



MINUTES

OF THE

ORDINARY MEETING OF

COUNCIL

HELD ON

THURSDAY, 15 October 2020

Council Chambers

Honour Avenue

Wyalkatchem

Commencement: 4:07pm

Closure: 6:48pm

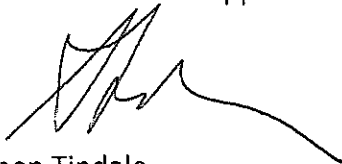
Preface

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 20 October 2020.



Stephen Tindale

Acting Chief Executive Officer

Disclaimer

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

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1. DECLARATION OF OPENING

The Chairperson, Shire President Cr Davies opened the meeting at 4:07pm

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 4:14pm.

There were no questions.

2.3. Declaration of Public Question Time closed

Public question Time closed at 4:14pm.

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

3.1. Attendance

Members:

Cr. Quentin Davies	President (Presiding Member)
Cr. Owen Garner	Deputy
Cr. Emma Holdsworth	
Cr. Stephen Gamble	
Cr. Mischa Stratford	
Cr. Rachel Nightingale	Joined the meeting at 4:09pm

Staff:

Stephen Tindale	Acting Chief Executive Officer
Ally Bryant	Manager of Corporate Services
Keith Mills	Manager of Works (10.3)
Stephanie Elvidge	Governance Executive Officer

Visitors:

Cliff Simpson – Road Safety advisor (Wheatbelt North) WALGA
Sheryl Wemm – Wyalkatchem Community Care

3.2. Apologies

Nil

3.3. Approved Leave of Absence

Nil

3.4. Applications for Leave of Absence

Nil

4. OBITUARIES

Nil

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.1. Petitions

Nil

5.2. Deputations

Nil

5.3. Presentations

5.3.1. Cliff Simpson – Road Safety advisor (Wheatbelt North) WALGA

Mr Simpson provided Council with an insight into road safety and statistics for local and State roads of Wyalkatchem.

Mr Simpson left the meeting at 4:41pm.

5.3.2. Wyalkatchem Community Care Inc. – Lady Nova signage

Sheryl Wemm attended on behalf of Wyalkatchem Community care and gave an update on progress for signage for Lady Nova.

Written approval was requested from the Shire permitting installation of signage of 1200 x 900 in order that they can liaise with the Heritage Department.

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 – 17 September 2020

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 17 September 2020 (Attachment 7.1.1).

OFFICER RECOMMENDATION:

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 17 September 2020 (Attachment 7.1.1) be confirmed as a true and correct record.

COUNCIL RESOLUTION:

(149/2020) Moved: Cr Gamble

Seconded: Cr Stratford

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

CARRIED 6/0

7.2. Receipt of Minutes

7.2.1. NEWROC Council Minutes – 29 September 2020

Minutes of the NEWROC Executive Meeting held on Tuesday 29 September 2020 (Attachment 7.2.1).

OFFICER RECOMMENDATION:

That the minutes of the NEWROC Executive Meeting of Tuesday 29 September 2020 (Attachment 7.2.1) be received by Council.

COUNCIL RESOLUTION:

(150/2020) Moved: Cr Holdsworth Seconded: Cr Stratford
That the minutes of the NEWROC Executive Meeting of Tuesday 29 September 2020 (Attachment 7.2.1) be received by Council.

CARRIED 6/0

7.2.2. Northam District Operation's Advisory Committee Minutes – 8 September 2020

Minutes of the Northam District Operation's Advisory Committee held on Tuesday 8 September 2020 (Attachment 7.2.2)

OFFICER RECOMMENDATION:

That the minutes of the Northam District Operation's Advisory Committee held on Tuesday 8 September 2020 (Attachment 7.2.2) be received by Council.

COUNCIL RESOLUTION:

(151/2020) Moved: Cr Nightingale Seconded: Cr Stratford
That the minutes of the Northam District Operation's Advisory Committee held on Tuesday 8 September 2020 (Attachment 7.2.2) be received by Council.

CARRIED 6/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Cr Davies thanked staff and Councillors for their efforts and commitment in the last weeks and few days attending meetings, training and recruitment. Cr Davies recognises how difficult this can be, especially at this time of year.

Thank you to Mr Tindale for his support, extra time and efforts.

Cr Davies reflected on Mr Gary Templeman who had been invited to attend today's meeting. Mr Templeman retired to Wyalkatchem 18 years ago, influenced by his holiday to Wyalkatchem experience of a calm, tidy and quiet space.

Mr Templeman contributed significantly to the Community- driving the school bus; joining Committees and groups; WDHS School mentor; serving on Council 2008-2009.

Mr Templeman is now moving on and Cr Davies formally acknowledges his contributions to the Shire and Community of Wyalkatchem.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

9.1. Item 14.1 Appointment of Manager of Works

10. REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1.ACCOUNTS FOR PAYMENT – SEPTEMBER 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	6 October 2020
Reporting Officer:	Tegan Maitland, Finance Officer
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.1 – Accounts for payment – September 2020

SUMMARY

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

BACKGROUND

In accordance with the *Local Government (Financial Management) Regulations 1996, s13(1)*, If a local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared.

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

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

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

COMMENT

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

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

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

Bank Account	Payment Type	Last Number	First Number in report
Municipal	Cheque	16885	16887
Municipal & Trust	EFT	EFT694	EFT695
Trust	Cheque	Cheque	No Payments
Reserves	EFT	EFT	No Payments

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

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations, S13.1

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2019/2020 Annual Budget.

COMMUNITY & STRATEGIC OBJECTIVES

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

- 1. Cheque 16887 payments in the Municipal Fund totalling \$ 112.00;*
- 2. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$208,010.75;*
- 3. Direct Debit (DD) payments in the Municipal Fund totalling \$19,260.23;*
- 4. Payroll Journal (JNL) payments in the Municipal Fund totalling \$71,200.28;*
- 5. Total payments for the month of September 2020 being \$298,583.26.*

COUNCIL RESOLUTION:

(152/2020) Moved: Cr Garner

Seconded: Cr Holdsworth

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

- 1. Cheque 16887 payments in the Municipal Fund totalling \$ 112.00;***
- 2. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$208,010.75;***
- 3. Direct Debit (DD) payments in the Municipal Fund totalling \$19,260.23;***
- 4. Payroll Journal (JNL) payments in the Municipal Fund totalling \$71,200.28;***
- 5. Total payments for the month of September 2020 being \$298,583.26.***

CARRIED 6/0

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS – AUGUST 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	7 October 2020
Reporting Officer:	Tegan Maitland
Disclosure of Interest:	No interest to disclose
File Number:	File Ref: 12.10.02
Attachment Reference:	Attachment 10.1.2 – Credit Cards – August 2020

SUMMARY

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

BACKGROUND

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

Council is presented with the monthly accounts for payment at each Council meeting, providing information of payments made for the reporting period (note attachment 10.1.2.1 and 10.1.2.2). This report includes the monthly payment of the credit card debit to the National Australia Bank.

COMMENT

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

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

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

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

STATUTORY ENVIRONMENT

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

Local Government (Financial Management) Regulations 1996, R34

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

COMMUNITY & STRATEGIC OBJECTIVES

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council, in accordance with attachment 10.1.2.1 and 10.1.2.2, endorse credit card payments made for the period 29 July 2020 to 28 August 2020 totalling \$1,320.84.

COUNCIL RESOLUTION:

(153/2020) Moved: Cr Gamble

Seconded: Cr Stratford

That Council, in accordance with attachment 10.1.2.1 and 10.1.2.2, endorse credit card payments made for the period 29 July 2020 to 28 August 2020 totalling \$1,320.84.

CARRIED 6/0

10.1.3 MONTHLY FINANCIAL REPORT – SEPTEMBER 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	15 October 2020
Reporting Officer:	Ally Bryant, Manager of Corporate Services
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.3 Monthly Financial Report – September 2020

SUMMARY

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

BACKGROUND

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

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

COMMENT

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

The report includes

Statement of Financial Activity by Program (p.3)

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

The statements provide details of the Shires operations on an actual year to date basis.

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

The remaining notes are supporting documents to the Statements of Financial Activity for Councillor's information

The notes provided are:

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

Note 2 - Explanation of Material Variances Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% or \$10,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

Note 3 – Cash and Financial Assets: This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

Note 4 - Cash Backed Reserves: This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year to date basis.

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

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

Note 5 – Payables: This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

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

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

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

Note 10 – Receivables: This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

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

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

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

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

STATUTORY ENVIRONMENT

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

Local Government (Financial Management) Regulations, R34

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal: Transparent, accountable and effective governance.

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

COUNCIL RESOLUTION:

(154/2020) Moved: Cr Garner

Seconded: Cr Nightingale

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

CARRIED 6/0

Cr Holdsworth left the meeting at 5:22pm

Cr Holdsworth returned to the meeting at 5:25pm

10.1.4. WRITE OFF OF RATES AND CHARGES

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	30 September 2020
Reporting Officer:	Louise Sequerah
Disclosure of Interest:	No interest to disclose
File Number:	25.05.11
Attachment Reference:	Nil

SUMMARY

For Council to consider writing off the Rates and Charges incorrectly raised on Crown Land.

BACKGROUND

The Shire has raised Rates and Charges on Assessment A1015 - 93 STATION STREET KORRELOCKING WA 6485, for the 2019/2020 & 2020/2021 Financial Years.

The Department of Planning, Lands and Heritage, emailed on 17 September 2020 stating they are exempt from charges.

COMMENT

The Local Government Act 1995, Section 6.26 states

6.26. Rateable land

- (2) The following land is not rateable land —
- (a) land which is the property of the Crown and —
 - (ii) is unoccupied,

Assessment A1015 - 93 STATION STREET KORRELOCKING WA 6485, which is rating Lot 93 on Plan 222722.

- is a vacant lot.
- owned by the State of Western Australia.

Based on this use and ownership it is exempt under the Local Government Act from Rates and Emergency Services Levy.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations, S13.1

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Reduction of Income of \$495.00 – Account 130301300.3000 - RATES - Rates Levied - Synergy (General Rates)

Reduction of Current Liability to DFES of \$84.00 – Account 193410010 - ESL Liability

Write off of 2019/2020 Rates and Charges of \$638.73, plus overdue interest, will be charged to Expense Account 2030118 – Rates Write Off.

No budget provision exists for this expense.

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal: Transparent, accountable and effective governance.

Goal No.	Strategies		Actions
10	Transparent, accountable and effective governance	10.1	<ul style="list-style-type: none"> Ensuring a well-informed Council makes good decisions for the community
		10.3	<ul style="list-style-type: none"> High quality corporate governance, accountability and compliance

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council approves for assessment A1015 the

- *Reversal of 2020/2021 Rates and ESL charges totalling \$579.00*
- *Write off of 2019/2020 Rates, Overdue Interest and ESL totalling \$638.73 plus interest.*

COUNCIL RESOLUTION:

(155/2020) Moved: Cr Nightingale

Seconded: Cr Stratford

That Council approves for assessment A1015 the

- ***Reversal of 2020/2021 Rates and ESL charges totalling \$579.00***
- ***Write off of 2019/2020 Rates, Overdue Interest and ESL totalling \$638.73 plus interest.***

CARRIED 6/0

10.1.5. REQUEST FOR FEE REDUCTION

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	15 October 2020
Reporting Officer:	Ally Bryant
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.1.5 – Request for Fee Reduction

SUMMARY

For Council to consider granting a reduction in the fees for the hire of the Town Hall allowing the Wyalkatchem CRC to use the Town Hall for a Farm Safety information session. The CRC will only require the use of the Town Hall if the bookings are above the capacity of their facility.

BACKGROUND

The Shire has Fees and Charges set for the hire of its Town Hall and any request for reduction must be presented to Council for approval.

COMMENT

The Wyalkatchem CRC have organised a Farm Safety information session to be held on the 22nd October 2020. They request reduced fees for the Town Hall which they will only require in the event that they have over 35 online bookings.

The CRC is an important part of our community which provided events, workshops and other community functions for the community of Wyalkatchem.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations, S13.1

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Revenue in accordance with Fees and Charges 2020

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal: Community and customer service focus

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council provide the use of the Town Hall free of charge to the Wyalkatchem Community Resource Centre on the 22nd October 2020.

COUNCIL RESOLUTION:

(156/2020) Moved: Cr Nightingale

Seconded: Cr Stratford

That Council provide the use of the Town Hall free of charge to the Wyalkatchem Community Resource Centre on the 22nd October 2020.

Amendment to the recommendation

OFFICER'S RECOMMENDATION

That Council provides the use of the Town Hall free of charge to the Wyalkatchem Community Resource Centre for the purpose of the Farm Safety Information session only.

COUNCIL RESOLUTION:

(157/2020) Moved: Cr Holdsworth

Seconded: Cr Garner

That Council provides the use of the Town Hall free of charge to the Wyalkatchem Community Resource Centre for the purpose of the Farm Safety Information Session.

CARRIED 6/0

GOVERNANCE AND COMPLIANCE

10.2.1 CHIEF EXECUTIVE OFFICER REPORT – SEPTEMBER 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	10 September 2020
Reporting Officer:	Stephen Tindale, Acting Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.09.01
Attachment Reference:	Nil

SUMMARY

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

COMMENT

Since the last Council meeting the Acting CEO attended the following meetings and events.

- Market Creations – re IT & Marketing Services
- Tennis Courts Project Meeting – Community Club
- Outside Staff – Council Depot
- NEWROC Function - Burswood
- NEWROC Executive – Wyalkatchem
- CEO Farewell Function – Nungarin
- NEWHEALTH Meeting – Bencubbin (re EHO contract)
- WaterCorp Meeting – Upgrade to Wyalkatchem Water Treatment Plant
- Tom and Sue Nelson – Wyalkatchem Caravan Park closure and sale
- Dennis Pease – Men’s Shed Collection Depot
- Craig Grant - WALGA eQuotes – Wyalkatchem
- Integrated Planning and Reporting Pilot Project – Zoom meeting
- LEMC Meeting - Wyalkatchem

In the month of October the following meetings and events have been diarised.

- Regional Roads Group – Zoom meeting
- Emma Clements – WALGA Employee Relations Service
- CEO Recruitment Interviews
- Council Meeting
- Outside Staff – Council Depot
- NEWROC Council Meeting - Wyalkatchem

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

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

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

Outcome No.	Outcome	Action No.	Actions
10	Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
		10.2	Ensuring sound financial management and plans for the Shire’s long term financial sustainability
		10.3	High quality corporate governance, accountability and compliance
		10.4	Maintaining Integrated Strategic and Operational plans
12	Form strategic partnerships and advocate for the community	12.1	Developing strategic partnerships with regional, State & Federal governments
		12.2	Ensuring that the Shire of Wyalkatchem is well positioned to meet future needs

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council accepts the Acting CEO’s report for the month of September 2020.

COUNCIL RESOLUTION:

(158/2020) Moved: Cr Garner

Seconded: Cr Gamble

That Council accepts the Acting CEO’s report for the month of September 2020.

CARRIED 6/0

Ms Elvidge left the meeting at 5:46pm

Ms Elvidge returned to the meeting at 5:49pm

10.2.2 ADDITIONAL NOVEMBER COUNCIL MEETING

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	7 October 2020
Reporting Officer:	Stephen Tindale – Acting CEO
Disclosure of Interest:	No interest to disclose
File Number:	13.5.12
Attachment Reference:	NIL

SUMMARY

Council to consider and endorse the date for an Ordinary Council Meeting in November 2020.

BACKGROUND

At its December 2019 meeting, Council adopted the following schedule of meetings.

That Council;

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

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

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

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

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

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

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

6. *That workshop meetings to be closed to the public.*

At its July 2020 Ordinary Meeting of Council, Council decided to convene an Ordinary meeting Council on the 20th August 2020 based largely on advice from the Acting CEO that:

in light of the uncertainty surrounding the current CEO's absence from the workplace, it would be appropriate for Council to convene an Ordinary Meeting of Council in August 2020 to conduct not only the normal business of a monthly Council meeting but also to adopt the 2020/21 Annual Budget.

The week (or weeks) preceding the Ordinary Meeting of Council can then be given over to budget workshops which will assist with the timely adoption of the budget.

COMMENT

The process of selecting and appointing a new CEO is currently underway and it is felt that in the interests of continuity and clearing any outstanding Council business ahead of the new CEO's arrival, the conduct of an Ordinary Meeting of the Council in November 2020 would be appropriate.

The alternative is to bank any business up until the December meeting while noting that there is usually a January recess for Council.

STATUTORY ENVIRONMENT

Section 5.3 of the *Local Government Act 1995* requires, in part, that;

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.

Clause 12 of the *Local Government (Administration) Regulations 1996* requires, in part, that;

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal 10: Community and customer service focus

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council

- 1. Holds an Ordinary Meeting of Council commencing at 4.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem, on the 19th November 2020.*
- 2. In accordance with the Local Government (Administration) Regulations, gives local public notice of the meeting, time and place.*

COUNCIL RESOLUTION:

(159/2020) Moved: Cr Gamble

Seconded: Cr Stratford

That Council

- 1. Holds an Ordinary Meeting of Council commencing at 4.00pm in the Council Chambers, 27 Flint Street, Wyalkatchem, on the 19th November 2020.***
- 2. In accordance with the Local Government (Administration) Regulations, gives local public notice of the meeting, time and place.***

CARRIED 6/0

10.2.3 MARKET CREATIONS – BRAND & STYLE GUIDE

Applicant:	Market Creations
Location:	Shire of Wyalkatchem
Date:	7 Oct 2020
Reporting Officer:	Stephen Tindale – Acting CEO
Disclosure of Interest:	No interest to disclose
File Number:	2.10.01
Attachment Reference:	Attachment 10.2.3 – Shire of Wyalkatchem Logo Concepts

SUMMARY

Council to consider and endorse a new logo for the Shire of Wyalkatchem.

BACKGROUND

In February 2020 Market Creations was engaged to deconstruct the Shire of Wyalkatchem’s existing logo and then modernise the logo’s elements, colour, fonts and positioning of the words ‘Shire of Wyalkatchem’.

The new logo, once adopted by Council, will be the basis of a new *Shire of Wyalkatchem Brand Style Guide* which includes formats for letterheads, business cards and with compliments slips.

At its September 2020 meeting, Council considered several concept logo designs so that a proposed brand style guide could be finalised and work completed on the following options that have also been requested from Market Creations.

- Word letterhead template
- Signage template & style guide
- Facebook page set up
- Email template

None of the concepts presented met with any general support and as a consequence, Council resolved that it revisit the item at this month’s meeting pending a further request to Market Creations for more work on the logo noting that:

- a slogan was no longer required
- the logo was to be “decolourised”
- the logo was to take the general form of either a circle or a triangle

Since then Market Creations has developed two concepts for Council’s consideration (see Attachment 10.2.3).

COMMENT

The Acting CEO sought feedback on the two most recent concepts from all Councillors. Two Councillors responded and they both favoured Concept 1.

STATUTORY ENVIRONMENT

Section 1.3 (3) of the *Local Government Act 1995* provides that:

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Payment of \$3,640 (ex GST) for the production of the Brand Style Guide was made in April this year. The cost of the optional work, which has been budgeted for this financial year, is \$1,690 (ex GST).

The above work is separate from work which yet to be undertaken by Market Creations for the upgrade of the Shire's website. This work was which was paid for in advance in April 2020 (\$13,976 ex GST).

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with the following goal expressed in the Shire of Wyalkatchem's Strategic Community Plan:

Goal 11: Community and customer service focus

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt Concept 1 from Market Creations as its new logo.

COUNCIL RESOLUTION:

(160/2020) Moved: Cr Stratford

Seconded: Cr Holdsworth

That Council adopt Concept 1 from Market Creations as its new logo.

CARRIED 6/0

10.2.4 ST MARY'S ROMAN CATHOLIC CHURCH – CONSERVATION STRATEGY

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	8 October 2020
Reporting Officer:	Stephen Tindale, Acting CEO
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.2.4 – Wyalkatchem Catholic Church

SUMMARY

Council to consider a proposal to accept a Management Order over Reserve 19635 and with it, the management of St Mary's Church.

BACKGROUND

An email has been received from the Department of Planning Lands and Heritage advising the following.

The Catholic Archdiocese of Perth has advised our Department that the abovementioned reserve is surplus to their needs and is no longer required.

Prior to our Department cancelling a reserve, the reserve must be cleared of improvements. However, the Catholic Archdiocese of Perth further advised that they are unable to demolish the building contained within the reserve as it is listed on the Local Municipal Inventory as a 'Category 2' classification.

Due to this high degree of local significance, is the Shire of Wyalkatchem willing to accept management over Reserve 19635? Please provide a response as soon as practicable.

In 1999 the Shire of Wyalkatchem adopted a *Municipal Inventory of Heritage Places* as required under the *Heritage of Western Australia Act 1990*.

Of the 116 heritage places identified within the inventory, two places were considered to be of National and State significance.

- 1936 Wheat Bin
- Lady Novar Hostel

Another 9 places were considered to be of State significance.

- Derdebin House
- Wyalkatchem RSL Hall
- Wyalkatchem Town Hall
- Wyalkatchem Hotel
- Johnstons Shops
- National Bank Building
- Wyalkatchem Post Office
- Bank of NSW Building
- Benjabbering Well

All of the above Category 1 places were thought worthy of inclusion in the in the State Register of Heritage Places.

Category 2 places which were to be considered for National Trust listing (which provides less statutory protection) were as follows.

- Wyalkatchem Catholic Church
- Wyalkatchem Railway Station
- Wyalkatchem Masonic Lodge
- Wyalkatchem Methodist Church
- CWA Meeting Hall
- Paynes Rock Pool

To maintain control over the development or demolition of all of the above sites (at least within the Wyalkatchem Town site) consideration was to be given to including the places within the Wyalkatchem Town Planning Scheme.

In 2004 a review of the Municipal Inventory saw the status of St Mary's Catholic Church being elevated to that of a Category 1 place. In particular, it was considered to be;

Of significant importance for inclusion in the (State) Register of Historic Places, recommend to Heritage Council of WA, HCWA, for listing and assessment. Advise owners of the significance and set up a conservation strategy.

An extract of the listing for the church showing its Category 1 status on the State's inHerit database appears as Attachment 10.2.4. The database is searchable online.

COMMENT

Without being certain, it seems that with the 2004 review of the Municipal Inventory, two buildings within Wyalkatchem's Roman Catholic Precinct (namely the Church and the Presbytery) were reclassified as Category 1 places while the Church Precinct as a whole (which includes the School) was reclassified as Category 2 for the purposes of entry into the Shire's Municipal Inventory.

Unlike the Wyalkatchem Railway Station Precinct (which also consists of a collection of places) the Roman Catholic Precinct is not on the State's Register of Heritage Places which has far stronger statutory protection.

Given the above and the potential for a significant loss of Wyalkatchem's built heritage, it is recommended that the Shire engage with the Catholic Archdiocese of Perth and the State Heritage Council on a potential conservation strategy for Wyalkatchem's Roman Catholic Precinct.

STATUTORY ENVIRONMENT

While not under active consideration at the present time, the *Planning and Development (Local Planning Schemes) Regulations 2015* gives the Shire a fair degree of control in the event that a Development Application is lodged to demolish the buildings.

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 at the present time.

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal 7 We have vibrant, active public open spaces and buildings with high levels of utilisation and functionality

Outcome No 7	Action No.	Actions
We have vibrant, active public open spaces and buildings with high levels of utilisation and functionality	7.1	Improve asset management practices in a manner that optimises life and function
	7.2	Developing, maintaining & enhancing town streetscape and public spaces
	7.3	Providing quality amenities & accessible public spaces for our community
	7.4	Conserve the Shire's natural environment

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council direct the CEO to engage with the Catholic Archdiocese of Perth and the State Heritage Council on a potential conservation strategy for Wyalkatchem's Roman Catholic Precinct.

COUNCIL RESOLUTION:

(161/2020) Moved: Cr Nightingale

Seconded: Cr Garner

That Council direct the CEO to engage with the Catholic Archdiocese of Perth and the State Heritage Council on a potential conservation strategy for Wyalkatchem's Roman Catholic Precinct.

CARRIED 6/0

10.3 WORKS AND SERVICES

10.3.1 OFFICERS ACTIVITY REPORT – MANAGER OF WORKS

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	8 October 2020
Reporting Officer:	Keith Mills – Manager of Works
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

SUMMARY

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

BACKGROUND

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

COMMENT

Road Crew

Winter maintenance grading was completed on 18/09/2020.

Works on the Shire's Roads to Recovery program commenced on 29/09/2020, with back slope and drain clearing/cleaning completed on Elsegood Rd (SLK 17.26-20.56 = 3.3km). Similar work has now commenced on Davies Rd (SLK 4.52-11.19 = 6.67km).

Gravel pushing will commence for the roads re-sheeting program once all quotes have been received from suitable bulldozing contractors. 17,500m³ of gravel is to be sourced from Trent Tyler's pit for Davies Rd. 4500m³ gravel for the Cunderdin–Wyalkatchem Rd (SLK 17.85–26.16 = 8.31km) shoulder widening & reconditioning job will be sourced from Wayne Metcalf's pit for the Shire's Regional Road Group 20/21 project.

Parks / Town Services Crew

- Town street verge maintenance, brush cutting and weed spraying.
- Shire Admin garden maintenance.
- Admin Park mowing.
- Town Hall garden maintenance.
- Railway Barracks grounds maintenance.
- Road House gardens maintenance.

Buildings

The annual servicing and repairs to evaporative, ducted and split system air conditioners for all the Shire's building assets has been awarded to KTY Electrical. They commenced work on 5/10/2020 and expect to have it completed by 16/10/2020 with minor repairs to some units and four split system replacements.

Waste Management

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

With the school holiday period, children have been opening bags of rubbish to gather cans and bottles to claim the 10c recycling levy. Unfortunately this is leaving the wind to blow rubbish around the tip area which is currently being collected by the outside staff for an hour each morning and placed back into the tip and covered.

Plant – Servicing and Repairs

- Amman multi tyre roller – 6000hr service completed by Petchell Mechanical.
- MOW work vehicle – windscreen replacement (Petchell) and tail gate renewal (Speciale Smash Repairs).
- Isuzu 6x4 tipper truck booked for service – 19/10/2020.

Vehicle/Plant – replacement quotations

Trade-in vehicles for the 20/21 budgeted replacements were put out to tender as required by Council policy. The vehicles were made available for public inspection on Thursday 24/9/2020 with offers closing on Friday 2/10/2020.

With all offers being considered, the table below sets out the new vehicles, vehicle trade-in values and nett change-over pricing. Vehicle replacements will be carried out over the coming months.

2020 Prado (CEO) – Trade Corolla = \$13,000 inc – Change over = \$58,300 inc.

2020 SR5 Hilux (MOW) – Trade SR5 = \$47,000 inc – Change over = \$8,600 inc.

2019 Kluger (Dr) – Trade Mazda CX9 = \$38,000 inc - Change over = \$13,605 inc.

2020 Hilux 4x2 (Gard) – Trade Isuzu = \$13,000 inc - Change over = \$32,890 inc.

All the above-mentioned were won by Avon Valley Toyota in accordance with the Shire's local purchasing preference policy.

The Isuzu 300 series Crew Cab is to be sold to Smith Broughton for \$38,000 inc. It is to be replaced with a **2021 Isuzu NPR Crew Cab Truck** for \$79,970 inc from Major Motors for a change-over price of \$41,970 inc (delivery late Feb 21).

The New Holland Tractor will also go to Smith Broughton for \$50,270 inc. Its replacement is a **Kubota Tractor with turf tyres and bucket** for \$48,290 inc. from Boya Equipment.

New 2.5t Kubota Excavator has been purchased from Boya Equipment for \$58,300 inc and delivery is expected around 16/10/2020.

With the above and including the purchase of the mini-excavator, there will be budget savings of \$101,260 for the Shire.

Aerodrome

Weekly aerodrome and lighting inspection carried out.

- One globe blown at the northern end of the main runway and one complete light missing at the southern end of the main runway which will require an electrician.

- Three white marker cones were smashed and have been replaced. It looks like people have been out there with their cars having some fun.
- Both runways are all clear of debris.
- Edges of the runways have been sprayed but may require slashing in the near future.

Private works

Nil

General

The working party formed for the Town Beautification Project met onsite on 29/9/2020 to consider ideas for town improvements, namely:

- Law – extra area in front of the barbeque
- Kerbing – around the new lawn.
- Asphalt walkways - behind the native flora garden, in front of the gazebo to the bridge over the drain.
- Plants to be planted in vacant area near the museum and turned into a new garden bed.

Quotations are being sought for the required works.

OSH

Chemical Training was scheduled for Tuesday 29/9/2020, but was postponed and has been re-scheduled for Thursday 8/10/2020, The Shire will have one member from the gardening staff attending this training in Kellerberrin.

Staff

The new full-time handyman position has been filled by Gary Thorpe and he will be commencing duties within 3 weeks and will reside at 2A Slocum Street.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal 8: Our built environment responds to the accessibility and connectivity needs of all

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

COUNCIL RESOLUTION:

(162/2020) Moved: Cr Holdsworth

Seconded: Cr Stratford

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

CARRIED 6/0

Mr Tindale left the meeting at 4:43pm

Mr Tindale re-joined the meeting at 4:44pm

10.4 PLANNING AND BUILDING

10.4.1 PROPOSED LEASE OF A PORTION OF RESERVE 40516 TO TELSTRA

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	8 October 2020
Reporting Officer:	Stephen Tindale, Acting CEO
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Attachment 10.4.1 – Telstra Proposal

SUMMARY

Council to consider and endorse a new lease agreement with Telstra Corporation Limited (Telstra) for the Wyalkatchem Telstra mobile tower site situated on the Wyalkatchem North Road.

BACKGROUND

In 1988, part of Avon Location 28870 (Reserve 40516) was vested to the Shire of Wyalkatchem with the Shire having the power to lease the land. The purpose of the reserve is for a radio communications site.

In October 2001 Council agreed to lease Reserve 40516 to Telstra for a period of ten years commencing 1 November 2001 for the sum of \$1.00 per year. At the same meeting the Council also agreed to the raising of \$60,000 loan to be repaid over a period of six years as a “Contribution to the cost of a CDMA telephone tower. Balance from Networking the Nation.”

The lease contained an option to renew for a further period of ten years expiring 31 October 2021. The renewal of the lease was endorsed by Council at its February 2012 meeting.

The ‘Heads of Terms’ for a proposed new lease agreement is shown as Attachment 10.4.1 to this agenda.

COMMENT

The rent for the land has increased to \$1,000 per year which is believed to be more in line with commercial rates.

Point 5 of the Heads of Terms permits Telstra to undertake a number of uses of the land including “... access to and from and the **removal** of the Lessee’s Facility on the Land.... “

Given that the Shire raised a loan of \$60,000 for the CDMA telephone tower at an interest rate of 5.685%, the Shire has existing equity in the tower which should be recognised by Telstra.

In addition, the Heads of Terms refers to a lease **renewal** which is not the case. It is a new lease that entails a fresh disposal of land by the Shire. Both matters have been taken up with Telstra’s agents, Jones Lang La Salle, and subject to clarification, there is nothing else that prevents the Shire from entering into a new lease agreement.

STATUTORY ENVIRONMENT

Section 3.58 of the *Local Government Act 1995* sets out the requirements for the disposal of land and would ordinarily require that a valuation be obtained for the land and that public comment be sought on the proposed disposal.

However Regulation 30 of the *Local Government (Functions and General) Regulations 1996* exempts certain disposals of land from the requirements of the Act.

Specifically, the Shire is exempted from the requirements of Section 3.58 of the Act as Telstra is considered to be an “instrumentality of the ... Commonwealth”.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Unbudgeted income of \$1,000 for the 2020/21 financial year.

COMMUNITY & STRATEGIC OBJECTIVES

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

GOAL 6 Essential services and infrastructure are available to support the community and local economy

No.6	Strategies	
Essential services and infrastructure are available to support the community and local economy	6.1	Advocate for improved access to telecommunication infrastructure
	6.2	Continue to improve internet infrastructure and connectivity
	6.3	Advocate for improved access to reliable power supply
	6.4	Develop, review & implement town centre and townscape revitalisation plans

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council authorise the signing of the Heads of Terms document by the Shire President and Acting CEO and the execution of the resultant lease document subject to:

- 1. clarification from Jones Lang La Salle that the proposed lease with Telstra is a new lease, and*
- 2. clarification of the Shire’s equity in the telecommunication mast.*

COUNCIL RESOLUTION:

(163/2020) Moved: Cr Stratford

Seconded: Cr Garner

That Council authorise the signing of the Heads of Terms document by the Shire President and Acting CEO and the execution of the resultant lease document subject to:

- 1. clarification from Jones Lang La Salle that the proposed lease with Telstra is a new lease, and***
- 2. clarification of the Shire's equity in the telecommunication mast.***

Amendment to the resolution

COUNCIL RESOLUTION:

(163/2020) Moved: Cr Stratford

Seconded: Cr Garner

That Council authorise the signing of the Heads of Terms document by the Shire President and Acting CEO and the execution of the resultant lease document.

CARRIED 6/0

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

The presiding member approved considering late item 13.1. AMENDMENT TO THE 2020/2021 ANNUAL BUDGET

COUNCIL RESOLUTION:

164(/2020) Moved: Cr Garner

Seconded: Cr Holdsworth

That Council considers late item 13.1 AMENDMENT TO THE 2020/2021 ANNUAL BUDGET

CARRIED 6/0

13.1 AMENDMENT TO THE 2020/2021 ANNUAL BUDGET

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	15 th October 2020
Reporting Officer:	Ally Bryant, Manager of Corporate Services
Disclosure of Interest:	No interest to disclose
File Number:	12.05.07
Attachment Reference:	Nil

SUMMARY

This report relates to Council's consideration of an amendment to the Annual Budget for 2020/2021 for the purchase of a Hilux 4x2 2.8Lt Diesel SR Hi Rider and disposal of PWM012 Isuzu Dmax Town utility.

BACKGROUND

The current Isuzu Dmax town works utility is a 2015 model and was in the plant replacement program to be replaced in the 2020/2021 financial year but was missed at budget preparation time.

As it was in the program to be replaced, the Manager of Works commenced action to dispose of the vehicle. On discussions with the Manager of Corporate Services it was noted that the vehicle in question had not been included in the budget for the financial year.

COMMENT

The budgeted amount required to be added for the purchase of the new utility is \$53,000 and the expected disposal price for plant PWM012 is \$13,000.

This expense can be funded from the Plant Reserve Fund as we have already budgeted for a transfer of \$65,000 to the Plant Reserve Fund.

Budget Amendments:

Account Number	Description	CR	DB
151203500	Profit on disposal of Assets	13,000	
151203810	Transfer from Plant Reserve	40,000	
PC004	Toyota Hilux SR Hi Rider 4x2		53,000
		53,000	53,000

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.8 Expenditure from Municipal Fund not included in the Annual Budget.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Increase in Capital Expenditure and decrease in Plant Reserve

COMMUNITY & STRATEGIC OBJECTIVES

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

Objective: A well-managed and effective Council organisation

Goal	Strategies		Actions
Goal 10	Transparent, accountable and effective governance	10.1	<ul style="list-style-type: none"> Ensuring a well-informed Council makes good decisions for the community
		10.2	<ul style="list-style-type: none"> Ensuring sound financial management and plans for the Shire's long term financial sustainability
		10.3	<ul style="list-style-type: none"> High quality corporate governance, accountability and compliance
		10.4	<ul style="list-style-type: none"> Maintaining Integrated Strategic and Operational plans

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council, by Absolute Majority, approve an amendment to the 2020/2021 Annual Budget, increasing capital expenditure by \$53,000 to fund the purchase of a Toyota Hilux 4x2 SR Hi Rider and disposing of Plant PWM012 2015 Isuzu Dmax Town Utility.

COUNCIL RESOLUTION:

(165/2020) Moved: Cr Gamble

Seconded: Cr Holdsworth

That Council, by Absolute Majority, approve an amendment to the 2020/2021 Annual Budget, increasing capital expenditure by \$53,000 to fund the purchase of a Toyota Hilux 4x2 SR Hi Rider and disposing of Plant PWM012 2015 Isuzu Dmax Town Utility.

CARRIED 6/0

Sheryl Wemm left the meeting at 6:34pm

14 MATTERS BEHIND CLOSED DOORS

OFFICER'S RECOMMENDATION

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

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

COUNCIL RESOLUTION:

(166/2020) Moved: Cr Gamble

Seconded: Cr Stratford

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

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

CARRIED 6/0

14.1 APPOINTMENT OF MANAGER OF WORKS

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	6 October 2020
Reporting Officer:	Stephen Tindale, Acting Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	22.23.09
Attachment Reference:	Nil

REASON FOR CONFIDENTIALITY

This item is confidential in accordance with section 5.23 (2)(a) & (b) and 5.23 (2)(c) of the Local Government Act 1995, to deal with matters that relate to:

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

STATUTORY ENVIRONMENT

Sections 5.37 and 5.39 of the *Local Government Act 1995* provides the following in part.

5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

5.39. Contracts for CEO and senior employees

- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.
- (2) A contract under this section —
 - (a) in the case of an acting or temporary position, cannot be for a term exceeding one year;
 - (b) in every other case, cannot be for a term exceeding 5 years.
- (3) A contract under this section is of no effect unless —
 - (a) the expiry date is specified in the contract; and
 - (b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and
 - (c) any other matter that has been prescribed as a matter to be included in the contract has been included.
- (4) A contract under this section is to be renewable and subject to subsection (5), may be varied.
- (5) A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section.
- (6) Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.

POLICY ENVIRONMENT

Shire of Wyalkatchem policies provide the following.

Policy 5.16 - Senior Employees

For the purposes of Section 5.37 of the Local Government Act 1995, the Shire of Wyalkatchem shall designate the following employee/s to be "senior employees":

1. Chief Executive Officer
2. Manager of Works

Policy 5.2 – Recruitment and Selection Policy (in part)

Recruitment and selection of positions which have been previously determined as ‘senior employees’ in accordance with section 5.37 of the Act, will accord with the requirements of this policy in addition to requirements for the CEO to inform Council of any decision to employ or dismiss a ‘senior employee’.

FINANCIAL IMPLICATIONS

Manager of Works costs of employment, as per budget provision.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before Council generally accords with the following goal as expressed in the revised Shire of Wyalkatchem Strategic Community Plan – Community and Customer Service Focus - to be achieved by providing high quality customer and community focussed services and programs across the organisation.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That subject to the satisfactory completion of the probationary period, Council accept the appointment of Keith Mills to the position of Manager of Works, in accordance with section 5.37(2) of the Local Government Act 1995.

COUNCIL RESOLUTION:

(167/2019) Moved: Cr Holdsworth

Seconded: Cr Stratford

That subject to the satisfactory completion of the probationary period, Council accept the appointment of Keith Mills to the position of Manager of Works, in accordance with section 5.37(2) of the Local Government Act 1995.

CARRIED 6/0

OFFICER’S RECOMMENDATION

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

COUNCIL RESOLUTION:

(168/2019) Moved: Cr Garner

Seconded: Cr Stratford

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

CARRIED 6/0

Cr Nightingale left the meeting at 6:38pm

Cr Nightingale returned to the meeting at 6:39pm

15 INFORMATION BULLETIN

15.1 Information Bulletin

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

15.2 Business Arising from the Information Bulletin

15.2.1. Status Report

Childcare- A Handy Man has now been recruited who should be able to prepare the old tennis club for childcare.

Rebranding was completed today.

15.2.2. Housing

Council discussed options for short and long term housing for Shire staff.

15.2.3. Acknowledgement

Cr Gamble would like to acknowledge International Rural Women's day.

Cr Holdsworth left the room at 6:47pm

16 CLOSURE OF THE MEETING

There being no further business to discuss, the Chairperson thanked everyone for their attendance and closed the meeting at 6:48pm