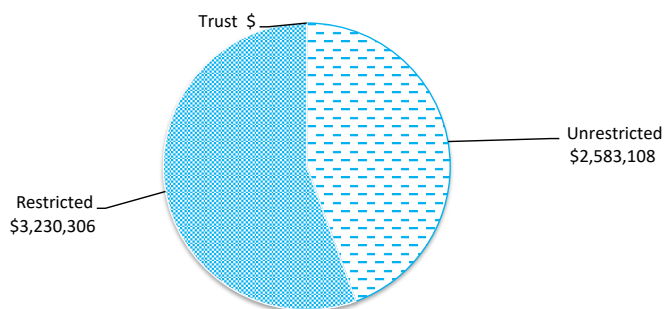
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other a



SHIRE OF WYALKATCHEM
 SUPPLEMENTARY INFORMATION
 FOR THE PERIOD ENDED 31 JULY 2023

3 RESERVE ACCOUNTS

Reserve name	Budget	Budget	Budget	Budget	Budget	Actual	Actual	Actual	Actual	Actual YTD
	Opening	Interest	Transfer	Transfers	Closing	Opening	Interest	Transfers	Transfer	Closing
	Balance	Earned	s In (+)	Out (-)	Balance	Balance	Earned	In (+)	s Out (-)	Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Council										
Reserve account - by council - Building	331,555	616			332,171	331,555	0	0	0	331,555
Reserve account - by council - Waste Management	111,395	207			111,602	111,395	0	0	0	111,395
Reserve account - by council - Plant & Equipment	647,644	1,203	178,291	(312,273)	514,865	647,644	0	0	0	647,644
Reserve account - by council - Community Bus	85,826	159			85,985	85,826	0	0	0	85,826
Reserve account - by council - Government Joint Venture Housing	11	0			11	11	0	0	0	11
Reserve account - by council - Sport & Recreation Facilities	338,363	628		(160,135)	178,856	338,363	0	0	0	338,363
Reserve account - by council - Community Development	529,706	984			530,690	529,706	0	0	0	529,706
Reserve account - by council - Community Health	1,120,174	2,082			1,122,256	1,120,174	0	0	0	1,120,174
Reserve account - by council - Airport Development	44,830	83			44,913	44,830	0	0	0	44,830
Reserve account - by council - Depot	162	0			162	162	0	0	0	162
Reserve account - by council - Leave	20,640	38			20,678	20,640	0	0	0	20,640
	3,230,306	6,000	178,291	(472,408)	2,942,189	3,230,306	0	0	0	3,230,306

4 CAPITAL ACQUISITIONS

	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Capital acquisitions				
Buildings - non-specialised	128,632		16,870	16,870
Plant and equipment	706,867		0	0
Acquisition of property, plant and equipment	835,499	0	16,870	16,870
Infrastructure - roads	827,535		0	0
Infrastructure - footpaths	75,000		0	0
Infrastructure - other	1,006,111		632	632
Acquisition of infrastructure	1,908,646	0	632	34,372
Total capital acquisitions	2,744,145	0	17,502	51,242
Capital Acquisitions Funded By:				
Capital grants and contributions	1,570,316	130,860	158,150	27,290
Borrowings	165,000	0	0	0
Other (disposals & C/Fwd)	244,544	0	0	0
Reserve accounts				
Reserve account - by council - Plant & Equipment	312,273		0	0
Reserve account - by council - Sport & Recreation Facilities	160,135		0	0
Contribution - operations	291,877	(130,860)	(140,648)	(9,788)
Capital funding total	2,744,145	0	17,502	17,502

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

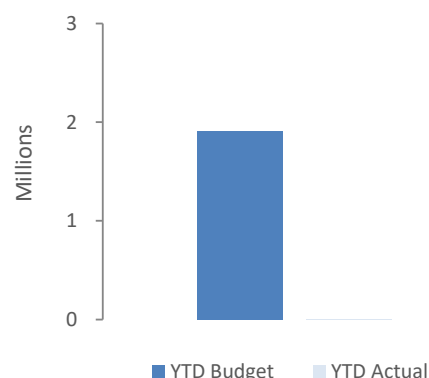
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognised at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

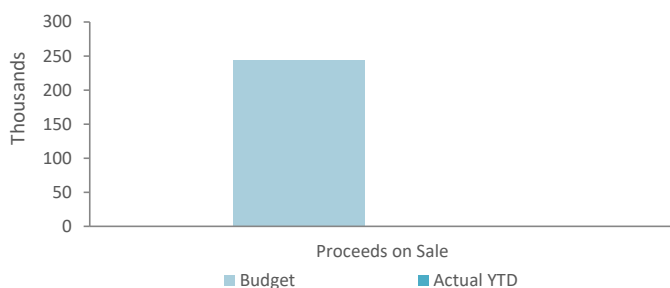
In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions



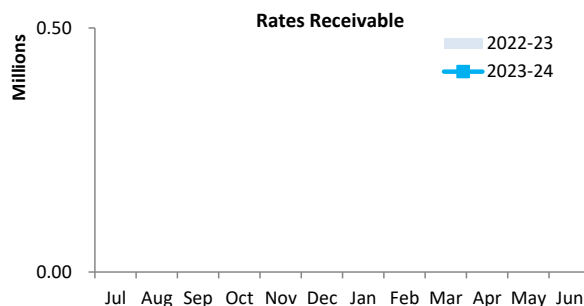
5 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book		Profit	(Loss)	Net Book		Profit	(Loss)
		Value	Proceeds			Value	Proceeds		
\$	\$	\$	\$	\$	\$	\$	\$		
	Plant and equipment								
	WM000 Toyota Hilux	49,842	50,909	1,067	0	0	0	0	0
	Isuzu Dmax	1,136	18,181	17,045	0	0	0	0	0
	Isuzu 6 wheeler	0	72,727	72,727	0	0	0	0	0
	WM00 Toyota Prado	47,914	72,727	24,813	0	0	0	0	0
	Skid steer	2,785	30,000	27,215	0	0	0	0	0
		101,677	244,544	142,867	0	0	0	0	0



6 RECEIVABLES

Rates receivable	30 Jun 2023	31 Jul 2023
	\$	\$
Opening arrears previous years	49,556	49,556
Levied this year		1,493,171
Less - collections to date	0	149,448
Gross rates collectable	49,556	1,692,175
Net rates collectable	49,556	1,692,175
% Collected	0.0%	9.7%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(28,685)	46,658	0	0	54	18,027
Percentage	(159.1%)	258.8%	0.0%	0.0%	0.3%	
Balance per trial balance						
Trade receivables	0	18,027	0	0	0	18,027
GST receivable	0	28,631	0	0	0	28,631
Allowance for credit losses of other	(28,685)	0	0	0	0	(28,685)
Total receivables general outstanding						17,973

Amounts shown above include GST (where applicable)

KEY INFORMATION

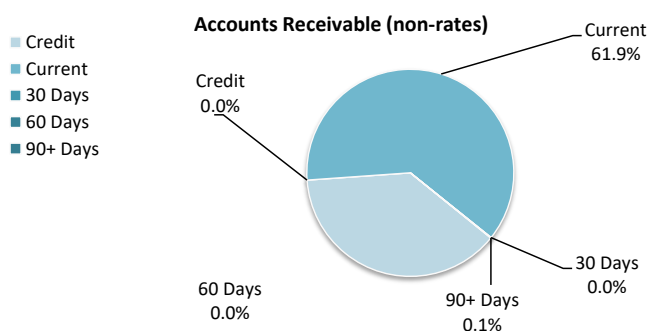
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



7 OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 31 July 2023
	\$	\$	\$	\$
Inventory				
Diesel	45,768	10,258	0	56,026
Total other current assets	45,768	10,258	0	56,026

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

8 PAYABLES

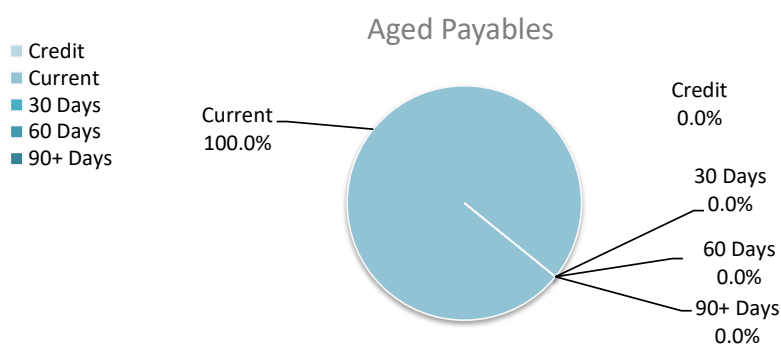
Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	231,776	0	0	0	231,776
Percentage	0.0%	100.0%	0.0%	0.0%	0.0%	
Balance per trial balance						
Sundry creditors	0	114,945	0	0	0	114,945
ATO liabilities	0	21,358	0	0	0	21,358
Other payables	0	48,094	0	0	0	48,094
Bonds and deposits held	0	8,910	0	0	0	8,910
GST Payable	0	17,111	0	0	0	17,111
PAYG Payable	0	21,358	0	0	0	21,358
Total payables general outstanding						231,776

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



9 RATE REVENUE

General rate revenue

RATE TYPE	Rate in	Number of	Rateable	Rate	Budget	Total	Rate	YTD Actual	Total
	\$ (cents)	Properties	Value	Revenue	Interim	Revenue	Revenue	Interim	Revenue
				\$	\$	\$	\$	\$	\$
Gross rental value									
Gross Rental Value - Town	0.1173	194	1,340,466	157,272	0	157,272	157,271		157,271
Unimproved value									
Unimproved Value - Rural	0.0108	209	119,273,500	1,287,438	0	1,287,438	1,287,438		1,287,438
Unimproved Value - Mining	0.0108	0	0	0	0	0			0
Sub-Total		403	120,613,966	1,444,710	0	1,444,710	1,444,709	0	1,444,709
Minimum payment									
			Minimum Payment \$						
Gross rental value									
Gross Rental Value - Town	533	53	71,787	28,249	0	28,249	28,249		28,249
Unimproved value									
Unimproved Value - Rural	593	18	521,600	10,674	0	10,674	10,674		10,674
Unimproved Value - Mining	593	17	57,595	10,081	0	10,081	10,081		10,081
Sub-total		88	650,982	49,004	0	49,004	49,004	0	49,004
Discount						(45,824)			(542)
Amount from general rates						1,447,890			1,493,171
Ex-gratia rates						10,752			0
Total general rates						1,458,642			1,493,171

10 BORROWINGS

Repayments - borrowings

Information on borrowings	Particulars	Loan No.	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual
			\$	\$	\$	\$	\$	\$	\$	\$
	43 & 45 Wilson St Grader	68	29,570	0	0	(28,959)	29,570	611	0	(1,506)
	CRC Building	73	24,169	0	165,000	(24,167)	24,169	2	0	(806)
Total			53,739	0	165,000	0	53,739	155,842	0	(2,312)
	Current borrowings		53,126				0			
	Non-current borrowings		613				53,739			
			53,739				53,739			

All debenture repayments were financed by general purpose revenue.

New borrowings 2023-24

Particulars	Amount Borrowed		Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
Grader	0	165,000	WATC			0		0	165,000	0
	0	165,000				0		0	165,000	0

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

11 OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2023	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 July 2023
		\$	\$	\$	\$	\$
Other current liabilities						
Other liabilities						
Capital grant/contributions liabilities		236,238	0	0	0	236,238
Total other liabilities		236,238	0	0	0	236,238
Employee Related Provisions						
Provision for annual leave		88,414	0	0	0	88,414
Total Provisions		88,414	0	0	0	88,414
Total other current liabilities		324,652	0	0	0	324,652

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

12 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget	YTD	YTD
	1 July 2023		(As revenue)	31 Jul 2023	31 Jul 2023	Revenue	Budget	Revenue
	\$	\$	\$	\$	\$	\$	\$	\$
Grants and subsidies								
GEN PUR - Other Grants	0	0	0	0	0	0	0	300
ESL BFB - Operating Grant	0	0	0	0	0	36,410	3,034	9,670
ESL BFB - Admin Fee/Commission	0	0	0	0	0	4,000	333	0
ROADM - Direct Road Grant (MRWA)	0	0	0	0	0	135,748	131,312	137,977
	0	0	0	0	0	176,158	134,680	147,947
Contributions								
OTH HEALTH - Contributions, Donations & Reimbursements	0	0	0	0	0	84,987	7,082	0
STF HOUSE - Staff Rental Reimbursements - 2 Slocum St	0	0	0	0	0	2,000	167	108
STF HOUSE - Staff Rental Reimbursements - 22a Flint St	0	0	0	0	0	2,800	233	215
STF HOUSE - Staff Rental Reimbursements - 43 Wilson St	0	0	0	0	0	2,800	233	0
STF HOUSE - Staff Rental Reimbursements - 45 Wilson St	0	0	0	0	0	2,800	233	215
STF HOUSE - Staff Rental Reimbursements - 45 Wilson St	0	0	0	0	0	2,800	233	215
OTH HOUSE - Rental Reimbursements	0	0	0	0	0	100	8	2,811
OTH HOUSE - Rental Reimbursements - Joint Venture	0	0	0	0	0	200	17	0
	0	0	0	0	0	98,487	8,207	3,565
TOTALS	0	0	0	0	0	274,645	142,887	151,512

13 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue		
	Liability 1 July 2023	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Jul 2023	Current Liability 31 Jul 2023	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Capital grants and subsidies								
GEN PUR - Other Grants	59,573	0	0	59,573	59,573	501,101	41,758	0
Recreation and Culture								
REC - Grants	0	0	0	0	0	35,615	2,968	0
ROADC - Regional Road Group Grants (MRWA)	0	0	0	0	0	436,938	36,412	158,150
ROADC - Roads to Recovery Grant	0	0	0	0	0	285,000	23,750	0
AERO - Grants	176,665	0	0	176,665	176,665	294,443	24,537	0
	236,238	0	0	236,238	236,238	1,553,097	129,425	158,150
Capital contributions								
REC - Non- Operating Contributions	0	0	0	0	0	17,219	1,435	0
	0	0	0	0	0	17,219	1,435	0
TOTALS	236,238	0	0	236,238	236,238	1,570,316	130,860	158,150





InCasa Country
and
Shire of Wyalkatchem

In Home Aged Care
Management
Agreement

DRAFT

This AGREEMENT is made this day of

Between:

Tre Cuori Pty Ltd (ACN 614 832 076 + ABN: 40 614 832 076) trading as InCasa Aged Care and Community Services of Unit 3, 115 Lefroy Road Beaconsfield WA 6162 ("**InCasa**"); and

Shire of Wyalkatchem of 27 Flint Street, Wyalkatchem WA 6485 ("**Council**")

BACKGROUND

- A. InCasa is a government registered provider of Home Care Packages;
- B. The Shire of Wyalkatchem provides (among other things) community services in and around the Wyalkatchem region;
- C. InCasa is contracted to various Clients to provide a range of home care services; and
- D. InCasa wishes to subcontract some of its services to the Council on the terms and conditions set out in this Agreement.

OPERATIVE PART

1. Definitions

In this Agreement:

Aged Care Legislation means the Aged Care Act 1997 (Cth) and the Aged Care Quality and Safety Commission Act 2018 (Cth) and any regulations made under those Acts (as amended from time to time) and includes the Aged Care Quality Standards as set out in the Quality of Care Principles 2014 (as amended from time to time).

Carer means any person employed or engaged to provide support, care, assistance or services of any kind whatsoever direct to a Contracted Client (and where appropriate includes nurses).

Claim means, in relation to a person, any claim, allegation, cause of action, proceeding, liability, suit or demand made against the person concerned, however it arises and whether it is present or future, fixed or unascertained, actual or contingent.

Client means a consumer under a home care agreement approved pursuant to the Aged Care Legislation.

Clinical Support (Direct) means any assessment, support, care or service (including the preparation of related file notes and reports) that requires the engagement or involvement of a Registered or Enrolled Nurse and that is provided directly to a Contracted Client.

Clinical Support (Indirect) means any assessment or support (typically of an administrative nature) that requires the engagement or involvement of a Registered or Enrolled Nurse, that is not provided directly to a Contracted Client.

Commencement Date means the date set out in Item 1 of the Schedule.

Confidential Information means all information of set out in Item 9 of the Schedule

Contracted Client means each Client the subject of the Services and arrangements set out in this Agreement

Disqualified Individual has the meaning given to that term in the Aged Care Legislation.

Home means a Contracted Client's home or other place where support or care is to be provided to them;

Key Personnel has the same meaning given to that term as set out in the Aged Care Legislation.

Liability means all liabilities, losses, damages, outgoings, costs and expenses, of any kind.

Loss means loss or damage of any kind.

Notifiable Incident means an incident as set out in Item 8 of the Schedule as amended by InCasa from time to time and notified in writing to the Council.

Personal Information means any information about an individual whose identity can reasonably be ascertained from the information.

Privacy Law means all privacy laws which relate to InCasa's collection, use, disclosure or handling of Personal Information.

Records means the records that InCasa requires the Council and its Team to hold, as notified by InCasa from time to time, including the matters set out in Item 4 of the Schedule.

Services means the services to be provided by the Council as set out in Item 7 of the Schedule.

Team means anyone employed or engaged by the Council to deliver the Services as outlined in this agreement, including volunteers, officers, employees, agents, contractors and sub-contractors.

Term means the term set out in Item 2 of the Schedule.

2. Term

This Agreement shall operate for the Term, unless terminated earlier pursuant to this Agreement. The parties may renew the duration of this Agreement from time to time.

3. InCasa's obligations

During the Term and any agreed extension, InCasa shall:

- (a) care for and support each Contracted Client except to the extent that the Services are sub-contracted to the Council pursuant to this Agreement, including:
 - (i) the Case Manager role and responsibility including the approval of all:
 - (A) Client Care Plans and any variations from time to time;
 - (B) Client Budgets and any variations from time to time;
 - (ii) all Clinical Support (Indirect);
- (b) provide the Council with a current Care Plan and Client Budget;
- (c) maintain an up-to-date Register of Contracted Clients and provide a copy of it to the Council on a monthly basis; and
- (d) subject to clause 5, pay to the Council the fees as set out in clause 5 of this Agreement.

4. The Council's obligations

During the Term, and any agreed extension, the Council shall:

Provision of Services

- (a) provide the Services, as agreed by the parties and varied in writing from time to time;
- (b) perform the Services in a professional and timely manner with proper care and skill;
- (c) when delivering the Services, comply with all:

- (i) Aged Care Legislation and related awards;
 - (ii) reasonable directions, policies and/or requirements of InCasa; and
 - (iii) Privacy Laws,
- (d) provide the Records to InCasa, as and when requested by InCasa;
- (e) maintain, and when requested, provide to InCasa, adequate records of the Services and proof of compliance with the terms of this Agreement;
- (f) report on the Services to InCasa in the form and manner requested by InCasa from time to time; and
- (g) if and when they occur, to immediately report to InCasa:
- (i) any Notifiable Incidents;
 - (ii) any breaches or allegations of breaches of the Aged Care Legislation made against the Council or its Team; or
 - (iii) when any of its Team becomes a Disqualified Individual.

Employee entitlements

- (h) pay and be liable for all employment or other entitlements to which any member of its Team is entitled in relation to the provision of the Services.

Health and Safety

- (i) ensure that it:
- (i) and all of its Team, are appropriately skilled and qualified to carry out the Services;
 - (ii) provides a safe working environment for all of its Team;
 - (iii) complies with all relevant work health and safety laws;
 - (iv) obtains all necessary occupational health and safety insurances and approvals required to carry out the Services; and
 - (v) can provide appropriate evidence of the above matters when requested by InCasa from time to time.

Expenses

- (j) unless agreed otherwise in writing with InCasa, be responsible for all expenses that it incurs in relation to the provision of the Services.

Insurances

- (k) at its own cost, obtain and maintain the insurances (and amounts) specified in Item 3 of the Schedule and promptly provide a copy of the certificates of currency for such insurances when requested by InCasa.

Confidentiality

- (l) ensure that all Confidential Information is kept confidential and is used only for the purposes of this Agreement.

Indemnity

- (m) indemnify InCasa against all Loss incurred or suffered by it arising from or in connection with:
 - (i) any personal injury or death of any person or the loss of, damage to or loss or use of, any property caused, or contributed to by, a breach of this Agreement or the negligent act or omission of the Council or any of its Team;
 - (ii) any fraudulent acts or omissions by the Council or any of its Team;
 - (iii) any willful misconduct or unlawful act or omission by the Council or any of its Team; and
 - (iv) any third party Claim arising out of a breach of this Agreement or any negligent act or omission of the Council or any of its Team.

5. Fees

- (a) The Council must ensure that all invoices rendered to InCasa identify, for each Client:
 - (i) the Services provided;
 - (ii) the fee owing; and
 - (iii) all appropriate supporting documentation.

- (b) Subject to clause 5(a), InCasa shall pay the Council within 30 days after receipt of each invoice.

6. Audit

- (a) InCasa or their authorised representative (“the **Auditor**”) may monitor, inspect and/or audit the Council’s performance for the purposes of verifying the Council’s compliance with its obligations under this Agreement (“**Audit**”).
- (b) The Auditor shall be entitled to take copies of or extracts from any accounts and records during an Audit.
- (c) The Council must participate promptly and cooperatively in any Audit conducted by the Auditor.
- (d) Except in those circumstances in which the Auditor reasonably determines that notice is not practicable or appropriate, the Auditor will give the Council reasonable notice of any Audit and, where reasonably practicable, an indication of which documents or class of documents the auditors may require access to.
- (e) If the outcome of an Audit does not require any corrective action, each party must bear its own costs associated with any Audit. If the Audit identifies any error, non-compliance or inaccuracy requiring remedial action (other than a trivial or insignificant error, non-compliance or inaccuracy), the Auditor’s costs in respect of the Audit will be payable by the Council, on written demand by Auditor, as a debt due to the Auditor.
- (f) The Council must promptly take corrective action in order to rectify any error, non-compliance or inaccuracy identified in any Audit.
- (g) Except in circumstances which InCasa reasonably considers to be exceptional, it shall not conduct more than one (1) Audit during any twelve (12) month period.

7. Termination

- (a) Either party may terminate this Agreement with immediate effect by giving written notice to the other party if:
 - (i) that other party breaches any material term of this Agreement not capable of remedy;

- (ii) that other party breaches any material term of this Agreement capable of remedy and fails to remedy the breach within fourteen (14) days after receiving written notice requiring it to do so;
 - (iii) that other party becomes insolvent; or
 - (iv) the delivery of the Services is no longer financially viable.
- (b) Upon termination or expiration of this Agreement, the Council shall:
- (i) immediately provide to InCasa all copies of all records and other such documents relating to the provision of the Services under each Home Care Agreement; and
 - (ii) at InCasa's election, deliver to InCasa or destroy (and provide evidence) all Confidential Information in its possession, custody or control.

8. General

- (a) Unless agreed otherwise, the Parties shall send notices to each other via the contact person and method sent out in Item 5 of the Schedule.
- (b) The Council must not subcontract their obligations under this Agreement except with the prior written consent of InCasa.
- (c) The Council must not transfer, assign, or otherwise deal with its rights and obligations under this Agreement except with the prior written consent of InCasa.
- (d) Both parties enter into this Agreement in good faith. This Agreement may be amended from time to time with the consent of both parties to better reflect on-the-ground-experiences that lead to better outcomes for Clients and better over-all efficiency in the working arrangements between the parties so as to ensure viability and sustainability.
- (e) Consistent with clause 8(d), and subject to clause 8(f), the parties agree to work together to ensure all management and administration fees to be charged to a Contracted Client are kept at a reasonable and affordable level. The parties acknowledge that this objective will become viable as Client numbers increase and the Council's local knowledge and skills develop.
- (f) The parties acknowledge that the objective in clause 8(e) is more achievable if all Clinical Support (Direct) is chargeable to, and paid from, a Contracted Client's Home Care Package funding. If for whatever reason that funding is not so allocated, then the Council shall be liable for the cost of any Clinical Support (Direct).

SCHEDULE

Item 1 Commencement Date

TBC

Item 2 Term

TBC

Item 3 Insurance

- Public liability insurance, for at least \$5 million per claim for all claims and for all costs, liability and expenses incurred by both or either of them, arising from the acts or omissions of the Council or its Personnel
- Professional indemnity insurance, with a total coverage of not less than \$2 million
- Workers' compensation insurance in respect of its Personnel as required by law and unlimited common law liability insurance for injury to or death of the Council's Personnel

Item 4 Records

For each Team member, the Council must, prior to providing any Services, have the following documentation and/or records:

- a current federal police check and, in the event the Carer has lived overseas in the last ten (10) years, an appropriate international police check
- appropriate references
- verification of qualifications
- copies of registrations and licences
- driver's licence or other government issued identification
- first aid certificate (if applicable)
- insurance as reasonably required by InCasa to perform the Services;
- vaccination records (if requested by InCasa); and
- as required (from time to time) under the Aged Care Legislation.

Item 5 Notices

InCasa

Attention: Misty Morton
Address: Unit 3, 115 Lefroy Road Beaconsfield WA 6162
Email: misty@incasa.com.au

Shire of Wyalkatchem

Attention: Peter Klein
Address: 27 Flint Street, Wyalkatchem WA 6485
Email: ceo@wyalkatchem.wa.gov.au

Item 6 Fees

1. Level 1 and 2 packages – 11/25th (exclusive of GST) of total management fees received by InCasa for each Contracted Client; and
2. Level 3 and 4 packages – 13/29th (exclusive of GST) of total management fees received by InCasa for each Contracted Client.

Item 7 Services

In this Item of the Schedule:

Home Care Agreement means a home care agreement between InCasa and a Contracted Client.

Home Care Services means personal care support and other personal assistance delivered to a Client under their Home Care Package.

Home Care Package means the package of Home Care Services provided to a Client at the level set out in their Home Care Agreement. The Council shall:

- (a) under the direction and guidance of InCasa, assist with:
 - (i) the preparation of an initial Care Plan for each Contracted Client (in accordance with the Aged Care Legislation) and all necessary variations from time-to-time;
 - (ii) the preparation of an initial Client budget for each Contracted Client (consistent with the assigned Home Care Package funding and in accordance with the Aged Care Legislation); and

- (iii) the support of each Contracted Client in setting their goals, determining their desired level of control in relation to their care and having a say in what Services they receive under their Care Plan;
- (b) co-ordinate each Contracted Client's Home Care Package by, among other things (*):
- (i) procuring the Carers needed to provide the Services;
 - (ii) procuring the Carers needed to provide Clinical Support (Direct);
 - (iii) setting up any necessary accounts for Carers;
 - (iv) interviewing and vetting potential Carers, including obtaining relevant background and police checks;
 - (v) setting up the scope of work or assistance for Carers and scheduling that work or assistance; and
 - (vi) being readily available, as the first point of contact, for all Contracted Clients and Carers who have any queries or concerns in relation to a Client's care.
- (* NOTE: InCasa acknowledges and agrees that the Council may use an approved on- line provider (such as Mable) to meet these requirements.
- (c) review and recommend (to InCasa) the payment (or otherwise) of all Carer rendered invoices or any reimbursement of approved spending in accordance with a Contracted Client's Home Care Package and budget.

Item 8 Notifiable Incidents

- Any incident affecting the health or safety of a Contracted Client.
- Any incident involving an issue of payment by a Contracted Client;
- A reportable assault under the Aged Care Legislation.
- Any improper conduct relating to a Contracted Client.
- Any issues relating to the Services being received by a Contracted Client.
- Any issues relating to the Funding of a Contracted Client.

- Any change in the condition of the Client which may adversely affect the provision of the Services to the Contracted Client.
- Any accidents involving the Contracted Client.
- Any complaints made by the Contracted Client in relation to the Services.

Item 9 Confidential Information

All information that:

- (a) InCasa has indicated is confidential;
- (b) by its nature, might reasonably be understood to have been disclosed to the Council in confidence;
- (c) would be of commercial value to a competitor;
- (d) is commercial information of InCasa and persons with whom InCasa deals;
- (e) is technical information;
- (f) relates to InCasa's affairs, including performance or profitability reports, budgets, margins and marketing strategies;
- (g) is product and market information;
- (h) relates to InCasa's clients and suppliers, including lists of customers and their requirements;
- (i) relates to InCasa's training materials, manuals, procedures or policies; and
- (j) the terms and conditions of this Agreement.

SIGNING CLAUSES

Executed by Tre Couri Pty Ltd
ACN 614 832 076 in accordance with
the *Corporations Act 2001* (Cth)

Signature of Director

Signature of
Director / Company Secretary

Name (please print)

Name (please print)

Executed by Shire of Wyalkatchem
in accordance with its Constitution

Signature of Director / Member

Signature of Director / Member

Name (please print)

Name (please print)





Terms of Reference In Home Aged Care Management Committee

Purpose

To improve the uptake of federal government supported aged care packages by improving the access to care services such as transportation, cleaning, cooking, gardening, building maintenance and clinical care services to enable locals to age comfortably at home.

To strengthen the local economy while delivering improved value for money for those locals on an aged care package.

To create local employment opportunities and to foster the community's volunteer spirit.

Committee Membership

The Committee will comprise up to seven non-executive members, selected as outlined below and appointed by an absolute majority vote of Council.

Committee members will be selected, as follows;

- a) 2 representatives nominated by the Wyalkatchem Community Resources Centre;
- b) 2 'other persons' who are neither a Council member, Shire employee or CRC committee member but who have an interest in aged care services; and
- c) 3 representatives nominated by the Wyalkatchem Council.

At all times the provisions of committee membership outlined under clause 5.10 of the *Local Government Act 1995* will apply.

Sitting fees for appointed committee members will not apply.

Deputy Committee Members

A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.

A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

Deputies of committee members may be appointed and terminated, at any time, by absolute majority of Council.

Tenure

Committee membership will be reviewed by Council annually.

Otherwise;

- a) a committee member may resign at any time and for any reason;
- b) the provisions of clause 5.11 of the *Local Government Act 1995* apply in respect to the removal of a committee member.

Election of a Presiding Member & Deputy Presiding Member

The committee members are to elect a presiding member from amongst themselves.

The process for electing the presiding member is outlined in Schedule 2.3, Division 1 of the *Local Government Act 1995*.

The committee members may elect a deputy presiding member from amongst themselves.

The process for electing the presiding member is outlined in Schedule 2.3, Division 2 of the *Local Government Act 1995*.

Secretary

The committee secretary, who will be responsible for preparing agendas, keeping minutes & records and for actioning Committee recommendations, will be selected by the Management Committee.

Quorum for Meetings

A quorum for the committee meeting is at least 50% of the number of appointed committee members.

Decisions

Committee decisions will be made by a simple majority and will be framed as a recommendation to Council.

Each appointed committee member is entitled to one vote.

Administrative Service

Secretarial services to the Management Committee will be provided by the Service Coordinator or an employee of Council, as determined by the Management Committee.

Committee meetings

1. The committee must meet at least 3 times in each year on the dates and at the times and places determined by the committee.
2. The date, time and place of the first committee meeting must be determined by the committee members as soon as practicable after the annual general meeting at which the committee members are elected.
3. Special committee meetings may be convened by the chairperson or any 3 committee members.
4. Visitors may be invited to attend and present to a committee meeting, subject to the approval of the Chairperson.

Notice of committee meetings

1. Notice of each committee meeting must be given to each committee member at least 48 hours before the time of the meeting.
2. The notice must state the date, time and place of the meeting and must describe the general nature of the business to be conducted at the meeting.
3. Unless sub-rule 4 (below) applies, the only business that may be conducted at the meeting is the business described in the notice.
4. Urgent business that has not been described in the notice may be conducted at the meeting if the committee members at the meeting unanimously agree to treat that business as urgent.

Procedure and order of business

1. The chairperson or, in the chairperson's absence, the deputy-chairperson must preside as chairperson of each committee meeting.
2. If the chairperson and deputy chairperson are absent or are unwilling to act as chairperson of a meeting, the committee members at the meeting must choose one of them to act as chairperson of the meeting.
3. The procedure to be followed at a committee meeting must be determined from time to time by the committee.
4. The order of business at a committee meeting may be determined by the committee members at the meeting.

Minutes of committee meetings

1. The committee must ensure that minutes are taken and kept of each committee meeting.
2. The minutes must record the following —
 - (a) the names of the committee members present at the meeting;
 - (b) the name of any person attending the meeting, by invitation;
 - (c) the business considered at the meeting;
 - (d) any motion on which a vote is taken at the meeting and the result of the vote.
3. The minutes of a committee meeting must be submitted to Council within 30 days after the meeting is held.
4. The chairperson must ensure that the minutes of a committee meeting are reviewed and signed as correct by —
 - (a) the chairperson of the meeting; or
 - (b) the chairperson of the next committee meeting.
5. When the minutes of a committee meeting have been signed as correct they are, until the contrary is proved, evidence that —
 - (a) the meeting to which the minutes relate was duly convened and held; and
 - (b) the matters recorded as having taken place at the meeting took place as recorded;

Policies and Procedures

In delivering the committee functions, committee members will be guided by the policies, and codes of practice applying to Elected Members of Council. This includes the Council's grievance policy for dealing with conflicts or disputes between committee members and committee members and any member of Council staff.

These policies and codes of practice are published on the Council's webpage and are updated from time to time.

Financial Reporting and Audits

The costs and expenditure relevant to the implementation of committee recommendations and provision of the aged care services it oversees will be recorded separately from other Council activity and reported to each committee meeting.

The Council's annual financial audit by an auditor appointed by the Office of the Auditor General, will consider revenue and expenditure incurred by Council in the provision of aged care services but will not separately consider or report on these activities.

Distribution of Profits

Council will establish a Home Support Services Reserve Account and any profits derived from the delivery of home support services will be deposited into this Reserve Account.

Reserve funds must only be used in accordance with the Committee's purpose, as amended by Council from time to time.

Committee Functions

The committee will be responsible for;

1. Recommending the appointment of the Wyalkatchem Home Support Service Coordinator (**Coordinator**) including, terms of employment;
2. Recommending performance expectations for both the service and Coordinator;
3. Preparing and recommending an annual budget for provision of services to deliver the committee's purpose;
4. For monitoring service and financial performance and highlighting any anomalies;
5. For providing a service & financial report to Council, as requested;
6. For supporting the Coordinator, in any way requested in the delivery of their responsibilities, including to;
 - a) Under the direction and guidance of InCasa, assist with;
 - i. the preparation of an initial Care Plan for each Contracted Client (in accordance with the Aged Care Legislation) and all necessary variations from time to time;
 - ii. the preparation of an initial Client budget for each Contracted Client (consistent with the assigned Home Care Package funding and in accordance with the Aged Care Legislation); and
 - iii. the support of each Contracted Client in setting their goals, determining their desired level of control in relation to their care and having a say in what services they receive under their Care Plan.
 - b) Coordinate each Contracted Client's Home Care Package by, among other things (*);
 - i. Procuring the Carers needed to provide the Services;
 - ii. Setting up any necessary accounts for Carers;
 - iii. Interviewing and vetting potential Carers, including obtaining relevant background and police checks;
 - iv. Setting up the scope of work or assistance for Carers and scheduling that work or assistance; and
 - v. Being readily available, as the first point of contact, for all Contracted Clients and Carers who have any queries or concerns in relation to a Client's care.

(*) the delivery of some of these services may be directed to Mable for delivery.

- c) Review and recommend (to InCasa) the payment (or otherwise) of all Carer rendered invoices or any reimbursement of approved spending in accordance with a Contracted Client’s Home Care Package and budget.
- d) Provide other duties, including to;
 - i. Assist potential Clients to get their ACAT referrals and support them until funds are assigned.
 - ii. Register new Clients with InCasa Country and complete on-boarding documentation and processes.
 - iii. Establish the Mable account for all new Clients and complete on-boarding documentation and processes.
 - iv. Assist all Clients with information related to fees and their Centrelink Income Tested Fee process.
 - v. Obtain Client signatures to their service plan, clinical care plan and InCasa Country Services Agreement (as amended if required by the Client).
 - vi. Approving Client support services on Mable and referring Client notes on the services provided to appropriate parties.
 - vii. Match Clients with Carers, schedule delivery of agreed services, monitor the ongoing satisfaction of Clients with their services and adjust as required.
 - viii. Obtain quotes as required for individual Clients needs and follow through as necessary.
 - ix. Ensure accurate records are kept.
 - x. Assist with general technology requirements as requested.

e) Marketing and Promotion

The Coordinator will seek opportunities to promote the Wyalkatchem Home Support Service to potential clients.

The Coordinator will encourage and when required assist potential Carers to register on the Mable employment platform.

<i>Review Date</i>	<i>Version</i>	<i>Reviewer</i>	<i>Chairperson’s Signature/Acceptance</i>	<i>Date of Acceptance</i>
16/08/23	1.0	Peter Klein		





Wyalkatchem In Home Aged Care Service

COORDINATOR

Job Description

1. Overview of Tasks

The Coordinator will work with InCasa, Mable and the Management Committee to ensure the achievement of quality home and community care and support outcomes for clients which are personalised, timely and effective whilst matching the client's signed service plan and clinical care plan.

Each case will be handled with patience, understanding, and a desire to help the client achieve and maintain wellness and the ability to stay living in their own home in their own community.

2. Duties

The following definitions apply to this section;

Home Care Agreement means a home care agreement between InCasa and a contracted client.

Home Care Services means personal care support and other personal assistance delivered to a Client under their Home Care Package.

Home Care Package means the package of Home Care Services provided to a Client at the level set out in their Home Care Agreement.

The Coordinator will;

- a) Work with the Wyalkatchem Home Support Services Management Committee and support the successful delivery of in-home care for Wyalkatchem community members.
- b) Under the direction and guidance of InCasa, assist with;
 - i. the preparation of an initial Care Plan for each Contracted Client (in accordance with the Aged Care Legislation) and all necessary variations from time to time;
 - ii. the preparation of an initial Client budget for each Contracted Client (consistent with the assigned Home Care Package funding and in accordance with the Aged Care Legislation); and
 - iii. the support of each Contracted Client in setting their goals, determining their desired level of control in relation to their care and having a say in what services they receive under their Care Plan.
- c) Coordinate each Contracted Client's Home Care Package by, among other things (*);
 - i. Procuring the Carers needed to provide the Services;
 - ii. Setting up any necessary accounts for Carers;
 - iii. Interviewing and vetting potential Carers, including obtaining relevant background and police checks;
 - iv. Setting up the scope of work or assistance for Carers and scheduling that work or assistance; and

- v. Being readily available, as the first point of contact, for all Contracted Clients and Carers who have any queries or concerns in relation to a Client's care.

(*) the delivery of some of these services may be directed to Mable for delivery.

- d) Review and recommend (to InCasa) the payment (or otherwise) of all Carer rendered invoices or any reimbursement of approved spending in accordance with a Contracted Client's Home Care Package and budget.
- e) Provide other duties, including to;
 - i. Assist potential Clients to get their ACAT referrals and support them until funds are assigned.
 - ii. Register new Clients with InCasa Country and complete on-boarding documentation and processes.
 - iii. Establish the Mable account for all new Clients and complete on-boarding documentation and processes.
 - iv. Assist all Clients with information related to fees and their Centrelink Income Tested Fee process.
 - v. Obtain Client signatures to their service plan, clinical care plan and InCasa Country Services Agreement (as amended if required by the Client).
 - vi. Approving Client support services on Mable and referring Client notes on the services provided to appropriate parties.
 - vii. Match Clients with Carers, schedule delivery of agreed services, monitor the ongoing satisfaction of Clients with their services and adjust as required.
 - viii. Obtain quotes as required for individual Clients needs and follow through as necessary.
 - ix. Ensure accurate records are kept.
 - x. Assist with general technology requirements as requested.

3. Marketing and Promotion

The Coordinator will seek opportunities to promote the Wyalkatchem Home Support Service to potential clients.

The Coordinator will encourage and when required assist potential Carers to register on the Mable employment platform.

4. Accountability

The Coordinator is accountable to Shire of Wyalkatchem's Chief Executive Officer.

5. Required skills and qualifications.

- Knowledge, awareness and understanding of the *Staying in Place* model.
- Knowledge, awareness and understanding of the Commonwealth Aged Care Home Support Program.
- Ability to develop genuine and lasting relationships with older people.
- Enjoys working in a small community and understands the confidentiality and sensitivity of connections and relationships.
- Able to work independently whilst also participating as part of a small team.
- Enjoys seeking out place-based solutions to benefit individual clients and the community.
- Excellent interpersonal, verbal, and written communication skills applicable to working with elderly people.

- Ability to use computer technology to create a paperless office.
- Experience in case coordination (desirable).
- Experience as a support worker or contractor to aged people (desirable).

<i>Review Date</i>	<i>Version</i>	<i>Reviewer</i>	<i>Coordinator's Signature/Acceptance</i>	<i>Date of Acceptance</i>
16/08/23	1.0	Peter Klein		

DRAFT





SHIRE OF WYALKATCHEM



MARCH 2023

INFORMATION BULLETIN



SHIRE OF WYALKATCHEM COUNCIL MEETING ACTIONS STATUS REPORT AS AT 13 SEPTEMBER 2023

The purpose of this report is to provide an update on the implementation of Council resolutions.

Items that have been reported as completed will be removed in future reports.

MINUTE REFERENCE	DETAIL	RESPONSIBLE OFFICER	STATUS / COMMENTS	TARGET COMPLETION DATE
OMC 20 Oct 2022 10.2.2 115/2022	<p>That Council, in accordance with Section 75 of the Planning and Development Act 2005, amend the Local Planning Scheme by amending Table 1 – Zoning Table to modify the permissibility of a ‘Grouped dwelling’ in a ‘Rural’ zone from an ‘X’ use to a ‘D’ use.</p> <p>That subject to the amendment being approved by the WA Planning Commission and Minister for Lands, that the Local Planning Policy No 1 “Group Dwellings in the Rural Zone”, be adopted (refer to Attachment A).</p>	CEO	The adopted policy was issued to the WA Planning Commission and Minister for Lands for their approval. Once approval is received the policy will apply.	Status subject to Ministers approval.
OMC 20 Oct 2022 10.2.4 117/2022	That Council approves the execution of the White Dam site lease with the sole applicant to the EOI, under Common Seal in accordance with the Local Government Act, section 9.49A subject to the White Dam site being transferred to the Shire under a Management Order, there being no material amendment to the terms of the attached agreement and the receipt of Ministerial approval.	CEO	Lease was forwarded to the Minister for approval on 24 February2023.	Notice of Minister’s approval has not yet been received. A follow-up has been made to the Department. Notice of Minister’s approval has not yet been received.
OMC 20 Oct 2022 10.2.5 118/2022	That Council approves the execution of the Airport Block Cropping Lease, under common seal in accordance with the Local Government Act, section 9.49A subject to there being no material amendment and the receipt of Ministerial approval, and the CEO be delegated authority to amend the lease drawing to illustrate the cropping area only.	CEO	Lease was forwarded to the Minister for approval on 24 February2023.	

MINUTE REFERENCE	DETAIL	RESPONSIBLE OFFICER	STATUS / COMMENTS	TARGET COMPLETION DATE
OMC 15 Dec 2022 14.2 153/2022	That Council extends its approval for the positioning of two containers within the footprint shown as a 'Proposed New Extended Shed' on the previous application sketch for an additional period of 4 months, to 28 February 2023.	CEO	Substantial works have commenced and propose that a further month is granted for completion of cladding and relocation of containers.	Shed 90% complete and containers to be relocated by 31 October 2023.
OMC 23 March 2023 10.2.2 11/2023	That Council approves expenditure of \$34,000 (ex GST) from the Municipal Fund for the purchase of a new dolly trailer from Haulmore Trailer Sales.	CEO	Purchase in progress	In progress
OMC 23 March 2023 10.2.3	That Council: The Council commit up to \$16,000 from its Sport & Recreation Facilities Reserve towards the practice cricket wicket relocation, with expenditure subject to a successful application to the State Government's Community Sporting & Recreation Facilities Fund (for one-third of the project's cost) and an equivalent cash commitment from the West Yorkrakine Cricket Club.	CEO	Included in FY24 draft budget, for delivery subject to a successful CSRFF grant application	Grant submitted. CSRFF grant application was unsuccessful. Project on-hold until another application can be made.
OMC 20 April 2023 10.2.4 37/2023	That Council resolves to execute the 'Deed in Relation to Management Order for Lot 3001 on Deposited Plan 45085' and the 'Management Order Plan' in compliance with section 9.49A of the Local Government Act 1995. (see attachments 10.2.4.1 and 10.2.4.2).	CEO	Management Order & Plan issued to Department of Lands on 21 April 2023 requesting advice on process to complete this change.	Advised during September 2023 by the Department that the matter is being progressed.

MINUTE REFERENCE	DETAIL	RESPONSIBLE OFFICER	STATUS / COMMENTS	TARGET COMPLETION DATE
OMC 20 April 2023 10.2.5 38/2023	That Council resolves to conduct a tender process to identify a preferred contractor to deliver the Wyalkatchem Swimming Pool Plantroom Upgrade & Structural Works and endorses use of the presented Request for Tender document.	CEO/ GEO	Process suspended as to proceed would disqualify project from CSRFF grant funding.	On-hold until after CSRFF grant recipients are announced in December 2023.
OMC 18 May 2023 10.2.2 50/2023	That Council approves the ordering of replacements for the Council's Prado & Hilux 4x4 for a total changeover cost of \$2,565, subject to FY 24 delivery and therefore the expense being incurred against the FY24 budget.	CEO/MOW	ordered	In progress
OMC 18 May 2023 10.2.3 51/2023	That Council approves a FY23 budget amendment for the withdrawal of up to \$300,000 from the Plant Reserve to purchase a second-hand prime mover and side tipping trailer, both with a complete service history and assessed by a third-party as having no obvious defects.	CEO/MOW/MCS	Not executed prior to 30 June 2023 & expense transferred to FY24 budget.	In progress
OMC 18 May 2023 10.2.4 52/2023	That Council, 1. Offer Lot 210 Wilson St (the 'Bottom Depot') for lease by expression of interest. 2. The tenancy will be offered to the party presenting the best value for money proposal and this proposal may not be the proposal that offers to pay the highest rent. 3. Resolves that the rental valuation for this property is \$115.38/week.	GEO		Lease agreement presented to September OMC for approval

MINUTE REFERENCE	DETAIL	RESPONSIBLE OFFICER	STATUS / COMMENTS	TARGET COMPLETION DATE
<p>OMC 18 May 2023 10.2.5 53/2023</p>	<p>That Council approves the sale of the current 6-wheel Isuzu truck with proceeds, estimated at \$80,000, to be allocated to plant reserve and that management prepare to hire water carts for completion of Council's planned FY24 capital roadworks.</p>	<p>CEO/MOW</p>		<p>Subject to purchase of 2nd hand prime mover</p>
<p>OMC 18 May 2023 10.4.2 56/2023</p>	<p>That Council, 1. Not approve the proposed dwelling because a 'Grouped dwelling' is currently a use that is not permitted in a 'Rural' zone. 2. On the Minister for Planning's Approval of the Amended Local Planning Scheme No 4, Amendment No 1, the development application be approved without further consideration.</p>	<p>GEO</p>	<p>COMPLETE SIGNED DOCUMENTS SENT TO THE MINISTER</p>	<p>ON RECEIPT OF MINISTERS APPROVAL</p>
<p>SPECIAL 29 JUNE 2023 68/2023</p>	<p>That Council: 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives local public notice advising that the Shire of Wyalkatchem intends making under common seal: A. A Bush Fire Brigades Amendment Local Law, and explaining its purpose and effect; B. Copies of the proposed local law may be inspected at the Shire offices; C. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given; 2. 4. Notes that the results of the public consultation be presented to Council for consideration of any submissions received.</p>		<p>COMPLETE COMPLETE Pending feedback from the Department of Local Government.</p>	<p>21 July 2023 6 September 2023 21 September 2023</p>

MINUTE REFERENCE	DETAIL	RESPONSIBLE OFFICER	STATUS / COMMENTS	TARGET COMPLETION DATE
<p align="center">OMC 17 AUGUST 2023 89/2023</p>	<p>That Council approves the allocation of \$265,000 of its own funds towards delivering the FY24 Pool Refurbishment Project and endorses submission of the grant application to the Community Sport and Recreation Facilities Fund seeking a further contribution of \$200,000.</p>	<p align="center">CEO</p>	<p align="center">Grant application submitted to CSRFF prior to the 31 August cut-off date and successful applicants expected to be announced in December 2023</p>	<p align="center">December 2023</p>
<p align="center">OMC 17 AUGUST 2023 90/2023</p>	<p>That Council commit to achieving the following 5 objectives to either reduce the Council’s carbon footprint or improve our community’s resilience to climate change:</p> <ol style="list-style-type: none"> 1. Explore the installation of solar panels & a battery at the Wyalkatchem Swimming Pool to reduce our carbon footprint and expenditure on power consumption. 2. Partner with the Wyalkatchem DHS to develop a tree planting plan to improve the townsite’s green canopy and our community’s hot weather resilience. 3. Link Railway Dam to Town Dam by pipe & pump to maintain green spaces at our Recreation Reserve, even during drought conditions. 4. Reticulate Railway Terrace gardens from rainwater captured in Museum water-tanks to improve our water sustainability and reduce water consumption charges. 5. Investigate if it is appropriate for Council to commit to WALGA’s Climate Change Declaration to demonstrate community leadership in addressing the cause and effect of climate change. 	<p align="center">CEO</p>	<p align="center">Council pledges submitted to Cities Power Partnerships. Delivery of projects to be scheduled.</p>	<p align="center">30 June 2024</p>

Bushfire Centre of Excellence Update

August 2023

Reviews/New courses

The following courses have been finalised and published since the last VBFSTAG meeting in March 2023:

- Remote Area Firefighting Awareness
- Ground Burning in the Desert, being developed jointly with the Indigenous Desert Alliance (IDA)

The following new courses are currently being developed:

- Ground Observer
- Rural Urban Interface Operations
- Bushfire Safety Awareness (online/blended)
- Tree Hazard Awareness (online)
- UXO Awareness (online)

Rural Fire Awareness (Online)

The BCoE has released an online version of Rural Fire Awareness, intended for farmer response volunteers and other stakeholders responding on their own equipment.

The course is available for registered volunteers through eAcademy, and plans are underway to offer the course to the public and external users through an external link.

Bushfire Skills Cards and Training Posters

The BCoE has released a series of skills cards or training session plans, aimed at providing resources for brigade officers to use for informal on-station training. The cards are flexible and adaptable to local circumstances, and we encourage you to modify them to suit your own needs.

The intent behind the skills cards is to assist brigades with ideas for informal training sessions, as well as provide some options for new members to gain basic skills either before completing Firefighting Skills or after completing basic training to consolidate their learning.

Along with the skill cards, a series of posters have been produced, which can be used during formal or informal training, or placed in stations as a quick reference tool to support learning.

All the resources are available on eAcademy, through your local CESM or through your DFES Region.

At a glance – BCoE training July 2022 – June 2023

600 courses delivered in BCoE training products across WA.

8,021 participants trained in BCoE products, including **1,793** online participants.

172 new trainer/assessor endorsements processed.

2 Fireline Leadership courses delivered collaboratively with DBCA.

1 Brigade Officer Development program delivered at the Bushfire Centre of Excellence

Reporting period: 1 July 2022 to 30 June 2023	Metro	GM	GS	UGS	MG	LSW	SW	KM	PB	RFD	IOT	DFES	Online	TOTAL
No. of courses run	126	92	88	58	68	53	30	17	28	32	1	3	4	600
No. of participants trained	1,062	1,059	1,242	950	512	492	297	124	144	323	3	20	1,793	8,021

Fireline Leadership/Brigade Officer Development - 2023

In June 2023, Fireline Leadership courses were both delivered in partnership with Red Flag Leadership out of Victoria. The courses were bought to WA and hosted by the Bushfire Centre of Excellence as a joint training initiative between DBCA and DFES.

Both courses were attended by DBCA Staff, DFES Operations Staff and senior DFES/Local Government volunteers, with very positive feedback received about the experience and networking opportunity.

The Brigade Officer Development course is also scheduled for October 2023 at the BCoE.



Chief Bush Fire Control Officer's Forum

On 19-21 July 2023, the Bushfire Centre of Excellence hosted the first State-wide Forum for Chief Bushfire Control Officers. The forum's theme was 'Success through Collaboration' and aimed to empower the role of the CBFCO by fostering knowledge exchange, sharing experiences and facilitating networking opportunities.

More than 60 CBFCOs or proxies travelled from various regions from across WA, spanning from the northern areas of the Kimberley and Pilbara to the eastern Wheatbelt region and all the way down to the Great Southern. Seeing such a great turnout and commitment to this inaugural Forum from this volunteer cohort was pleasing. Having so many CBFCOs in the same room and the combined wealth of knowledge was unparalleled.

Overall, the event was a resounding success with many attendees stating that they were very satisfied with the variety and quality of topics and speakers. Evaluation feedback showed:

- Overall experience at the event –97% rated the event Very Good and Excellent.
- Organisation of the event - 100% rated the event Very Organised and Extremely Organised.
- Variety of presentation topics - 86% were Very Satisfied and Extremely Satisfied.

A video highlighting the Forum is available [here](#) and all session recordings are [here](#).



Responding to Common Concerns about an Aboriginal and Torres Strait Islander Voice



Australian
National
University



Image:

Michael Nelson Jagamara (c. 1945-2020) (artist), Warlpiri people, with William McIntosh (stone consultant), Aldo Rossi (1919-1991) (stonemason), Franco Colussi (born 1938) (stonemason), Forecourt mosaic pavement, 1986-1987, Art/Craft Program, Parliament House Art Collection. Copyright estate of the artist licensed by Aboriginal Artists Agency Ltd.



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Background

On 27 May 2017, Aboriginal and Torres Strait Islander peoples ‘from all points of the southern sky’ gathered on the red dust of Mutitjulu and issued the Uluru Statement from the Heart. Grounded in their inherent rights as the ‘first sovereign Nations of the Australian continent and adjacent islands’, the Statement called for a First Nations Voice to be put in the Constitution and a legislated Makarrata Commission to supervise a process of agreement making and truth telling.¹ On 30 July 2022, on the lands of the Yolngu nation at the Garma Festival, Prime Minister Anthony Albanese re-affirmed his government’s ‘promise to implement the Statement from the Heart at Uluru, in full.’² As part of that commitment, it is pursuing a referendum, as its first priority, to enshrine an Aboriginal and Torres Strait Islander Voice in the Australian Constitution.

The referendum is expected to be held between October and December 2023. It will be an important moment for the country. There has been significant work done to settle various important matters related to the referendum. After much deliberation, on 23 March the Prime Minister announced the words the government wants inserted into the Constitution, as well as the referendum question it plans to put to the Australian people.

The proposed amendment reads:

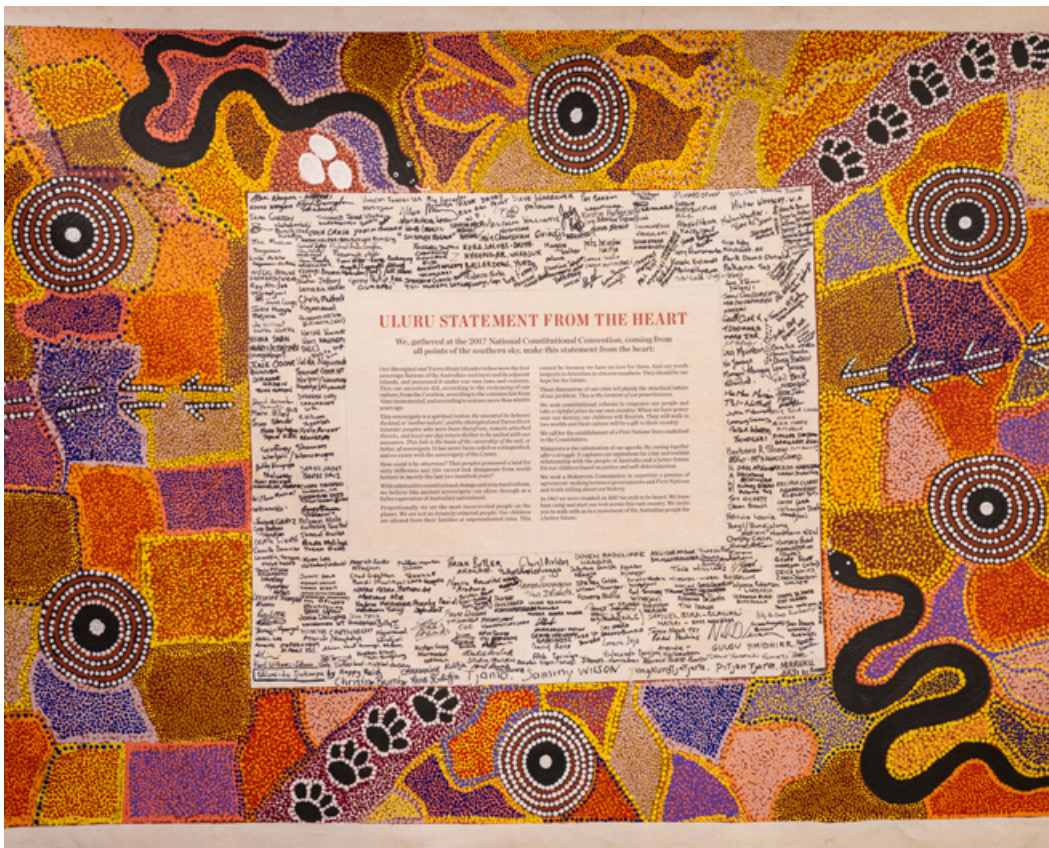
*Chapter IX – Recognition of Aboriginal and Torres Strait Islander Peoples
129. Aboriginal and Torres Strait Islander Voice*

In recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia:

- 1. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice.*
- 2. The Aboriginal and Torres Strait Islander Voice may make representations to the Parliament and the Executive Government of the Commonwealth on matters relating to Aboriginal and Torres Strait Islander peoples.*
- 3. The Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures.*

¹ Uluru Statement from the Heart, 26 May 2017.

² Prime Minister Anthony Albanese, ‘Address to Garma Festival’ (30 July 2022).



A lot of work has also been done to outline what the Voice will look like and how it will work. Despite this, many Australians still have questions about what the proposed change means. A poll in February 2023, for example, found that only 31 per cent of respondents felt 'well informed about what the change means', while 37 per cent said 'they don't feel informed'.³ It is vital that Australians understand the proposal and understand why Aboriginal and Torres Strait Islander peoples have called for a Voice to be put in the Constitution.

This document has been prepared by the First Nations Portfolio (FNP) at The Australian National University (ANU). It provides responses to common concerns currently being raised about the Voice. It is intended to help people better understand some of the complex issues and confusing commentary that has surrounded the Voice proposal so they can make an informed decision when they vote at the referendum later this year.

³ Katherine Murphy, 'Guardian Essential Poll: Majority of Australians Continue to Support Indigenous Voice', *Guardian Australia* (online, 7 February 2023) <<https://www.theguardian.com/australia-news/2023/feb/07/guardian-essential-poll-majority-of-australians-continue-to-support-indigenous-voice>>.

1. Do we need an Aboriginal and Torres Strait Islander Voice when there are already elected Indigenous parliamentarians?

In recent years, increasing numbers of Aboriginal and Torres Strait Islander people have secured election to Parliament. A record eleven Indigenous Australians are serving in the current 47th Parliament.⁴ This means that 4.8 per cent of the Parliament is Indigenous (11 of 227), exceeding the Aboriginal and Torres Strait Islander proportion of the population (3.2 per cent). These are positive developments that could help with Indigenous Australians' unique interests and concerns being heard in Parliament, but it does not mean that there is no need for an Aboriginal and Torres Strait Islander Voice.

It is often assumed that Indigenous Members of Parliament will act as representatives for Indigenous peoples across Australia. This has a ring of truth, but the structure and function of Australian parliamentary democracy means that it is not accurate. There are four reasons why Indigenous Members of Parliament play a different role from an Aboriginal and Torres Strait Islander Voice.

- **Electoral system.** Australia's electoral system is built around single-member geographic districts and elected members who represent those districts. As a demographic minority, Aboriginal and Torres Strait Islander people do not constitute a majority in any Commonwealth electorate. Politicians and parties must develop policy to attract non-Indigenous voters if they are to be successful at securing election.
- **Voting Rates.** The challenge of Australia's electoral system is amplified by persistently lower levels of voter turnout among Aboriginal and Torres Strait Islander people.
- **Political Practice.** Australia has one of the world's highest levels of party discipline which means that representatives almost always vote along party lines. For Indigenous representatives to persistently advocate or vote for Indigenous interests they must first convince their party to support those interests.
- **Country.** Aboriginal and Torres Strait Islander peoples' spiritual and political authority is connected to Country. While they may be able to represent Indigenous Australians in national debate more broadly, individual representatives cannot usurp the authority and role of Traditional Owners and elders to speak for their Country.

Electing Aboriginal and Torres Strait Islander people to the Commonwealth Parliament is important. However, Indigenous Members of Parliament cannot solely represent Indigenous interests: they need to prioritise the interests of their party and their electorate if they are to remain in Parliament. Regional Delegates at the Uluru Dialogues lamented this challenge, noting that 'there are Aboriginal people who have been elected to Parliament, but they do not represent us. They represent the Liberal or the Labor Party, not Aboriginal People'.⁵ An Aboriginal and Torres Strait Islander Voice, therefore, serves a distinct and complementary function.

⁴ Pat Dodson, Linda Burney, Malarndirri McCarthy, Lidia Thorpe, Dorinda Cox, Jana Stewart, Jacinta Price, Gordon Reid, Marion Scrymgour, Kerryne Liddle and Jacqui Lambie.

⁵ Technical Advisers: Regional Dialogues and Uluru First Nations Constitutional Convention, Submission No 206 to Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples (11 June 2018) 7.

2. Why do we need a Voice if prominent Indigenous Australians and Indigenous organisations can already speak to government?

Over the last few decades, Aboriginal and Torres Strait Islander peoples and cultures have become much more prominent in Australian life. Many Indigenous Australians have built outstanding careers in sport, politics, art, culture and indeed all sectors of society. Indigenous community-controlled organisations have also emerged to protect and promote the interests of their communities. The Coalition of Community-Controlled Peak Organisations (Coalition of Peaks), for example, is an alliance with over 80 members from every State and Territory in Australia. The Coalition of Peaks was instrumental in the development of the National Agreement on Closing the Gap. If these organisations and people are so prominent, why is an Aboriginal and Torres Strait Islander Voice needed?

It is important to see so many Indigenous Australians succeeding in their chosen careers and a broad community-controlled sector thrive. But their success does not diminish the need for an Aboriginal and Torres Strait Islander Voice. The community-controlled sector needs funding, usually from the Commonwealth, to survive and influence policy and programs. A Voice, however, would be a permanent institutional presence in the nation's Constitution. It would demonstrate Australia's commitment to recognising and protecting the rights of Aboriginal and Torres Strait Islander peoples. It would also ensure that Indigenous communities could select their own representatives to speak to the Parliament and government when debating law and policy that will affect Indigenous Australians.



3. Would a separate body for Indigenous Australians divide Australia based on race or give Aboriginal and Torres Strait Islander people special rights?

An Aboriginal and Torres Strait Islander Voice would be a body enshrined in the Constitution that would enable Aboriginal and Torres Strait Islander people to make representations to the Parliament and government about laws and policy that affect Indigenous Australians. Some commentators have argued that an advisory body open only to Indigenous Australians will divide the country on the basis of race or that it breaches important principles of equality, because it will give one group of people more rights than other groups. Are they correct? The answer is no.

- **The Voice does not confer ‘special’ rights on anyone.** A group of leading constitutional lawyers, including a former High Court Judge, has considered this question. They found that the Voice does not confer rights, let alone ‘special’ rights on anyone. Instead, the Voice would give Aboriginal and Torres Strait Islander peoples an opportunity to make representations to the Parliament and the government. All Australians have the same opportunity. The Voice would not change this; it ‘would not change or take away any right, power or privilege of anyone who is not Indigenous’.⁶
- **The Voice recognises Aboriginal and Torres Strait Islander peoples as the First Australians.** The Voice would constitutionally recognise the unique status and position that Aboriginal and Torres Strait Islander peoples hold in Australia as the original occupiers of the Australian continent. This status is not based on race. It is based on the fact that Aboriginal and Torres Strait Islander peoples are Indigenous to this continent. They were here long before British colonisation and are the only group of Australians with a 60,000-year connection to this continent.
- **The Parliament can make laws that only affect Aboriginal and Torres Strait Islander peoples.** The Australian Parliament has passed special laws that only affect Aboriginal and Torres Strait Islander people. This is the only group of people in Australia about which special laws are made. If Aboriginal and Torres Strait Islander people are the only group that has special laws made about them, it is reasonable that they should be able to speak to the Parliament and government about those laws.
- **The Voice is not about ‘race’.** To even speak of the notion of race is misguided. There is no scientific or biological foundation for the idea of race.⁷ Scientists that have mapped the human genome have found there is no basis in the genetic code for race. Race is a social construct. This emphasises again that the Aboriginal and Torres Strait Islander Voice reflects the inherent rights Aboriginal and Torres Strait Islander peoples hold as the original inhabitants of the Australian continent. It is not based on race.

⁶ Aboriginal and Torres Strait Islander Voice, *Communique for the Referendum Working Group – December 2022: Attachment – Advice from the Constitutional Expert Group* (13 December 2022) <<https://voice.niaa.gov.au/news/communique-referendum-working-group-december-2022>>.

⁷ American Society of Human Genetics, ‘ASHG Denounces Attempts to Link Genetics and Racial Supremacy’ (2018) 103(5) *ASHG Perspective* 636.



4. Is the Voice a Third Chamber? Will the Voice delay Parliament or make governing more difficult?

The proposed constitutional amendment would enable an Aboriginal and Torres Strait Islander Voice to make representations to the Parliament and the Executive Government on laws and policy that affect Indigenous Australians. Some commentators have argued that a Voice will delay and frustrate Parliament and make government more difficult because the Parliament will have to wait to hear what the Voice says before it can pass laws. Is this correct?

The Voice is not a Third Chamber of Parliament. The Voice will not be able to introduce bills into Parliament or vote on legislation. The Voice will have no ability to delay or frustrate Parliament. As former High Court Judge Kenneth Hayne has said, the Voice ‘will not impede the ordinary working of government’.⁸ The Voice will simply be able to make representations to Parliament and the government. Parliament retains full control over its own procedures. This also means that Parliament can amend legislation and adjust processes if it believes the relationship between the Voice and other institutions of government is not working appropriately. For example, Parliament could enact legislation to require public officials take the advice of the Voice into account when making decisions. However, Parliament could always amend or remove such a requirement. The Voice is subservient to Parliament.

⁸ Kenneth Hayne, ‘All Australians own the Constitution. Now we have the words to prove it’, *Guardian Australia* (online, 23 March 2023) <<https://www.theguardian.com/commentisfree/2023/mar/23/all-australians-own-the-constitution-now-we-have-the-words-to-prove-it>>.

5. Should the Voice be allowed to speak on things that affect all Australians?

The proposed constitutional amendment allows the Voice to make representations on matters relating to Aboriginal and Torres Strait Islander peoples. This means it will be able to speak on matters specific to Aboriginal and Torres Strait Islander peoples as well as on matters relevant to all Australians but which affect Aboriginal and Torres Strait Islander peoples differently. Some commentators have argued that this scope is too broad. They argue that it should only be able to make representations on Indigenous-specific legislation, or on laws and policies that directly affect Indigenous Australians.

There are four reasons why the Voice should be able to speak on matters that directly or indirectly affect Aboriginal and Torres Strait Islander peoples.

- **It is not feasible to limit the Voice to Indigenous-specific legislation.** Parliament passes lots of laws every year. It is not always possible to know in advance what constitutional provision supports each law. This is only decided if the High Court rules on the validity of the legislation, which happens a long time after the law has been passed by Parliament – and a long time after the Voice would have made representations on the Bill.
- **Laws of general application sometimes affect Indigenous Australians differently.** Some laws that apply to all Australians affect Indigenous Australians differently. For example, because Aboriginal and Torres Strait Islander people have a lower average life expectancy compared to non-Indigenous Australians, laws dealing with the Age Pension affect Indigenous Australians disproportionately. A law restricting eligibility to 67-year-olds may not ‘directly affect’ Indigenous Australians, but the Voice should be able to make representations on such laws before they are passed.
- **The Voice should be able to choose what it focuses on.** The Voice is intended to give Aboriginal and Torres Strait Islander peoples a say over matters that affect them. It would be wrong in principle for the government or Parliament to decide what it thinks Aboriginal and Torres Strait Islander peoples should focus on. Consistent with Indigenous peoples’ right to self-determination, the Voice should decide itself. In practice, the Voice may identify its own priorities and choose to engage more substantively on issues of greater significance, considering its time and resources.
- **The Voice is advisory only.** The Voice cannot make government or Parliament change its mind or delay a bill from being voted on. It can only make representations. There is no great need to limit what the Voice can speak on when it has no ability to force government to amend its proposals or the Parliament to amend its bills.



6. Won't the Voice just be another ATSIIC?

The Aboriginal and Torres Strait Islander Commission (ATSIIC) was a national Indigenous representative body that existed between 1989 and 2004. The Commission combined representative and administrative roles. Elected Indigenous representatives could identify funding priorities, formulate, and implement policy and plans, make decisions over public expenditure, and protect cultural material and information. However, ATSIIC faced several structural problems. In 2004, it was abolished with bipartisan support. Is the Aboriginal and Torres Strait Islander Voice going to be another ATSIIC?

No. Much has been learned from the experience of ATSIIC and so the structure of the Voice will be different. The Voice will not deliver government programs. It will be a representative body that makes representations to Parliament and the government on law and policy that affect Indigenous Australians. This more limited role will avoid the structural complications that ATSIIC faced.

7. Is the Voice a radical change that goes against the nature of our Constitution?

The Australian Constitution is a rulebook for governance. It establishes and distributes power among the three arms of the federal government: the executive, the legislature, and the judiciary. It also divides law making power and outlines the relationship between the Commonwealth Government in Canberra and the several States. Some commentators have argued that inserting a provision about an Aboriginal and Torres Strait Islander Voice would undermine the nature of our Constitution. Are they correct?

No. The Voice is not a radical change. It is a modest addition to our Constitution and to our nation. The proposal has been thoroughly tested with senior constitutional lawyers across the spectrum over the last five years, including via the government's Constitutional Expert Group. Two former Chief Justices of the High Court of Australia, Murray Gleeson and Robert French, have both expressed public support for the Voice, as has former High Court Judge Kenneth Hayne. Leading constitutional lawyers such as Anne Twomey, George Williams, Asmi Wood, Bret Walker and Megan Davis have also expressed support for the Voice. As Murray Gleeson has explained:

A proposal that the Constitution should provide for Parliament to design, establish, and determine from time to time the make-up and operations of a body to represent Indigenous people, with a specific function of advising about the exercise of that power, hardly seems revolutionary.⁹

The Voice also does not cut against the nature of our Constitution. It simply provides Aboriginal and Torres Strait Islander peoples with the opportunity to speak to the Parliament and government when they are debating laws and policy that will affect Indigenous Australians. As Robert French has noted, the Voice is 'high return against low risk', because it will 'provide a practical opportunity for First Peoples to give informed and coherent and reliable advice to the Parliament and the Executive to assist them in law and policy making in one of the most difficult areas of contemporary government'.¹⁰

⁹ Murray Gleeson, *Recognition in Keeping with the Constitution: A Worthwhile Project* (Uphold and Recognise, 2019) 14.

¹⁰ Robert French and Geoffrey Lindell, 'The Voice — High Return, Low Risk' (Presented at the Judicial Commission of New South Wales Exchanging Ideas Symposium, 4 February 2013).

8. Will activist Judges turn the Voice into something radical?

The Aboriginal and Torres Strait Islander Voice will make representations to the Parliament and the government. There will be no constitutional requirement on the Parliament or government to change its policies and proposed laws. However, some commentators have argued that the Voice will be turned into something radical by activist Judges. Are they correct?

The Voice is not a radical change, and it will not be turned into something radical by Judges. As Former Chief Justice Robert French has explained, ‘there is little or no scope for any court to find constitutional legal obligations’ in the proposed amendment.¹¹ This point is supported by former High Court Judge Kenneth Hayne who has explained that there are no reasons to fear what has been proposed.¹²

The Voice will be a political institution subject to Parliament. This means Parliament will retain the ability – and the responsibility – to design how the Voice looks and operates, including whether and how public officials engage with representations made by the Voice. Parliament might pass a law that requires public officials consider the views of the Voice when making decisions. If the law requires this, courts may need to scrutinise decisions to see if the law was followed. However, because the Voice is subject to Parliament, Parliament will always be able to change the law. As Kenneth Hayne has said, it will therefore ‘not affect the powers or the functions of the Parliament or the Executive Government of the Commonwealth’.¹³



¹¹ Ibid, 15.

¹² Kenneth Hayne (n 8).

¹³ Ibid.

9. Will the Voice improve the lives of Aboriginal and Torres Strait Islander people?

The Aboriginal and Torres Strait Islander Voice is intended to ensure that Aboriginal and Torres Strait Islander peoples can have a significant say in the development of law and policy that affects them. Some commentators argue that it will only help 'elite' Indigenous Australians and those in rural and regional areas who need the greatest support will be left behind. Are they correct?

There is compelling evidence that the direct involvement of Aboriginal and Torres Strait Islander peoples in the design and implementation of laws and policies produces much better outcomes. This is agreed across political parties in the Parliament and it is the core premise of the National Agreement on Closing the Gap, developed by the Coalition Government in 2020 and now being implemented by the current Labor Government.

All major proposals for the design of the Voice recognise that the relationship between the Aboriginal and Torres Strait Islander Voice and local and regional communities is critical to its success. Proponents have envisioned the Voice acting as an interface for local and regional communities, as well as simultaneously reporting back to the community. This way, the aspirations, concerns, and priorities of local communities will be heard – and acted upon – by all levels of government. The Voice will not only be a forum for national leaders. It will be a mechanism through which Indigenous communities across Australia, who have lived experiences and practical knowledge, can influence decision-making that affects them.

In this way, the Voice will lead to more informed and responsive public policy which can improve the lives of Aboriginal and Torres Strait Islander peoples. As Marcia Langton has recently said in relation to the Voice 'we know from the evidence that what improves people's lives is when they get a say. And that's what this is about'.¹⁴

¹⁴ Josh Butler, 'Emotional PM reveals question Australians will be asked for constitutional change on Indigenous recognition', *Guardian Australia* (online, 23 March 2023) <<https://www.theguardian.com/australia-news/2023/mar/23/indigenous-voice-to-parliament-referendum-question-australia-constitution-change-pm-anthony-albanese>>.

10. Why do we need to put the Voice in the Constitution?

Many people believe the Voice is a good idea, but they do not know why it should be put in the Constitution. They wonder whether it would make more sense for Parliament to establish the Voice in legislation.

This is a good question. The Parliament could pass a law tomorrow that establishes an Aboriginal and Torres Strait Islander Voice. However, there are three good reasons why the Voice needs to be put in the Constitution.

- **The Constitution will provide the Voice with security and stability.** The Parliament has established three national Indigenous representative bodies in the past. These bodies empowered Indigenous Australians to speak to government about laws and policies that affected them. In each case, however, the body was abolished after several years. Putting an Aboriginal and Torres Strait Islander Voice in the Constitution will make it harder for government and Parliament to do away with the Voice.
- **Putting the Voice in the Constitution will make it more likely to succeed.** The Voice will not be able to force the Parliament or government to change laws or policies. Its success will rely on political and moral pressure. However, Parliament and the government are more likely to listen to the Voice if it has been endorsed by the Australian people at a referendum. Australians will have made clear that they want their political leaders to take the Voice seriously. Without a referendum, Parliament and government will find it easier to ignore the Voice.
- **Putting the Voice in the Constitution is an Act of Recognition and Respect.** Aboriginal and Torres Strait Islander peoples have more than 60,000 years of connection to this continent. Putting the Voice in the Constitution would mean that the Australian people formally recognise that history and status. It is also the form of recognition asked for by Aboriginal and Torres Strait Islander peoples. For over a decade Australians have debated whether and how to recognise Indigenous Australians in the Constitution. In the Uluru Statement from the Heart, Aboriginal and Torres Strait Islander people said that putting a Voice in the Constitution is the way that they would like to be recognised.

¹¹ Ibid, 15.

¹² Kenneth Hayne (n 8).

¹³ Ibid.

11. How can I vote for the Voice if I do not know what it will look like?

Surveys show that many Australians support the idea of a Voice but are unsure of what it might look like in practice. Some commentators have argued that you should vote No in a referendum if there is not enough detail about what the Voice will look like. Is this a sensible idea?

It is reasonable that Australians want to know what the Voice will look like before they vote in a referendum. In most cases, however, that detail already exists.

- **Key design principles have already been agreed.** We already know key details about how the Voice will look. After much deliberation, on 23 March 2023 the government released detail on key design principles of the Voice which have been agreed to by the Referendum Working Group and the government. These are:

a) The Voice will give independent advice to Parliament and Government:

- It would make representations on matters relating to Aboriginal and Torres Strait Islander peoples.
- It would be able to make representations proactively.
- It would be able to respond to requests for representations from the Parliament and the Executive Government.
- It would have its own resources to allow it to research, develop and make representations.
- The Parliament and Executive Government should seek representations in writing from the Voice early in the development of proposed laws and policies.

b) The Voice will be chosen by Aboriginal and Torres Strait Islander people based on the wishes of local communities:

- Its members would be selected by Aboriginal and Torres Strait Islander communities, not appointed by government.
- Members would serve on the Voice for a fixed period of time to ensure regular accountability to their communities.
- To ensure cultural legitimacy, the way that members of the Voice are chosen would suit the wishes of local communities and would be determined through the post-referendum process.

c) The Voice will be representative of Aboriginal and Torres Strait Islander communities, gender balanced and include youth:

- Members would be Aboriginal and/or Torres Strait Islander, according to the standard three part test and would be chosen from each of the states, territories and the Torres Strait Islands.
- The Voice would have specific remote representatives as well as representation for the mainland Torres Strait Islander population.
- It will have balanced gender representation at the national level.

d) The Voice will be empowering, community-led, inclusive, respectful and culturally informed:

- Members would be expected to connect with –and reflect the wishes of – their communities.
- The Voice would consult with grassroots communities and regional entities to ensure its representations are informed by their experience, including the experience of those who have been historically excluded from participation.

e) The Voice will be accountable and transparent:

- It will be subject to standard governance and reporting requirements to ensure transparency and accountability.
- Members would fall within the scope of the National Anti-Corruption Commission.
- Members would be able to be sanctioned or removed for serious misconduct.

f) The Voice will work alongside existing organisations and traditional structures:

- It will respect the work of existing organisations.

g) The Voice will not have a program delivery function:

- It would be able to make representations about improving programs and services, but it would not manage money or deliver services.

h) The Voice will not have a veto power.

- **The referendum is about the principle.** It is important to remember that the Uluru Statement from the Heart asks Australians to support the principle of a Voice rather than a particular legislative version. The finer details of what the Voice will look like and how it will work is the responsibility of the Parliament, to be worked out after the referendum through consultation with Aboriginal and Torres Strait Islander peoples and debate in Parliament. As Kenneth Hayne has said in relation to questions about detail:

It will be the Parliament that decides the details about how the Voice is set up and how its representations are dealt with by Parliament and the Executive. And that is how it should be. The Constitution sets out the principles, not the machinery. Machinery can and should change as times change and it is the Parliament that will do that, not the referendum. Asking for details is a distraction. It asks for a prediction of what Parliament will do in the future. That is for Parliament to decide.¹⁵

This means that Parliament can always change what the Voice looks like, but a referendum is the opportunity for Australians to say whether they think a Voice is a good idea.

¹⁵ Kenneth Hayne (n 8).

12. Will an Aboriginal and Torres Strait Islander Voice cede Aboriginal and Torres Strait Islander peoples' sovereignty?

An Aboriginal and Torres Strait Islander Voice will be an Indigenous representative body enshrined in the Australian Constitution. Because the Voice will be located within the Constitution, some Indigenous activists and commentators have argued that it will require Indigenous peoples cede sovereignty. Are they correct?

An Aboriginal and Torres Strait Islander Voice cannot and will not cede Indigenous peoples' sovereignty. Leading Indigenous and non-Indigenous constitutional and international lawyers, such as Megan Davis, Asmi Wood, Hannah McGlade, George Williams and Anne Twomey have examined this issue and agree.¹⁶ There are several reasons why this is the case.

- **Indigenous sovereignty cannot be ceded except by agreement and the proposal says nothing about Indigenous sovereignty.** The proposal does not mention Indigenous sovereignty. Rather, it empowers Indigenous peoples with the opportunity to make representations to Parliament and the government. In any event, the referendum requires the support of non-Indigenous Australians. It makes little sense that non-Indigenous Australians could cede Aboriginal and Torres Strait Islander peoples' sovereignty. Only Aboriginal and Torres Strait Islander peoples can cede their sovereignty.
- **Indigenous sovereignty cannot be extinguished by the Australian Constitution.** Sovereignty is inherent to Indigenous peoples and communities. It is connected to and drawn from Country. It does not come from the Australian Constitution or any other settler document. It cannot be extinguished by any settler document. As the Uluru Statement from the Heart records, Indigenous sovereignty is 'a spiritual notion'. It can be expressed but it cannot be suppressed. It is demonstrated by Indigenous peoples controlling their lives and destinies.
- **The Participation of Aboriginal and Torres Strait Islander peoples in Australian governance does not cede sovereignty.** No one suggests that Indigenous parliamentarians have ceded their sovereignty when they sit in Parliament and debate and vote on proposed laws. The Voice is simply an opportunity for Aboriginal and Torres Strait Islander peoples to participate in the development of law and policy that affects them.

Putting an Aboriginal and Torres Strait Islander Voice in the Australian Constitution will have no effect on Indigenous sovereignty. It will simply provide Aboriginal and Torres Strait Islander peoples with an opportunity to inform the development of laws and policies that affect Indigenous Australians.

¹⁶ Aboriginal and Torres Strait Islander Voice, *Communique for the Referendum Working Group – February 2023: Attachment – Summary of Second Tranche of Advice from the Constitutional Expert Group* (2 February 2023) <<https://voice.niaa.gov.au/news/communique-referendum-working-group-february-2023#>>; Hannah McGlade, 'Voice Will Empower Us, Not Undermine Sovereignty', *National Indigenous Times* (16 January 2023) <<https://nit.com.au/16-01-2023/4736/voice-will-empower-us-not-undermine-sovereignty>>.



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