



AGENDA

ORDINARY COUNCIL MEETING



19 MARCH 2020

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 19 March 2020 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, 19 March 2020

| | |
|---------------------|-------------------------------------------|
| 3:40pm | Group Photographs |
| 4:00pm | Ordinary Meeting of Council |
| Post OMC | Council Workshop |
| 6:00pm | Annual General Meeting of Electors |
| Post Meeting | Refreshments |

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



Taryn Dayman

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

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

Wyalkatchem Men's Shed – Container Deposit Scheme Presentation.

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 – 20 February 2020

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 20 February 2020 ([Attachment 7.1.1](#))

OFFICER RECOMMENDATION:

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 20 February 2020 (Attachment 7.1.1) be confirmed as a true and correct record.

7.2. Receipt of Minutes

7.2.1. NEWROC Council Minutes – 25 February 2020

Minutes of the NEWROC Executive Meeting held on Tuesday 25 February 2020 ([Attachment 7.2.1](#))

OFFICER RECOMMENDATION:

That the minutes of the NEWROC Executive Meeting of Tuesday 25 February 2020 (Attachment 7.2.1) be received by Council.

7.2.2. Central East Aged Care Alliance Inc. Committee Minutes – 4 February 2020

Minutes of the Central East Aged Care Alliance Inc. Committee meeting of Tuesday 4 February 2020 ([Attachment 7.2.2](#))

OFFICER RECOMMENDATION:

That the minutes of the Central East Aged Care Alliance Inc. Committee meeting of Tuesday 4 February 2020 (Attachment 7.2.2) be received by Council.

7.2.3. Northam District Operations Advisory Committee – 10 March 2020

Minutes of the Northam Districts Operations Advisory Committee meeting of Tuesday 10 March 2020 ([Attachment 7.2.3](#))

OFFICER RECOMMENDATION:

That the minutes of the Northam Districts Operations Advisory Committee meeting of Tuesday 10 March 2020 (Attachment 7.2.3) be received by Council.

7.2.4. NEWTRAVEL General Meeting Minutes – 27 February 2020

Minutes of the NEWTRAVEL General Meeting of Thursday 27 February 2020 ([Attachment 7.2.4](#))

OFFICER RECOMMENDATION:

That the minutes of the NEWTRAVEL General Meeting of Thursday 27 February 2020 (Attachment 7.2.4) be received by Council.

7.2.5. WALGA Great Eastern Country Zone Minutes – 26 February 2020

Minutes of the WALGA Great Eastern Country Zone Meeting held on Wednesday 26 February 2020 ([Attachment 7.2.5](#))

OFFICER RECOMMENDATION:

That the minutes of the WALGA Great Eastern Country Zone Meeting of Wednesday 26 February 2020 (Attachment 7.2.5) be received by Council.

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 – FEBRUARY 2020

| | |
|-------------------------|--------------------------------------------------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 March 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 – February 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 February 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 \$16,718.43.

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 | 16877 | No Payment |
| Municipal & Trust | EFT | EFT331 | EFT332 |
| 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

Objective: A well-managed and effective Council organisation

| Outcome No. | Outcome | Action No. | Actions |
|-------------|---------------------------------------------------------|------------|---------------------------------------------------------------------------------------------|
| 5.1 | A well-governed, efficient and responsive organisation | 5.1.1 | Implement effective governance structures |
| | | 5.1.2 | Embed sound risk management frameworks to mitigate council's strategic and operational risk |
| 5.4 | Robust and accountable business and financial processes | 5.4.2 | Ensure efficient use of resources |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

- 1. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$140,338.70;*
- 2. Direct Debit (DD) payments in the Municipal Fund totalling \$32,749.48;*
- 3. Payroll Journal (JNL) payments in the Municipal Fund totalling \$48,338.97;*
- 4. Total payments for the month of February 2020 being \$221,427.15.*

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS – JANUARY 2020

| | |
|-------------------------|-----------------------------------------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 10 March 2020 |
| Reporting Officer: | Sheldon Cox, Finance and Administration Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 12.10.02 |
| Attachment Reference: | Attachment 10.1.2 – Credit Cards – January 2020 |

SUMMARY

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the period 28 December 2019 to 28 January 2020.

BACKGROUND

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

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

COMMENT

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

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

A monthly review of credit card use is independently assessed by the Finance and Administration Officer, 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 Finance and Administration Officer also ensures that misuse of any corporate credit card can be readily detected.

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.

Objective: A well-managed and effective Council organisation

| Outcome No. | Outcome | Action No. | Actions |
|-------------|--------------------------------------------------------|------------|---------------------------------------------------------------------------------------------|
| 5.1 | A well-governed, efficient and responsive organisation | 5.1.2 | Embed sound risk management frameworks to mitigate council's strategic and operational risk |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council in accordance with attachment 10.1.2 endorse credit card payments made for the period 28 December 2019 to 28 January 2020 totalling \$289.43.

10.1.3. MONTHLY FINANCIAL REPORT – FEBRUARY 2020

| | |
|-------------------------|----------------------------------------------------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 12 March 2020 |
| Reporting Officer: | Taryn Dayman, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 12.02.02 |
| Attachment Reference: | Attachment 10.1.3 Monthly Financial Report – February 2020 |

SUMMARY

For Council to review and accept the monthly financial report for the period ending 29 February 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% with a minimum value of \$10,000.

COMMENT

Financial activity reports have been prepared in accordance with the *Local Government (Financial Management) Regulations (34)*, including reporting on the variances between budgeted and actual expenditure.

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

Objective: A well-managed and effective Council organisation

| Outcome No. | Outcome | Action No. | Actions |
|-------------|---------------------------------------------------------|------------|---------------------------------------------------------------------------------------------|
| 5.1 | A well-governed, efficient and responsive organisation | 5.1.1 | Implement effective governance structures |
| | | 5.1.2 | Embed sound risk management frameworks to mitigate council's strategic and operational risk |
| 5.4 | Robust and accountable business and financial processes | 5.4.2 | Ensure efficient use of resources |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the Statement of Financial Activity for the month ending 29 February 2020, as included in attachment 10.1.3, as presented and notes any material variances.

10.1.4. 2019-2020 BUDGET REVIEW

| | |
|-------------------------|-------------------------------------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 10 March 2020 |
| Reporting Officer: | Taryn Dayman, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 12.05.06 |
| Attachment Reference: | Attachment 10.1.4 – 2019-2020 Budget Review |

SUMMARY

This report is to seek Council’s endorsement for the 2019-2020 Budget Review.

BACKGROUND

In accordance with regulation 33A of the Local Government (Financial Management) Regulations 1996 Council is to carry out a review of its annual budget for that year between 1 January and 31 March.

COMMENT

A review of the 2019-20 Annual Budget has been carried out as at the 29 February 2020 with all anticipated variance taken into consideration.

An amended budget has been prepared and is provided to Council for consideration.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.68 expenditure for a purpose not included in the Annual Budget to be authorised by an absolute majority of Council.

Local Government (Financial Management) Regulations 1996 – Regulation 33A Review of Budget.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The budget will be amended to reflect the variances to estimated budget 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

Objective: A well-managed and effective Council organisation

| Outcome No. | Outcome | Action No. | Actions |
|-------------|--------------------------------------------------------|------------|---------------------------------------------------------------------------------------------|
| 5.1 | A well-governed, efficient and responsive organisation | 5.1.2 | Embed sound risk management frameworks to mitigate council's strategic and operational risk |

| | | | |
|-----|---------------------------------------------------------|-------|-----------------------------------|
| 5.4 | Robust and accountable business and financial processes | 5.4.2 | Ensure efficient use of resources |
|-----|---------------------------------------------------------|-------|-----------------------------------|

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996, adopt the reviewed of 2019/2020 budget, as per attachment 10.1.4.

10.1.5. LOCAL GOVERNMENT HOUSE TRUST – DEED OF VARIATION

| | |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Applicant: | WA Local Government Association |
| Location: | Shire of Wyalkatchem |
| Date: | 10 March 2020 |
| Reporting Officer: | Taryn Dayman, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 12.25.01 |
| Attachment Reference: | Attachment 10.1.5.1 – Deed of Variation Attachment 10.1.5.2 – Clause 12 of Trust deed 1994 |

SUMMARY

That Council considers the Western Australian Local Government Association’s (WALGA) request for local government to approve a variation to the Local Government House Trust – Deed of Agreement.

BACKGROUND

The Shire of Wyalkatchem is a unit holder and beneficiary to the Local Government House Trust

The Shire of Wyalkatchem is a ‘beneficiary’ to the Local Government House Trust (the Trust) that provides building accommodation for WALGA. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade, West Leederville. WALGA is the Trustee with each local government in the State a beneficiary.

The Shire of Wyalkatchem holds three ‘units’ within the Trust. On 19 February 2020, the Chief Executive of WALGA wrote to the CEO of the Shire requesting Council’s agreement to a variation to the Local Government House Trust – Deed of Agreement.

WALGA is seeking to vary the Trust Deed in order to assist the Trust’s income tax exempt status. Under the provisions of the deed, 75 per cent of all beneficiaries must agree in order to execute this variation.

COMMENT

WALGA has requested Council’s approval of three amendments to the deed:

1. removing the existing Trustee’s power to retire and appoint a new Trustee;
2. enabling the beneficiaries to appoint and remove a trustee; and
3. specifying that the Board of Management is the governing body of the Trust.

WALGA is requesting Council supports the three amendments to strengthen the case for the trust being exempt from income tax pursuant to Division 1AB of the Income Tax Assessment Act 1936.

A more detailed explanation of the proposed amendments is as follows:

1. Removing the existing Trustee’s power to retire and appoint a new Trustee

Currently, WALGA as the Trustee is permitted to retire and appoint a new Trustee. This power, which relates to provisions when WALGA and the former Country Shire Council’s Association merged, is no longer relevant and should rest with the beneficiaries rather than the trust.

2. Enabling the beneficiaries to appoint and remove a trustee

This clause gives effective to the above change by specifying that a trustee can only be appointed or removed through the support of 75 per cent of the beneficiaries.

3. Specifying that the Board of Management is the governing body of the Trust

This clause specifies that the Board of Management rather than the Trustee is the governing body of the Trust. The membership of the Board of Management is:

- the President of WALGA, who acts as the Chairperson of the Committee;
- Deputy President of WALGA, who acts as the Deputy Chairperson;
- a WALGA State Councillor representative from the Country Constituency;
- a WALGA State Councillor representative from the Metropolitan Constituency;
- a representative from the beneficiaries in the Country Constituency;
- a representative from the beneficiaries in the Metropolitan Constituency; and
- the Chief Executive Officer WALGA.

As the Board of Management predominately comprises local governments, WALGA contends that this reform satisfies the requirements of a State or Territory Body for tax exempt purposes and reflects the actual operation of the Trustee in implementing the decisions of the Board of Management. The change should also provide greater control for beneficiaries.

Approval of 75 per cent of member Councils is required for the variation, in practice the change is of negligible impact to the Shire.

STATUTORY ENVIRONMENT

The Local Government Act 1995 enables the Shire of Collie to exist as an entity. WALGA is the peak representative body for Western Australian Local Government and is essentially owned by Western Australian Local Government.

POLICY IMPLICATIONS

There are no 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: A well-managed and effective Council organisation

| Outcome No. | Outcome | Action No. | Actions |
|-------------|--------------------------------------------------------|------------|-------------------------------------------|
| 5.1 | A well-governed, efficient and responsive organisation | 5.1.1 | Implement effective governance structures |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council advise the Local Government House Trust Board of Management that the Shire of Wyalkatchem as holder of three (3) Local Government House Trust Units consents to the Deed of Variation as provided in attachments 10.1.5.1 – Deed of Variation, and 10.1.5.2 – Clause 12 of Trust deed 1994.

10.2. GOVERNANCE AND COMPLIANCE

10.2.1. CHIEF EXECUTIVE OFFICER REPORT – FEBRUARY 2020

| | |
|-------------------------|---------------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 March 2020 |
| Reporting Officer: | Taryn Dayman, 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 Chief Executive Officer to provide Council and the community of Wyalkatchem with information about CEO activities and the operations of the Shire.

COMMENT

In the month of February 2020 the CEO has attended the following meetings and events.

- Community Event
- Council Meeting
- ITvision
- Meeting with the Office of Auditor General
- Tennis Working Group Meeting
- Tennis West
- NEWROC
- NEWROC IPR
- Market Creations
- Mental Health First Aid Training
- Claire Trenorden.

The CEO commitments in March 2020 include;

- Regional Road Group Meeting
- Jo Spadaccini – Department of Communities
- NEWROC special Meeting
- LGIS
- Emergency Management & Recovery Training Workshop & Exercise
- COVID-19 Local Government Update
- NEWROC strategic Workshop
- Council Meeting and Workshop

Tennis Relocation and lighting of bowling green project.

Tender documents have been prepared and the Request for Tender advertised. Tenders close Friday 27 March 2020. It is anticipated that a special meeting of Council will be requested to formally consider the tender submissions and award the contract/s.

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

Objective: A well-managed and effective Council organisation

| Outcome No. | Outcome | Action No. | Actions |
|-------------|-----------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------|
| 5.1 | A well-governed, efficient and responsive organisation | 5.1.1 | Implement effective governance structures |
| | | 5.1.2 | Embed sound risk management frameworks to mitigate council's strategic and operational risk |
| | | 5.1.3 | Deliver open and transparent Council decision-making and reporting |
| | | 5.1.4 | Implement systems and processes to enhance organisational capability |
| 5.2 | A customer focussed organisation | 5.2.1 | Improve awareness of Council's services, activities and performance |
| 5.3 | An organisation that demonstrates community inspired leadership | 5.3.3 | Enhance the delivery of service and advice that meets compliance and best practice |
| | | 5.3.6 | Implement best practice people management policies and practices. |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the Chief Executive Officers report for the month of February 2020.

10.2.2. PRINCIPAL ENVIRONMENTAL HEALTH OFFICER REPORT – FEBRUARY 2020

| | |
|-------------------------|------------------------------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 March 2020 |
| Reporting Officer: | Peter Toboss, Principal Environmental Health Officer |
| Disclosure of Interest: | NIL |
| File Number: | 13.09.01 |
| Attachment Reference: | NIL |

SUMMARY

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

BACKGROUND

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

COMMENT

The Principal Environmental Health Officer attends the Wyalkatchem office each Thursday.

HEALTH, BUILDING AND PLANNING ENQUIRIES

The PEHO completed a total of seven (7) health, building and planning related enquiries completed in February 2020.

FOOD PREMISES INSPECTION

The below food business was inspected for food safety standards in February as part of investigation into alleged sale of unsafe frozen food following a number of power outages.

- Wyalkatchem General Store

The proprietor has been advised accordingly and the premises will be monitored.

PUBLIC BUILDINGS INSPECTION

Nil.

RECYCLED WASTEWATER SAMPLING

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

SWIMMING POOL WATER SAMPLING

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

SHIRE OF WYALKATCHEM DISABILITY ACCESS AND INCLUSION PLAN 2020-2024

Under the Disability Services Act 1993 (amended 2004), all public authorities are required to develop, implement and review a Disability Access Inclusion Plan (DAIP) every five years.

Since the expiration of the Shire’s DAIP 2017-2019, the PEHO has reviewed and developed a draft Disability Access and inclusion plan for the next five years, 2020-2024. The Shire is committed to conducting an ongoing consultation and review of its services to ensure that where practicable services are accessible to people with disability, their families and carers. Council has been presented with a separated agenda to endorse the draft for community consultations.

STATUTORY ENVIRONMENT

Food Act 2008,
Public Health Act 2016
Health (Aquatic Facilities) Regulations 2007
WA Disability Services Act 1993 (amended 2004)

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: Healthy, Strong and connected communities

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

Objective: A prosperous and dynamic district

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council accept the Principal Environmental Health Officer Report for February 2020.

10.2.3. COMMUNITY GRANT APPLICATION

| | |
|-------------------------|-----------------------------------------------------------------|
| Applicant: | Wyalkatchem Men's Shed |
| Location: | Shire of Wyalkatchem |
| Date: | 11 March 2020 |
| Reporting Officer: | Taryn Dayman, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 15.02.02 |
| Attachment Reference: | Attachment 10.2.3 – Community Grant Application |

SUMMARY

For Council to consider Quick Response Grant applications received under the community grant program.

BACKGROUND

Community Grants opened in February 2020 under new community grant program guidelines which were developed aligned to Council Policy 9.3 – Community Assistant Grant Scheme.

The new guidelines includes the overall purpose of the grants program to provide a funding scheme that strengthens the involvement of community organisations in the development of services, management of facilities, events, arts and culture, tourism, promotion of health, supply of equipment, promotion of environmental sustainability and infrastructure in the community.

The Community Grant Program is focus on assisting groups in delivering the following:

1. Supporting Volunteers by building the capacity of local clubs and organisations with small equipment purchases;
2. Support Programs, activities and initiatives delivered by community groups;
3. Support community development initiatives;
4. Increasing the range of events, activities and services within the Shire;
5. Providing mentoring opportunities to community organisations to strengthen their organisation; and
6. Generating local economic activity, tourism, and development.

The new guidelines provided information on three (3) separate funding categories:

- Sponsorship – up to \$250 – open round
- Waiving of Fees – Up to \$1500 – open round
- Quick Response Grants – Up to \$2,000 – two rounds per annum.

Applications closed for the Quick Response grant on the 5 March 2020.

COMMENT

Council has received one (1) submission from the Wyalkatchem Men's Shed Inc. for a Wheelchair Accessible Toilet Project.

The project includes the removal of small toilets and the construction of one large wheelchair friendly toilet, including replacing wash basins and installation of a vanity, stainless steel trough and exhaust fans.

The project is estimated to cost \$9,433.78. The amount of \$2,000 is being requested, with the balance being the financial contribution of the Wyalkatchem Men’s Shed Inc. No other funding avenues have been disclosed.

The application has been assessed on the key selection criteria as follows

| Ref | Key Selection Criteria | Meets Requirements | Comments |
|-----|---------------------------------------------------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Alignment with the guidelines and eligibility criteria | ✓ | The application has demonstrated that the project meets the eligibility criteria and will provide a community benefit, in particular to age friendly communities. |
| 2 | Demonstration of the community need for the project | ✓ | The application has demonstrated the community need for the project. In particular the accessibility toilet will provide a benefit to Men Shed members as well as other members who utilise the facility. The inclusion of the accessibility toilet in a facility that is been used as a community purpose is also aligned to Council’s Disability and Inclusion Plan. |
| 3 | Benefit to the Wyalkatchem Community (i.e. contribution to community well-being) | ✓ | The project will have a direct benefit to Men Shed members and have the potential to increase members, allowing the men shed to attract new members and raise awareness of men’s health and wellbeing. |
| 4 | Alignment to the Shire of Wyalkatchem Strategic Community Plan goals and strategies | ✓ | The project has demonstrated that it is aligned to SCP - Healthy, strong and connected communities. |
| 5 | Capacity to make a significant financial or in-kind contribution to the project/event | ✓ | The estimated total cost of the project is \$9,433.78. The application is requesting a Council contribution of \$2,000, with the balance of \$7,433.78 being funded by the applicant. |
| 6 | Past funding history and profile of organisation | ✓ | There are no known issues relating to past Council funding to the applicant. |
| 7 | Levels of volunteer participation and wider community participation | ✓ | Members will assist in the overall project by painting the ablutions and moving the main door. |

The applicant has also met the application general conditions and has demonstration good planning practices and has obtained required quotations for the project (not supplied).

The guidelines specify that a lower priority will be given to projects where other funding avenues have been identified.

A project of this nature could be considered an eligible project under Lotterywest Community Investment Framework under the priority area of Active Healthy People – assisting our community to be more active and support initiatives which promote healthy lives.

The applicant should be encourage to seek this funding opportunity. Council support of this project, including financial support, will strengthen any funding applications that the Wyalkatchem Men’s shed in regards to this project.

The applicant has demonstrated the community benefit of this project which provides an increased priority assessment.

Council’s balance within the community grant budget allocation, will allow to provide the requested funding of \$2,000

It is recommended that Council approves a grant of \$2,000 for the Wheelchair accessible toilet project.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Council Policy 9.3 – Community Assistant Grant Scheme.

FINANCIAL IMPLICATIONS

Funding expenditure of \$2,000 within budget allocation

COMMUNITY & STRATEGIC OBJECTIVES

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

Objective: Healthy, strong and connected communities

| Outcome No. | Outcome | Action No. | Actions |
|-------------|-------------------------------------------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1 | Enhanced community well-being and participation in community life | 1.1.2 | Promote regional health solutions that are integrated with other governments and entities |
| | | 1.1.3 | Promote a collaborative and visionary approach to creating an aged friendly community that supports residents to remain in the community as long as possible |

| | | | |
|-----|------------------------------------------|-------|-----------------------------------------------------------------------------------|
| | | 1.1.5 | Support people with complex needs |
| 1.3 | Connected and effective community groups | 1.3.1 | Support and strengthen community organisations and networks |
| | | 1.3.2 | Encourage volunteering to create an active, confident and resilient |
| | | 1.3.3 | Initiate a Wyalkatchem Community Chest to support long term community initiatives |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council approves a grant of \$2,000 to the Wyalkatchem Men's Shed Inc. for the Wheelchair Accessible Toilet Project.

10.2.4. DRAFT DISABILITY ACCESS AND INCLUSION PLAN 2020-2025

| | |
|-------------------------|--------------------------------------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 March 2020 |
| Reporting Officer: | Peter Toboss – Principal Environmental Health Officer (PEHO) |
| Disclosure of Interest: | NIL |
| File Number: | 24.23 |
| Attachment Reference: | Attachment 10.2.4 – Draft DAIP 2020-2025 |

SUMMARY

For Council to consider endorsing the Shire of Wyalkatchem Draft Disability Access and Inclusion Plan (DAIP) 2020-2025 for Community Consultation.

BACKGROUND

Under the *WA Disability Services Act 1993 (amended 2004)*, all public authorities are required to develop, implement and review a Disability Access Inclusion Plan (DAIP) every five years. The Shire's DAIP 2017 - 2019 has been reviewed and a new DAIP 2020 - 2024 has been developed and Council has been requested to endorse the draft for community consultations

COMMENT

The *Disability Services Act 1993 (amended 2004)* requires all local governments to develop and implement a Disability Access and Inclusion Plan (DAIP) to assist in planning and implementing improvements to access and inclusion.

These plans can benefit many people in the community including people with disability, the elderly, parents and carers with young children, workers with trolleys and people from culturally and linguistically diverse backgrounds.

The Shire's DAIP meets the requirements of the Disability Services Act 1993. In later 2019, the PEHO undertook a review of the Shire's 2017 – 2019 DAIP and develop a new DAIP 2020–2025. This new DAIP includes strategies to address access barriers and promote inclusion, identified through the review and consultation with our community.

The Draft DAIP was then forwarded to the Department of Communities - Disability Services (formally Disability Services Commission) for compliance review and was deemed to be compliant. The new DAIP 2020-2025 will continue to focus on strategies to address physical access barriers to Shire facilities and services and in addition, to improve opportunities for people with a disability to be included within the Shire.

The Shire is required by the *Disability Services Act 1993 (amended 2004)* to develop and implement a Disability Access and Inclusion Plan (DAIP) and to report annually on the DAIP to the Department of Communities - Disability Services.

Once endorsed, the Draft DAIP will be advertised for Community consultation, seeking comments and feedback on the plan.

STATUTORY ENVIRONMENT

Local Government Act 1995.

Disability Services Act 1993 (amended 2004);

WA Equal Opportunity Act 1984 (amended 1988);

Commonwealth Disability Discrimination (DDA) Act 1992

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: Healthy, Strong and connected communities

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

Objective: A prosperous and dynamic district

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorses the Shire of Wyalkatchem Draft Disability Access and Inclusion Plan 2020 – 2025 (attachment 10.2.4) for community consultation.

10.3. WORKS AND SERVICES

10.3.1. MANAGER OF WORKS REPORT – FEBRUARY 2020

| | |
|-------------------------|--------------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 12 March 2020 |
| Reporting Officer: | Les Vidovich, Manager of Works |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 13.09.01 |
| Attachment Reference: | Nil |

SUMMARY

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

BACKGROUND

To inform Council of the activities of the Works and Services team during the month of February 2020.

COMMENT

Road Crew

Maintenance activity:

Culvert Cleaning occurred on Goldfields, Mcnee, Wyalkatchem North, Wallambin, Gamble, Martin, Chilman, Cowcowing West and Old Nalkain Roads between 3rd – 13th February.

Scoreboard Repair at Recreation Oval due to vandalism on 17th February

Tree Removal – 25th & 26th February for Martin, Harrison, Wyalkatchem Koorda, Wallambin, Mcnee and Elsegood Roads following storm event.

Maintenance grading:

Wallambin and Lackman Road were graded on 27th & 28th February following the rainfall received a few days prior.

Capital Projects:

A purchase order has been issued to Castle Civil to replace the culvert on the Cunderdin – Wyalkatchem Road at SLK 4.40, an exact commencement date is still to be advised at the time of writing this report.

CRC carpark reseal – Colas Bitumen Services have been appointed and are mobilising to site to commence the resealing on 16th March 2020.

Tammin – Wyalkatchem Road (SLK 22.60 – 25.36) – Widened and ready for seal, also scheduled for 16th March 2020 by Colas.

Martin Road Floodway (SLK 12.88 – 13.04) – Damaged as a result of the recent rainfall, the road remains closed until the site dries out. Cement Stabilisation and sealing of the Martin Road Floodway will now be aligned with the reconstruction of the Wyalkatchem Koorda Road and is proposed in early April.

Fulton Hogan have advised that they will be in town on Monday 30th March 2020 to rectify the failed seal works on the Tammin – Wyalkatchem Rd (SLK 27.37 to 28.41) which was completed last financial year.

Hobden Road – Completed re-sheeting works SLK 0.00 – 4.00

De Pierres Road – Completed re-sheeting works SLK 6.70 – 8.53

Parks / Town Services Crew

Town street verge maintenance, brush cutting and weed spraying.

Cemetery garden maintenance.

Grounds maintenance to shire owned housing assets.

Shire Admin garden maintenance.

Medical Centre garden maintenance.

Admin park mowing.

Lady Nova grounds maintenance.

Town Hall garden maintenance.

Pioneer Park rose pruning.

Railway Barracks grounds maintenance.

Rec Oval cricket wicket preparation.

Road House gardens maintenance.

Airport Gardens

Buildings

Gutter Cleaning for Council's buildings is scheduled for Thursday 2nd & Friday 3rd April.

Aerodrome

AMS have been appointed to complete an Aerodrome Safety Inspection and report, proposed assessment date is Friday 13th March 2020

Replacement of blown power box fuse by Western Power at Aerodrome.

Weekly aerodrome and lighting inspection carried out.

Waste Management

Weekly push up of deposited waste at Wyalkatchem's Landfill.

Plant – Servicing, Repairs and quotations

Purchase order issued to R&B Ford in Goomalling to changeover the Parks Leading Hands Vehicle

Liebherr Loader - Fault code removal and limp mode repair

Liebherr Loader - UHF Radio and Antenna Installation

Isuzu Fire Tanker Service and Truck Tyre Repair

Grader Indicator Globe replacement

Bobcat Oil Leak Repairs

General Items

Storm Water Management Strategy for the Wyalkatchem town site closed at 4pm on the 6th March 2020. Nine applications were received, these submissions are currently being assessed for determination.

The reallocation of the funds for the widening of 10kms on the Cunderdin – Wyalkatchem Road to the reconstruction of 1.5kms on the Wyalkatchem Koorda Road has been approved by the Regional Road Group. This new project is now underway with Councils machinery onsite.

No funds have been lost as a result of the change as the difference in costs between the two projects (Approximately \$50,000) has been approved for use on the Cunderdin – Wyalkatchem Road to obtain all necessary environmental approvals, including the flora identification survey for the full length of the road for future works.

The two shire owned traffic counters are currently placed on the Benjaberring South and Yorkrakine West Roads for vehicle usage statistics (Speed, class & numbers) these counters will be relocated onto other roads within the shire every 6 to 8 weeks for up to date data.

OSH

LGIS - Employee Melanoma and Skin Cancer Screening checks occurred Wednesday 19th February 2020.

Private Works

Transported and buried wrapped asbestos fence sheeting for a resident to Wyalkatchem's landfill site.

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.

Objective: A prosperous and dynamic district

| Outcome No. | Outcome | Action No. | Actions |
|-------------|----------------------------------------------------------|------------|-----------------------------------------------------------------------|
| 2.5 | Functional roads, traffic management and transport links | 2.5.1 | Long term functional roads, traffic management and transport strategy |

Objective: Well utilised and effectively managed facilities and assets

| Outcome No. | Outcome | Action No. | Actions |
|-------------|--------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------|
| 6.1 | Assets are well managed and used to meet the needs of current and future generations | 6.1.1 | Provide ongoing management of existing assets |
| 6.3 | Parks, playgrounds and reserves meet community needs | 6.3.1 | Develop and implement master plan for parks, playgrounds and reserves |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

10.4. PLANNING AND BUILDING

10.4.1. DEVELOPMENT APPROVAL APPLICATION – LOT 15732 (#186) WEST LAKE ROAD, WYALKATCHEM

| | |
|-------------------------|----------------------------------------------|
| Applicant: | TR Homes |
| Location: | Lot 15732 (#186) West Lake Road, Wyalkatchem |
| Date: | 10 March 2020 |
| Reporting Officer: | Paul Bashall, Planwest (WA) Pty Ltd |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 18.5.10 |
| Attachment Reference: | Nil |

SUMMARY

This report recommends that Council approves the DA for a Single House as submitted, subject to the conditions specified.

BACKGROUND

On 24th February 2020 a DA was received from TR Homes. The DA was accompanied by a covering letter, application form, certificate of title, drawings and site plan, a colour schedule and a BAL (Bushfire Attack Level) report.

COMMENT

Location

The property is located on the western edge of a large rural property located about 1.6 kilometres east of Wyalkatchem town site boundary as shown in **Figure 1**. The red circle indicates the area of the proposed single house. In this area there is a cluster of rural farm buildings and infrastructure.

The Lot is nearly 355 hectares and is used for agricultural purposes. It is almost devoid of vegetation and appears to have 3 dams on the property. The nearest other house is located on abutting triangular shaped property (Lot 25467) shown on the west side of the red circle. The cadastre and aerial photographs are sourced from Landgate.

Local Planning Scheme

The land is zoned 'Rural' in the Local Planning Scheme No 4 (the Scheme). A Single House is a permitted use in this zone. **Figure 2** shows the zoning of the property.

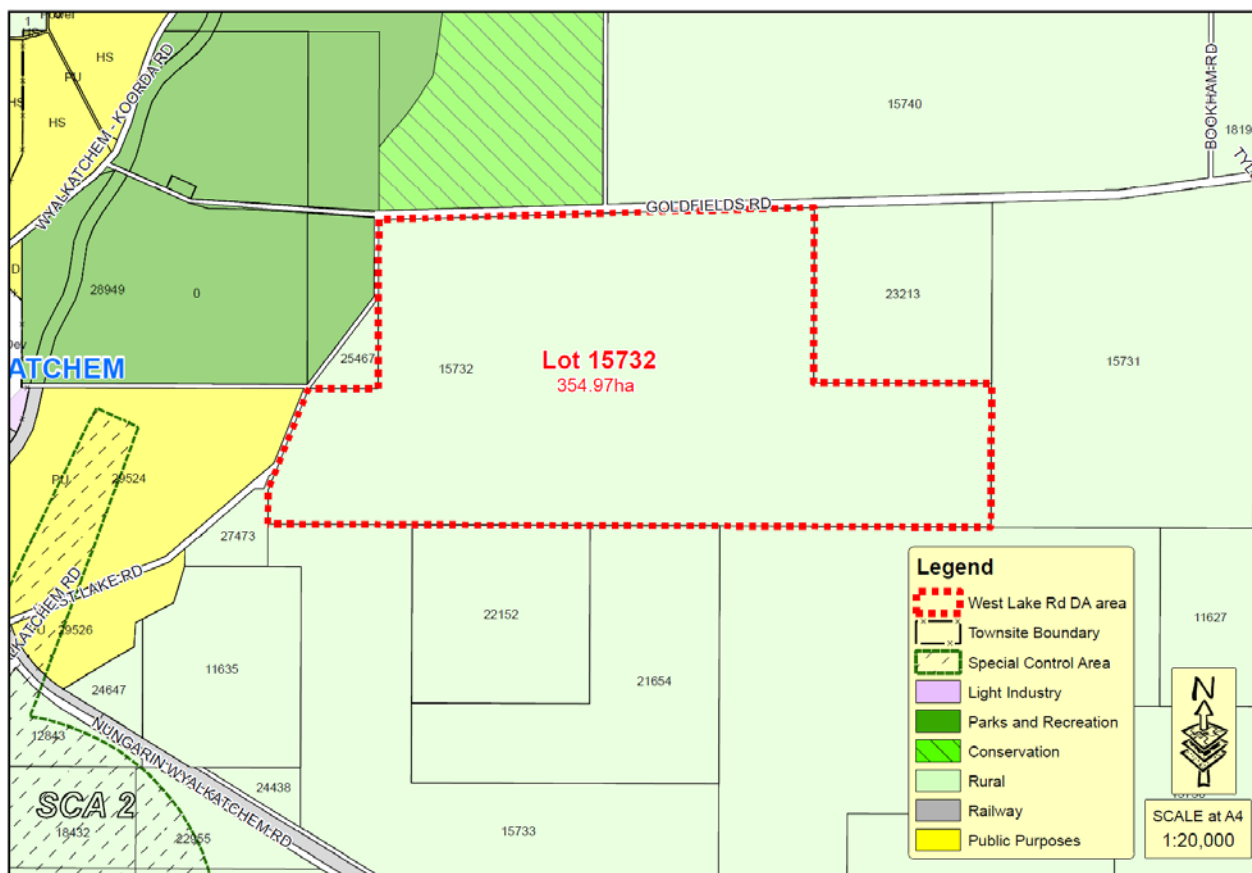
The Deemed Provisions (of the Planning and Development (Local Planning Schemes) Regulations 2015) exempt a single house from requiring a DA where the development complies with the R-Codes (Residential Design Codes).

A Grouped Dwelling is not a permitted use in a 'Rural' zone. A grouped dwelling is where more than one single house occurs on a single lot. These traditionally used to be strata buildings like duplexes or triplexes but are now referred to as grouped dwellings.

FIGURE 1 – LOCATION PLAN

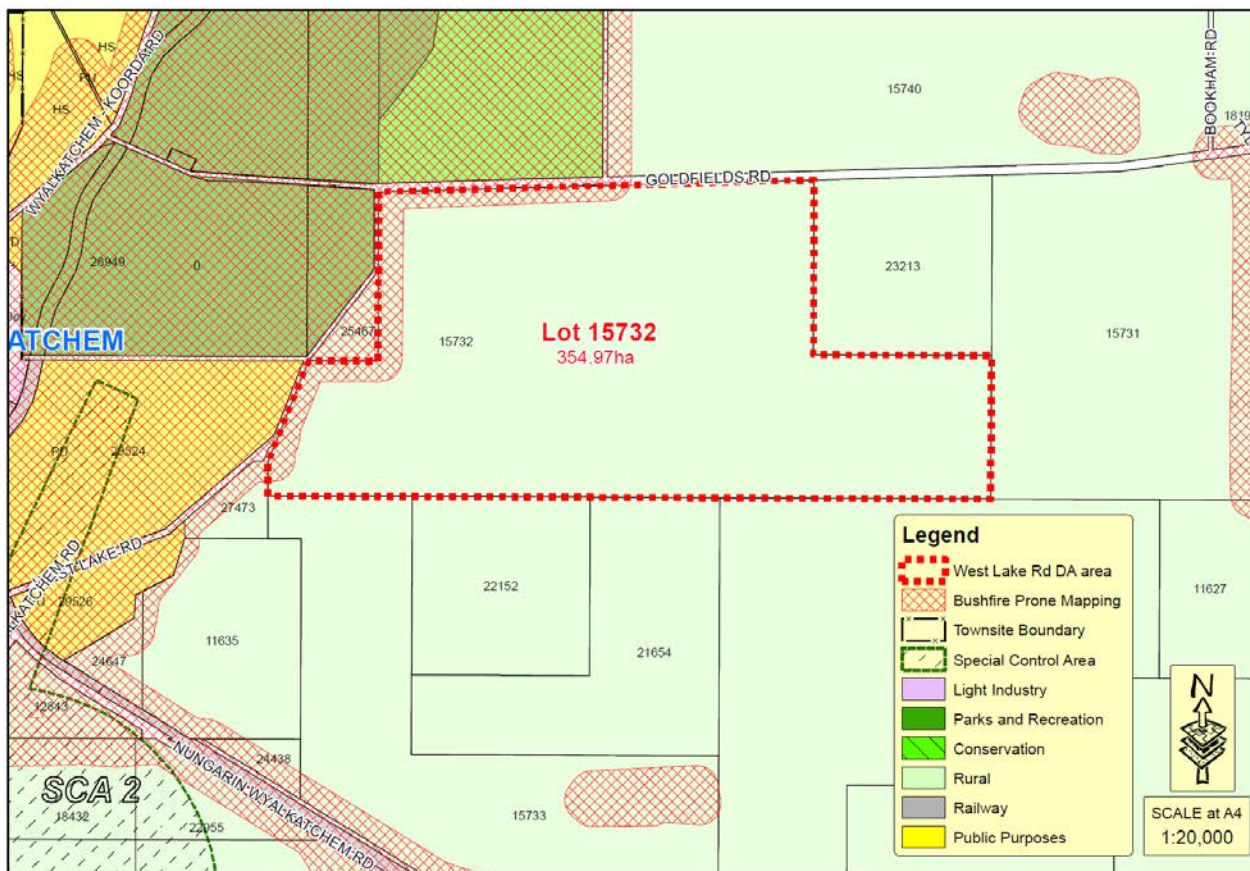


FIGURE 2 – SCHEME MAP EXTRACT



Notwithstanding this exemption, the deemed provisions then call in these DAs where the land is shown within the Bushfire Prone Mapping. **Figure 3** shows how the land (and house site) are affected by this Bushfire Prone Mapping.

FIGURE 3 – BUSHFIRE PRONE MAPPING



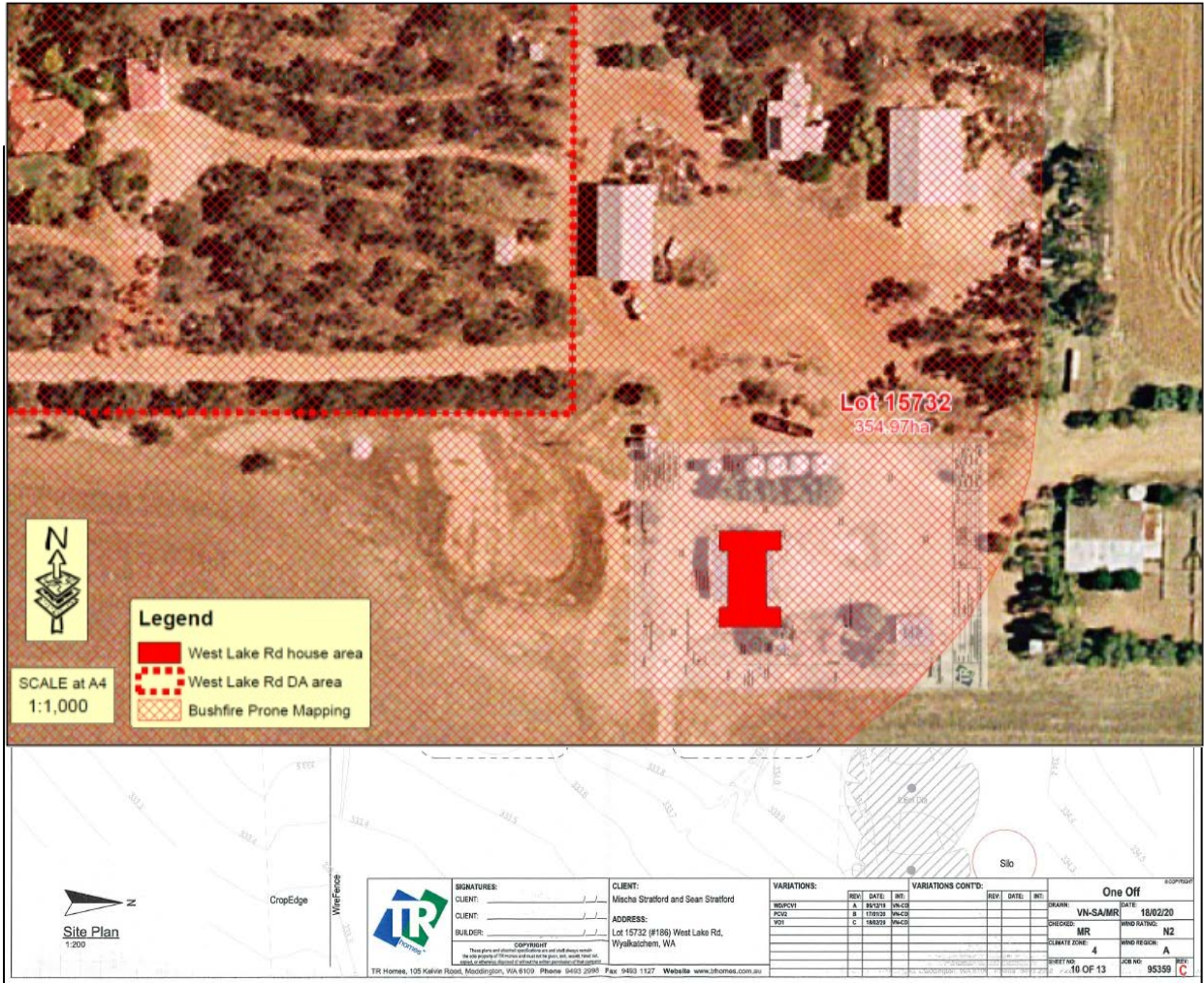
Site and House Plans

The applicant has provided a site plan that locates the proposed house within about 42m of the bushland that is the source of the Bushfire Prone Mapping extent in this area.

Figure 4 shows the proposed location of the house in relation to the property boundary, other development on the site and the house on the neighbouring property. It has been confirmed that there is no existing house, this is important as the Council has no power to approve a second dwelling on the site. Advice from the applicant advises that there are **no other habitable dwellings on the Lot**.

Regardless of this advice it is recommended that a condition be imposed that only a single house is permitted on the Lot. There are several buildings marked on the DA drawings that indicate proposed demolitions, however the Council (at the time of writing) is not in receipt of any such application. Figure 5 shows the layout of the house, leach drains, septic tanks and other services as submitted in the DA.

FIGURE 4 – HOUSE SITE PLAN



Bushfire Attack Level (BAL)

The applicant has had a BAL assessment certificate completed that identifies the proposal as being within a BAL 19 area. This has building code implications that will need to be addressed in the application for a building license.

Discussion

The proposed house appears to be composed of 4 modules – very much like transportables – however the elevations clearly show that, if these are transportables, they do not look like them. The elevations show pitched rooves, gables and verandahs of Colorbond material. There is no description of the wall material. As this house is not in the town site and will barely be visible from a public place, this is not considered an issue.

Access to the site appears to be through the adjoining Lot (25467). This is not considered to be an issue.

The plans show water and power supplies as being available.

Consultation

- Environmental Health Officer
- Paul Bashall – Planwest, Town Planning Consultant
- Taryn Dayman, Chief Executive Officer

STATUTORY ENVIRONMENT

*Planning and Development Act 2005
Shire of Wyalkatchem Local Planning Scheme No 4*

POLICY IMPLICATIONS

The Local Planning Policy (LPP) relating to ‘Moveable Buildings’ indicates that the Council does not support the use of moveable buildings in the town site area, however each application will be assessed on its merits. This proposed house is not within the town site boundary.

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: A sustainable natural and built environment

| Outcome No. | Outcome | Action No. | Actions |
|-------------|----------------------------------------------------|------------|---------------------------------------------|
| 3.1 | Inter-generational land use, planning and delivery | 3.1.1 | Maintain an effective Local Planning Scheme |

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That the Council approves the DA application subject to the following conditions:

- (i) The proposed house remains the only house on the Lot.*
- (ii) The house is to comply with the BAL 19 construction standards.*

10.4.2. WYALKATCHEM MEN'S SHED – PLANNING APPROVAL

| | |
|-------------------------|--------------------------------------------------------------------------------|
| Applicant: | Wyalkatchem Men's Shed Incorporation |
| Location: | Lot 57, 36 Flint Street, Wyalkatchem |
| Date: | 11 March 2020 |
| Reporting Officer: | Taryn Dayman, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 18.05.08 |
| Attachment Reference: | Attachment 10.4.2 – Wyalkatchem Men's Shed – Planning Approval |

SUMMARY

That Council considers the granting development approval (DA), in principal, to the Wyalkatchem Men's Shed Incorporation to operate a Container Deposit Scheme Refund Point from Lot 57, 36 Flint Street, Wyalkatchem.

BACKGROUND

On the 11 March 2020 a Development Approval Application was received from the Wyalkatchem Men Shed Inc. seeking approval to operate a Container Deposit Scheme Refund point from Lot 57, 36 Flint Street, Wyalkatchem.

The McGowan Government made an election commitment to implement a container deposit scheme (CDS) to reduce litter and increase incentives for recycling.

The establishment of Western Australia's new container deposit scheme delivers on this election commitment.

The new container deposit scheme will commence on Tuesday June 2 2020.

The Wyalkatchem Men's Shed has successfully applied to become a refund point operator, being one of 26 refund points selected in the Wheatbelt Region of WA and therefore seeks development approval to operate the Container Deposit Scheme (CDS) Refund Point from Lot 57, 36 Flint Street, Wyalkatchem.

The proposed activity is outlined in attachment 10.4.2 and includes the following points

- The receipt and dispatch point will be located behind 57 Flint Street, within the back lane.
- Receiving of containers is required to adhere to strict guidelines, which includes receiving of empty containers (not containing any food or liquids).
- Containers will be stored in either enclosed cages or sealed bulk bags until collection by a logistic provider.
- Increase security measures will be put in place.
- Traffic Management will be considered.

COMMENT

The application proposes to operate a Container Deposit Scheme (CDS) Depot at the Wyalkatchem Men’s Shed on Lot 57, 36 Flint St Wyalkatchem. The land is zoned ‘Residential’ in the Local Planning Scheme No 4 (the Scheme).



These 3 x lots are zoned Public Purposes – Civic and Cultural under the scheme

These 4 x lots are zoned Residential under the scheme



Lot 57, Flint Street Zoned Residential under the scheme

In September 2015 Council approved the development of a class 7B workshop for the Wyalkatchem Men’s Shed, which incorrectly referenced the zoning as civic and cultural. The approval was based on defining the men’s shed as a ‘community purpose’.

The scheme does not provide a definition for ‘community purpose’. From the Model Scheme text, the definition of ‘community purpose’ is:

community purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.

In the absence of a definition within the Shire’s scheme, the abovementioned definition will be referred to in regards to considering this application under ‘community purpose’.

In accordance with Australian Men’s Shed Association (AMSA), Men’s sheds are a community-based, non-profit, non-commercial organisation that is accessible to all men and whose primary activity is the provision of a safe and friendly environment where men are able to work on meaningful projects.

On the bases that previous application has been referenced as ‘community purpose’ and the activity and objective is in line with the ‘community purpose’ definition, the current proposal has been assessed on the same principal, while still having regard to the objective of residential zone as defined under the scheme.

The scheme’s table 1 – Zoning table, cross references a ‘community purpose’ within a residential zone property with an ‘A’

| | RESIDENTIAL | |
|-----------------------------------|-------------|--|
| Essential service utility | D | |
| Funeral parlour | X | |
| Telecommunications infrastructure | D | |
| Veterinary centre | X | |
| INDUSTRY | | |
| Fuel depot | X | |
| Industry - cottage | A | |
| Industry - extractive | X | |
| Industry - general | X | |
| Industry - light | X | |
| Industry - mining | X | |
| Industry - rural | X | |
| Industry - service | X | |
| Motor vehicle repair | X | |
| Storage | X | |
| Warehouse | X | |
| CIVIC AND COMMUNITY | | |
| Child care premises | X | |
| Civic use | D | |
| Club premises | D | |
| Community purpose | A | |
| Educational establishment | X | |
| Exhibition centre | X | |
| Family day care | A | |
| Hospital | X | |
| Place of worship | A | |
| Recreation - private | D | |
| PUBLIC | | |

The 'A' symbols used in the cross-reference in the Zoning table has the following meaning:

'A' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4;

Clause 9.4 refers to the regulations in regards to advertising requirements.

In addition to the special notice, it is recommended that residential property owners in the immediate vicinity be directly consulted and advised of the proposed development and activities, providing the neighbours an opportunity to raise any objections or concerns.

On the completion of the advertising, consideration of any objections, comments or concerns need to be taken into consideration on the final assessment of the application.

The CDS will be operational on 2 June 2020, to allow for the Wyalkatchem Men's Shed to be operational by this time, advice on the development approval application outcome is required as soon as possible.

Should Council grant the application, in principal, then proceed with advertising, the application would not be considered until the next Council meeting in May.

To allow for a timely decision, Council may want to provide the Chief Executive Officer delegated authority to determine the application, should there be no significant objections or concerns raised. In the event that the Chief Executive Officer deems that that Council needs to consider the submissions, then the matter may need be considered at a special meeting.

When considering the application, in particular the proposed use within a residential area, Council should have regard to the following matters, which may impact residential property owners;

- Traffic Management – including traffic flow and parking
- Noise Management
- Health Management – including vermin and odour
- Impact on the residential streetscape and amenity of the area

Council may want to consider applying conditions to the planning approval to mediate the possible impacts of the above.

Should Council proceed with granting planning approval, the following conditions are recommended.

- Hours of operation are limited to
Monday to Saturday 7.30am to 5.30pm
Sunday 9pm to 5pm
Public holidays 9pm to 5pm.
- Appropriate measures are in place to prevent noise, odour and vermin infestation to the satisfaction of the Council.
- A traffic management plan to the satisfaction of the Council.
- Approval is granted for a period of 12 months.

The CDS is a new initiative and therefore the operations have yet to be tested and could evolve. Council may want to give a 12 month approval, to allow for the application to be re-assessed after 12 months of operation.

With the current use and activities of the Wyalkatchem Men's Shed, which could be considered as a long term continual use for the property, Council may want to consider rezoning as part of any future re-zoning process.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Wyalkatchem Town Planning Scheme No. 4

Local Government Act 1995, section 5.42(a)

POLICY IMPLICATIONS

There are no 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 Council desired outcome as expressed in the revised Shire of Wyalkatchem Strategic Community Plan

Objective: A well-managed and effective Council organisation

| Outcome No. | Outcome | Action No. | Actions |
|--------------------|--------------------------------------------------------|-------------------|-------------------------------------------|
| 5.1 | A well-governed, efficient and responsive organisation | 5.1.1 | Implement effective governance structures |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council

1. *Advertise the development approval application to operate a Container Deposit Scheme Refund Point from Lot 57, 36 Flint Street, Wyalkatchem in accordance with the Scheme.*
2. *Following the advertising period, give delegated authority to the Chief Executive Officer to determine the development approval application for the Wyalkatchem Men's Shed to operate a Container Deposit Scheme Refund Point from Lot 57, 36 Flint Street, Wyalkatchem providing;*
 - a. *No objections are received.*
 - b. *No significant negative feedback or comments are received.*
 - c. *That a determination may include the following conditions*
 - i. *Hours of operation for the Deposit Scheme Refund point shall be limited to:*
 - Monday to Saturday 7.30am to 5.30pm
 - Sunday 9pm to 5pm
 - Public holidays 9pm to 5pm.

- ii. Appropriate measures are in place to prevent noise, odour and vermin infestation to the satisfaction of the Council.
- iii. Traffic management plans are in place to the satisfaction of the Council.
- iv. Approval is for a period of 12 months expiring 02 June 2021.

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

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