



# AGENDA

## ORDINARY COUNCIL MEETING



Photos courtesy of Rod Kerr

**27 August 2020**

Commencing at 4pm 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 27 August 2020 in the Council Chambers, 27 Flint Street Wyalkatchem, commencing at 4pm.

An Agenda for this meeting will be made available from the Shire Administration Office and on our website [www.wyalkatchem.wa.gov.au](http://www.wyalkatchem.wa.gov.au)

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

**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.*

## **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**

It was advised that Ian Ashelford passed away. Ian was an exceptionally long standing employee of the Shire of Wyalkatchem as Works and Shire Foreman, for 32 years. Ian is known to have loved his roads and many councillors, employees and members of the Community would have crossed his path.

**5. PETITIONS, DEPUTATIONS, PRESENTATIONS**

**5.1. Petitions**

**5.2. Deputations**

**5.3. Presentations**

**6. DECLARATIONS OF INTEREST**

**6.1. Financial and Proximity Interest**

**6.2. Impartiality Interests**

**7. CONFIRMATION AND RECEIPT OF MINUTES**

**7.1. Confirmation of Minutes**

**7.1.1. Ordinary Meeting of Council – 16 July 2020**

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 16 July 2020 (Attachment 7.1.1)

**OFFICER RECOMMENDATION:**

*That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 16 July 2020 (Attachment 7.1.1) be confirmed as a true and correct record.*

**7.1.2. Special Meeting of Council – 18 August 2020**

Minutes of the Shire of Wyalkatchem Special Meeting held on Tuesday 18 August 2020 (Confidential Attachment 7.1.2 under separate cover).

**OFFICER RECOMMENDATION:**

*That the minutes of the Shire of Wyalkatchem Special Meeting of Council of Tuesday 18 August 2020 (Attachment 7.1.2 under separate cover) be confirmed as a true and correct record.*

**7.2. Receipt of Minutes**

**7.2.1. NEWROC Council Minutes – 23 June 2020**

Minutes of the NEWROC Executive Meeting held on Tuesday 23 June 2020 (Attachment 7.2.1)

**OFFICER RECOMMENDATION:**

*That the minutes of the NEWROC Executive Meeting of Tuesday 23 June 2020 (Attachment 7.2.1) be received by Council.*

**7.2.2. NEWTRAVEL General Meeting Minutes – 23 July 2020**

Minutes of the NEWTRAVEL General Meeting held on Thursday 23 July 2020 (Attachment 7.2.2)

**OFFICER RECOMMENDATION:**

*That the minutes of the NEWTRAVEL General Meeting of Thursday 23 July 2020 (Attachment 7.2.2) be received by Council.*

**7.2.3. NEWROC Executive Minutes – 28 July 2020**

Minutes of the NEWROC Executive Meeting held on Tuesday 28 July 2020 (Attachment 7.2.3)

**OFFICER RECOMMENDATION:**

*That the minutes of the NEWROC Executive Meeting of Tuesday 23 June 2020 (Attachment 7.2.1) be received by Council.*

**8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

**9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**9.1. Item 14.1 CEO Recruitment Process**

## 10. REPORTS

### 10.1. CORPORATE AND COMMUNITY SERVICES

#### 10.1.1. ACCOUNTS FOR PAYMENT – JULY 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	17 August 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 – July 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 July 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 \$50,000.27.

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	16882	16883
Municipal & Trust	EFT	EFT576	EFT577
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**

<b>Outcome No.</b>	<b>Outcome</b>	<b>Action No.</b>	<b>Actions</b>
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 July 2020:*

- 1. Cheque 16883 payments in the Municipal Fund totalling \$ 115.60;*
- 2. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$299,454.93;*
- 3. Direct Debit (DD) payments in the Municipal Fund totalling \$13,649.71;*
- 4. Payroll Journal (JNL) payments in the Municipal Fund totalling \$58,155.71;*
- 5. Total payments for the month of July 2020 being \$371,375.95.*

### 10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS – JUNE/ JULY 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	17 August 2020
Reporting Officer:	Tegan Maitland
Disclosure of Interest:	No interest to disclose
File Number:	File Ref: 12.10.02
Attachment Reference:	Attachment 10.1.2.1 – Credit Cards – June 2020 Attachment 10.1.2.2 – Credit Cards – July 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 May 2020 to 28 July 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

#### **Objective: A well-managed and effective Council organisation**

<b>Outcome No.</b>	<b>Outcome</b>	<b>Action No.</b>	<b>Actions</b>
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 10.1.2.1 and 10.1.2.2, endorse credit card payments made for the period 29 May 2020 to 28 July 2020 totalling \$188.00.*

**10.1.3. MONTHLY FINANCIAL REPORT – JULY AND AUGUST 2020**

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	21 August 2020
Reporting Officer:	Manager of Corporate services - Ally Bryant
Disclosure of Interest:	No interest to disclose
File Number:	12.02.02
Attachment Reference:	Nil

**SUMMARY**

For Council to note that due to the adoption of the 2020-2021 budget pending, there will not be a monthly financial report for the period ending 31 July 2020.

July and Augusts reports will be made available in the September ordinary meeting of Council.

## 10.2. GOVERNANCE AND COMPLIANCE

### 10.2.1 CHIEF EXECUTIVE OFFICER REPORT – JULY 2020

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	20 August 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

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

- Shire of Merredin CEO – CEACA
- Shire of Dowerin CEO – Resource sharing
- Manager of Corporate Services interviews
- Ashley Richards et al – Recycling of derelict buildings
- CRC Board meeting (post event)
- Friends of the Cemetery – Cemetery improvements
- NEWHealth Meeting (Bencubbin) – Mukinbudin withdrawal
- Wyalkatchem Health Service - Subin Daniel
- Manager of Works Interviews
- Council Meeting
- Hon. Mia Davies
- CSSRF Meeting (Northam) – Tennis Courts claim process
- Council introduction to Megan Shirt
- NEWROC Executive (Bencubbin)

In the month of August 2020 the Acting CEO has attended or will attend the following meetings and events.

- NEW Health Council Meeting
- Rotary representatives re place markers
- Budget Workshop x 2
- Pioneers Pathway 100 year event
- NEWROC Council
- Dinner with WALGA, Koorda and Dowerin reps
- WALGA Zone Meeting
- Council Meeting

**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 Acting CEO's report for the month of July 2020.*



### 10.2.2. PRINCIPAL ENVIRONMENTAL HEALTH OFFICER REPORT

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	18 August 2020
Reporting Officer:	Peter Toboss – Principal Environmental Health Officer
Disclosure of Interest:	NIL
File Number:	13.09
Attachment Reference:	NIL

#### SUMMARY

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

#### BACKGROUND

The report provides insight into the important tasks undertaken by the Principal Environmental Health Officer (PEHO) on Monthly basis.

#### COMMENT

The Principal Environmental Health Officer attends the Wyalkatchem office each Thursday. The following meetings and events were attended in the month of July 2020:

- Accredited Building Surveying & Construction Services Pty Ltd
- Planning Development meeting – Land use

#### HEALTH, BUILDING AND PLANNING ENQUIRIES

The PEHO completed a total of nine (9) health, building and planning related enquiries completed in July 2020.

#### FOOD PREMISES INSPECTION

Nil

#### 2019-2020 FOOD ACT 2008 AND PUBLIC HEALTH ACT 2016 LOCAL GOVERNMENT REPORTING REQUIREMENTS.

The PEHO completed the online reporting to the Department of Health. Local Government enforcement agencies are required to report to the Department of Health on their performance of functions under the *Food Act 2008* (Food Act) (as required by section 121) and the *Public Health Act 2016* (Public Health Act) (as required by section 22). All responses submitted will assist the Department of Health in determining how public health risks should be managed in Western Australia and the way forward under the Public Health Act.

#### RECYCLED WASTEWATER SAMPLING

In July, the PEHO respectively 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 July met the required standards.

#### **PRIVATE SWIMMING POOL INSPECTION**

The PEHO inspected 4 private swimming pool fences and gates for compliance with the Building Regulations 2012. The inspections returned good results.

#### **DISABILITY ACCESS AND INCLUSION PLAN (DAIP)**

The *Disability Services Act 1993* sets out the minimum reporting requirements for public authorities in relation to DAIPs. The Shire of Wyalkatchem will continue report on the implementation of its DAIP through the annual report and the prescribed proforma to the Disability Services Commission each year, outlining:

- Progress towards the desired outcomes of its DAIP;
- Progress of its agents and contractors towards meeting the seven desired outcomes; and
- The strategies used to inform its agents and contractors of its DAIP.

The Shire of Wyalkatchem DAIP progress reporting 2019/20 was completed and forwarded to the department prior to due date.

#### **SEPTIC APPLICATION FOR LOT 15732 WEST LAKE ROAD, WYALKATCHEM.**

The PEHO completed the first assessment and approval of a septic application for development of a single dwelling house on lot 15732 West Lake Road, Wyalkatchem.

#### **STATUTORY ENVIRONMENT**

*Public Health Act 2016*

*Food Act 2008*

*Shire of Wyalkatchem Local Planning Scheme 4.*

#### **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**

<b>Outcome No.</b>	<b>Outcome</b>	<b>Action No.</b>	<b>Actions</b>
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 July 2020.*