



**MINUTES
OF THE
ORDINARY MEETING
OF COUNCIL
HELD ON
TUESDAY 25 JUNE 2024**

**Council Chambers
Honour Avenue
Wyalkatchem**

Commencement: 3:12pm

Closure: 4:44pm

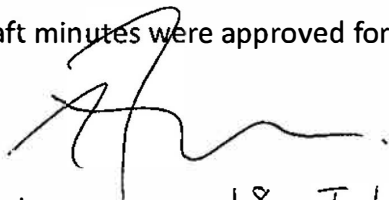
Preface

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 draft minutes were approved for distribution on 2 July 2024.



Sabine Taylor
Chief Executive Officer

18 July 2024.

Confirmed Minutes

These minutes were confirmed at the Ordinary Meeting of Council held 18 July 2024.
Amendments/ Notes have been added.

Signed:  18 July 2024

**Cr Garner, Shire President and Presiding Member
Shire of Wyalkatchem**

DISCLAIMER

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

DISCLOSURE OF INTEREST

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

Financial Interest:

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

Proximity Interest:

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

Impartiality Interest:

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

Disclosing an Interest:

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

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

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1. DECLARATION OF OPENING

Shire President, Cr Garner, declared the meeting open at 3:12pm.

2. PUBLIC QUESTION TIME

2.2. Response to Public Questions Previously Taken on Notice

Nil Received.

2.3. Declaration of Public Question Time opened

Public Question Time opened at 3:12pm.

1. Mr Cook raised a question as to the employment status of a Shire employee.
The CEO explained that she was unable to respond to the question due to the subject being a confidential operational management matter. * Amended as per OMC 7.1.1 18/07/2024
2. Mr Gamble questioned a budget matter.

After discussion with Cr Garner, Mr Gamble apologised for misinterpreting the information he was questioning.

Mr Gamble questioned the term “operational”.

Cr Garner responded that an operational matter was a matter under the responsibility of the CEO’s employment contract relating to the day to day running of the Shire business and management of staff.

Cr Garner confirmed that operational matters are not for Councillor or the public’s discussion.

3. Mr Hammond raised that his previous questions had not yet been responded to.

The CEO explained that she was arranging an in-person meeting with the Works team to ensure the detail was correct and apologised for the delay.

4. Ms Mohammed raised concerns regarding two cats that had been left behind when her neighbours moved.

Cr Garner requested she provide the name and address of the property to the administration team in order that they may follow up on the matter with the Ranger.

2.4. Declaration of Public Question Time closed

Public Question Time closed at 3:24pm.

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

3.2. Attendance

Cr. Owen Garner	Shire President
Cr. Christy Petchell	Deputy President
Cr. Mischa Stratford	
Cr Christopher Loton	
Cr. Tracy Dickson	Approved via TEAMS
Cr. Justin Begley	
Cr. Rod Lawson Kerr	

Staff:

Sabine Taylor	Chief Executive Officer
Stephanie Elvidge	Governance Executive Officer
Allister Butcher	Consultant - Works

Visitors:

Stephen Gamble – *left the meeting at 3:44pm*
Will Nightingale – *left the meeting at 4:30pm*
Matt Cook – *left the meeting at 3:44pm*
Russell Wood – *left the meeting at 3:44pm*
Ken Hammond – *left the meeting at 4:47pm*
Roslyn Mohammed – *left the meeting at 4:47pm*

3.3. Apologies

Claire Trenorden	Manager of Corporate Services
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3.4. Approved Leave of Absence

Terry Delane	Manager of Works
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3.5. Applications for Leave of Absence

Nil

4. OBITUARIES

It was advised that Margaret Warr, a long-term nurse at the hospital and long-term employee of the Shire of Wyalkatchem had passed.

It was advised that Murray Harris, an ex-farmer of Wyalkatchem had recently passed.

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.2. Petitions

Nil

5.3. Deputations

Nil

5.4. Presentations

Nil

6. DECLARATIONS OF INTEREST

6.2. Financial and Proximity Interest

Nil

6.3. Impartiality Interests

Nil

7. CONFIRMATION AND RECEIPT OF MINUTES

7.1. Confirmation of Minutes

7.1.1. Ordinary Meeting of Council – 16 May 2024

Minutes of the Shire of Wyalkatchem Ordinary Meeting of Council held on Thursday 16 May 2024 (Attachment 7.1.1).

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(85/2024) Moved: Cr Stratford

Seconded: Cr Lawson Kerr

That the minutes of the Shire of Wyalkatchem Ordinary Meeting of Council of Thursday 16 May 2024 (Attachment 7.1.1) be confirmed as a true and correct with the addition of the following administrative notes as discussed.

- a) Cr Stratford proximity interest to be noted as declared at the time of the item referred as was Mr Delane.*
- b) Cr Stratford requested a note to acknowledge that item 11.1 was not 'put'.*
- c) Cr Stratford requested the CEO report re 11.1 be attached.*
- d) Cr Loton seconded the request re item 11.1 CEO report to be attached.*
- e) Cr Petchell noted that Mr Hammond had left at 5:30pm.*

CARRIED 7/0

7.1.2. Special Meeting of Council – 27 May 2024

Minutes of the Shire of Wyalkatchem Special Meeting of Council held on Monday 27 May 2024 (Attachment 7.1.2).

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(86/2024) Moved: Cr Stratford

Seconded: Cr Petchell

That the minutes of the Shire of Wyalkatchem Special Meeting of Council of Monday 27 May 2024 (Attachment 7.1.2) be confirmed as a true and correct record on condition that Cr Garner, CEO and Ms Elvidge movements be recorded as requested by Cr Stratford.

CARRIED 7/0

7.1.3. Special Meeting of Council – 6 June 2024

Minutes of the Shire of Wyalkatchem Ordinary Meeting of Council held on Thursday 6 June 2024 (Attachment 7.1.3).

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(87/2024) Moved: Cr Petchell

Seconded: Cr Begley

That the minutes of the Shire of Wyalkatchem Special Meeting of Council of Monday 6 June 2024 (Attachment 7.1.3) be confirmed as a true and correct record.

CARRIED 7/0

7.2. Receipt of Minutes

7.2.1. NEWROC – 28 May 2024

Minutes of the NEWROC Council Meeting held on Tuesday 28 May 2024 (Attachment 7.2.1).

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(88/2024) Moved: Cr Petchell

Seconded: Cr Stratford

That the minutes of the NEWROC Council Meeting held on Tuesday 28 May 2024 (Attachment 7.2.1) be received.

CARRIED 7/0

7.2.2. Pioneer's Pathway Stakeholders Meeting – 12 June 2024

Minutes of the Pioneer's Pathway Stakeholders Meeting held on Wednesday 12 June 2024 (Attachment 7.2.2).

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(89/2024) Moved: Cr Lawson Kerr

Seconded: Cr Begley

That the minutes of the Pioneer's Pathway Stakeholders Meeting held on Wednesday 12 June 2024 (Attachment 7.2.2) be received.

CARRIED 7/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

10.REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – MAY 2024

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Parul Begum
Disclosure of Interest:	No interest to disclose
File Number:	12.10.02
Attachment Reference:	Attachment 10.1.1 – Accounts for Payment – May 2024

SUMMARY

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

BACKGROUND

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

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

COMMENT

The payment listing for May 2024 is presented to Council for endorsement.

MARCH 2024

Bank Account	Payment Type	Last Number	First Number in the report
Municipal and Trust	EFT	EFT 3746	EFT 3667
DD	DD	DD 3290.1	DD 3229.1

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations, S13.1

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2023/2024 Annual Budget.

COMMUNITY and STRATEGIC OBJECTIVES

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(90/2024) Moved: Cr Loton

Seconded: Cr Petchell

That Council endorse the total payments for the month of May 2024 being \$266,881.40 which comprised of:

- 1. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$228,804.98;*
- 2. Direct Debit (DD) payments in the Municipal Fund totalling \$38,076.42.*

CARRIED 7/0

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARD – APRIL 2024

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Parul Begum, Finance Officer
Disclosure of Interest:	No interest to disclose
File Number:	File Ref: 12.10.02
Attachment Reference:	Attachment 10.1.2 – Credit Card – April 2024

BACKGROUND

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

COMMUNITY & STRATEGIC OBJECTIVES

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

Goal - Transparent, accountable and effective governance.

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(91/2024) Moved: Cr Petchell *Seconded: Cr Begley*
That Council endorses credit card payments for the period 29 March to 29 April 2024, totalling \$2,243.77 (refer to attachment 10.1.2).

CARRIED 7/0

10.1.3. MONTHLY FINANCIAL REPORT – MAY 2024

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Claire Trenorden, Manager of Corporate Services
Disclosure of Interest:	No interest to disclose
File Number:	25.08
Attachment Reference:	Attachment 10.1.3 – Monthly Financial Report May 2024

BACKGROUND

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

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

COMMENT

The attached report includes:

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

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

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

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

STATUTORY ENVIRONMENT

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

Local Government (Financial Management) Regulations, R34

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Total Cash Available as at 31 May 2024 is \$3,468,720;

- cash available is made up of unrestricted cash \$62,270 (1.80%) and
- restricted cash \$3,406,450(98.20%).

Rates Debtors balance as at 31 May 2024 is \$68,831 and Rates Notices for 2023-24 were issued in July 2023. Rates collected as at end of May 2024 was \$1,444,202 - 95%.

May 2024: Operating Revenue – Operating revenue of \$2,632,074 is made up of Rates - 54%, Grants - 17%, Fees and Charges - 11%, Interest earnings – 8%, profit on asset disposals – 10% and other – 0%.

Operating Expenses – Operating expenses of \$5,646,989 is made of Employee Costs – 24%, Materials and Contracts – 28%, Depreciation – 42%, Insurance – 3% and Utility – 3% and Other Charges – 0%.

COMMUNITY AND STRATEGIC OBJECTIVES

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

Goal: Transparent, accountable and effective governance.

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(92/2024) Moved: Cr Begley

Seconded: Cr Petchell

That Council accepts the Statements of Financial Activity for the month ending 31 May 2024 (refer attachment 10.1.3).

CARRIED 7/0

10.2. WORKS AND SERVICES

10.2.1. WORKS OFFICER'S REPORT MAY 2024

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Jennie Gorham, Admin/Leading Hand & Eric Anderson, Leading Hand.
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Nil

BACKGROUND

To inform Council of the activities of the Works and Services team during the period May - June 2024.

OVERVIEW

The Manager of Works is currently on leave. In his absence Jennie Gorham, Admin/Leading Hand and Eric Anderson, Leading Hand are jointly the Acting Manager of Works.

On Monday 17 June, 2024 management engaged a consultant, Allister Butcher from Rural Infrastructure Services, to assist in identifying areas which will improve process and procedures on programs in relation to road construction, maintenance, footpaths, drainage, infrastructure, parks, gardens, waste management and property.

Rural Infrastructure Services will project manage programs which are sourced via grant funding and provide advice and / or guidance to the CEO as required in relation the Works business unit.

Upon his return to work, the Manager of Works will have a dotted reporting line into this consultant and the CEO.

COMMENT:

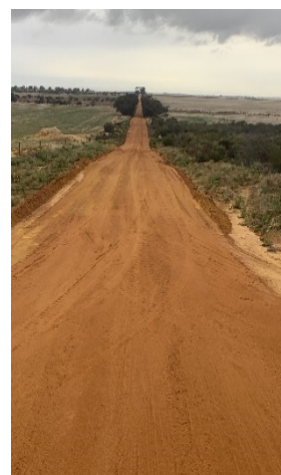
The month of May - June had a few interruptions with a 3-day Traffic Management training course for 5 staff, a public holiday, various leave 5 days, and a loss of work time injury (at this stage 2 weeks).

Roads 2 Recovery (R2R)

Project	Actual Expenditure 2023/24
Elsegood Road	\$59,344
Wallambin Road	\$61,279
Benjaberring Hindmarsh Road	\$17,822
Yorkrakine West Road	\$89,158
Davies South Road	\$57,397

Road Maintenance Program

- Repairs have started on the culvert on Cemetery Road and also on Tilbrook Road.
- Verge clearing was undertaken on parts of Boyle Road.
- Maintenance grading has progressed with the completion of Tilbrook Road and Ryan Road.



PARKS & GARDENS - TOWN SERVICES

- Tree pruning was undertaken this month to comply with the annual Western Power powerline checks. Street trees have been pruned and stumps ground out as dry rot was detected in the trees on corner of Thurstun Street and Railway Terrace requiring additional pruning.
- Green stock for Ashelford Park was planted on the 5th June under the guidance of Fiona Lawson-Kerr, with the assistance of Shire Staff and Wyalkatchem District High School students. The students were very enthusiastic to say the least.
- Footpath repairs have been completed in several streets along with the parking access ramp at the Shire office. The asphalt path between the Wyalkatchem Hotel and the Town Hall has commenced.
- The new Green Waste collection initiative for the town site began on 27th May and will continue until the 1st July.
- The Goods Shed steps had a makeover by Shire Maintenance Officer Gary, with wood donated by the Men's Shed.



Swimming Pool

The Contract has been signed for the imminent commencement of the Pool and Plant upgrades.

Cemetery

- Two trees have been planted in the original Protestant section – a Chinese Tallow and a Peppermint tree.
- A gabion seat has been placed in front of the cottonwood trees.



Rubbish Tip

- Under the Local Roads for Community Infrastructure funding, a fence is being erected at the Wyalkatchem rubbish tip between the Cemetery and the waste disposal site. The aim is to contain the rubbish to the waste site.
-

Post Office

- A contractor has been engaged to start the access ramp at the Post Office, this will be completed by the 30th June.
 - A second contractor has been engaged to quote on railing for the ramp.
-

Human Resources

- The Leading hand of Parks & Garden (P&G) and another P&G team member have successfully completed the ChemCert Chemical Accreditation.
- The Wyalkatchem Shire held a Traffic Management course with AusQ Training for the Main Roads WA Basic Worksite Traffic Management & Traffic Controller (BWTM/TC) accreditation, which was a 3-day course.

Five Wyalkatchem Shire staff attended and staff from the surrounding Shires of Mt Marshall and Tammin shared the opportunity.



OH&S

Three incidents have occurred regarding a near miss or injury.

- One staff member hit their head whilst picking up branches after pruning the street trees. The correct PPE was being worn at the time (hard hat) and first aid was not required.
- One staff member hurt their elbow whilst pruning trees. There appears to be no ongoing injury.
- One staff member hurt their shoulder / arm whilst removing and erecting signage. The outcome is yet to be determined.

Due to the above incidents one of the main topics at pre-starts have been the importance of take 5's, SWMS and manual handling to prevent future incidents.

VEHICLE/PLANT

- Both the Yorkrakine and Nalkain Fire unit vehicles had their six-monthly service. Some repairs and tyres were required.
- 3 batteries have been purchased this month for utes and the Shire generator.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are some budgeted financial implications in relation to this item.

COMMUNITY & STRATEGIC OBJECTIVES

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

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

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(93/2024) Moved: Cr Petchell

Seconded: Cr Lawson Kerr

That Council receives the Works Officer's report.

CARRIED 7/0

10.3. COMMUNITY DEVELOPMENT

10.3.1. COMMUNITY DEVELOPMENT OFFICER'S REPORT MAY/ JUNE 2024

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Nikki Towell, Community Development Officer & Stephanie Elvidge, GEO
Disclosure of Interest:	No interest to disclose
File Number:	38.44.04
Attachment Reference:	Nil

SUMMARY

To provide Council with an update of Community Development initiatives and events for May/ June 2024.

COMMENT

Ashelford Park Opening Ceremony

The opening ceremony for Ashelford Park and the 21st Anniversary of Wyalkatchem's Tidy Towns Win are progressing. The event date has been scheduled for Saturday, June 22nd, 2024. The plaque has arrived and is now fitted to the rock in the park. It is covered by a tarp and rope until the opening ceremony held on 22nd of June, at 10 am.

Advertising for the opening commenced on Thursday, May 23rd, 2024, via printed flyers around town and on the Shire's website and social media pages.

Resolution from OMC on 21/03/2024

That Council;

"3. Approves the additional expenditure of approximately \$5,600 for the Plaque and Opening event, which will incorporate the Tidy Town 21st anniversary from GL code 2040212 Public Relations (2,000) and GL code 2140285 Legal Expenses (2,400)."

Lexus Melbourne Cup Tour 2024

On 15th May 2024, the Shire received the fantastic news that we will host the Lexus Melbourne Cup Tour on 14 August 2024.

Planning is underway for the event to celebrate the once-in-a-lifetime cup visit to Wyalkatchem.

The information below is taken from the Victorian Racing Club website.

"Now in its 22nd year, the tour has travelled over one million kilometres, visiting more than 640 destinations to unite communities and provide the once-in-life-time opportunity to get up close and experience the magic of the People's Cup. This includes visiting 482 schools, 401 hospitals and aged care facilities, participating in over 2100 community events and raising hundreds of thousands of dollars for local fundraising initiatives.

The Lexus Melbourne Cup Tour National Sweep is an important VRC (Victorian Racing Club) charity initiative. It will return as part of this year's program to allow 24 rural and regional Cup Tour destinations across Australia to be allocated a barrier for the 2024 Lexus Melbourne up.

Representatives from each 24 destinations will be flown to Melbourne to watch the Lexus Melbourne Cup live on track at Flemington. The town that draws the barrier of the winning horse will be presented with a cash prize of \$50,000 to put towards a charity of their choice."

Ashelford Park Environmental Day Planting

On Wednesday, June 5th, 2024, the (WDSHS) Wyalkatchem District Senior High School, grades 3-6 and 7-8, were brought by bus to Ashelford Park.

Under the supervision of the Shire Garden employees and the manager of Parks and Gardens, the children eagerly assisted in planting the native shrubs.

Special guest botanist, Fiona Lawson-Kerr, taught the children facts about the plants, fungi's role in growing plants, biomes that the plants need, and the correct planting techniques.



Approximately 15 children attended and planted a total of 300 plants.



Aged Care Capital Assistance Program Grant GO6332

Due to the amount of legal and financial work involved in this grant, the Shire approached two grant writing companies on 1st May 2023 to explore the possibility of them applying for this grant on the Shire's behalf. The following reply is the email received from the grant writer:

*"Has the Shire been invited to apply by the department from grant.atm@health.gov.au?
If not, the Shire is not eligible to apply for this particular grant.*

Kind regards "

The Shire has then emailed the Department of Health and Aged Care on 12 June 2024 to ask if there is a reason we were not invited, if there are future grants we will be eligible for, and if there are any upcoming rounds we can apply for.

The department's response was;

“Good afternoon,

For probity and fairness reasons we cannot advise the what Organisations may be invited in the future.

Regards,

Rodeo

Rodeo meetings have continued on an ongoing fortnightly basis and are well attended by the community.

The Wyalkatchem Rodeo Community Group (WRCG) is led by Owen Garner and Rod Lawson Kerr, members of the WRCG.

A re costed, more accurate detailed budget projection has been prepared pending shared cost quotes from Double Barrel – yet to be received. The re costed budget is higher than originally anticipated and the WRCG are working on ways to mitigate this.

The draft camping site plan has been further developed by the sub group identifying emergency access and potential sponsorship areas. Camping gate opening times have been agreed to commence at 10am – 10pm.

The WRCG will be actively seeking sponsorship both of a monetary value and ‘in kind’ in order to assist with the 2024 budget and ongoing infrastructure for the rodeo in accordance of the long term aim for the Rodeo to become community driven, independent of Shire contributions/ lower Shire contributions.

Sponsorship will also enable the development of volunteer appreciation packages of a monetary value to be donated to a charity/ non-for-profit group of their choice within the local community.

Ticket sales for camping are slowly climbing – current total 596/2500, equating to \$17,880. This income will also offset Shire costs.

Quotes and negotiations are in play regarding the wi-fi boosting.

Wheatbelt Way Rail Trail (WWRT)

On 10 May ‘24 the Shires of Trayning and Wyalkatchem submitted their applications to lease or acquire a user agreement/ management order for the use of the Railway Reserve Access Rd from Wyalkatchem White Dam to the Korrelocking Border to ARC Infrastructure, who operate a Rail Freight Network that stretches more than five thousand Kilometres across WA as per the Implementation Plan in the Wheatbelt Way Rail Trail Report. The Report was shared to all councillors along with the survey by email on 29 February 2024.



Have your say!

The Shires of Nungarin, Trayning and Wyalkatchem have been working with ARHJAY Consultancy to develop a feasibility on the development of a dual use trail between Wyalkatchem and Nungarin using the Railway Corridor.

We encourage individuals, local businesses and community groups to let us know what you think of the plan.

Please contact the Shire of Nungarin, Trayning or Wyalkatchem for a copy of the plan and provide your feedback.



The Shire's of Wyalkatchem, Trayning and Nungarin conducted a survey from the end of February to 7 March 2023 and received extremely positive feedback and suggestions of further development ideas/ infrastructure etc. The Consultation Report was shared with Council 15 March 2024.

The Wheatbelt Way and Pioneer's Pathway groups are also supportive of this trail as is the Western Australian representative of the Rail Trails Australia.

Rail Trails Australia is a volunteer-driven, not-for-profit, organisation that strives for the creation and promotion of a rail trail network across the country. They:

- Advocate for new rail trails and improvements to them
- Promote rail trails and their use
- Support and connects stakeholders in current and potential rail trails
- Maintains a sustainable organisation with minimal paid staff and no federal or state financial backing.

Stage one of the projects will include the two sections of railway corridor from Wyalkatchem townsite through to Korrelocking Reserve and from the Trayning townsite through to Kununoppin. Both of these sections are approximately 10 kilometres in length.

The trail incorporates existing infrastructure at various sites such as shelters, toilets and interpretive signage. Several sites along the trail have been identified that require shelter (picnics or camping) and enviro toilets (Waterless toilets) to ensure people have the adequate facilities that will protect the environment.

Interpretive signage has been allocated for each of the 10-kilometre sections. In total an allocation has been made for a total of 21 interpretive A3 signs to be designed and printed. The focus of the signs has been identified as rail history, industry (CBH, Agriculture, Sandal wooding), indigenous heritage, military/army, local communities and local people.

The initial track work has been provided within the costings as a Local Government contribution. These costings would need to be committed by each of the local governments within their annual budget. Alternatively, they may want to engage in contractors to complete the work, this would have to be budgeted accordingly.

In regard to the project management, this is also a contribution of the Local Governments and I would expect that this would be done by an existing staff member or several staff members across the three local governments. Alternatively, the Shires may engage in the services of a project manager to implement the project on their behalf, in which case the funds will need to be budgeted accordingly.

The steering committee will need to identify the specifics of the signs and potentially work with local community groups(museums) to compile the information for the signs. Maintenance is budgeted as approximately 8,000/ year for each Shire. This is an estimate and likely to be less.

Its worth noting that if Council feels the estimates are untenable in the 2-year period, elements of the project may be separated out to spread the costs over three years.

FY 24.25 – SHIRE OF WYALKATCHEM ONLY

wheatbelt way rail trail phase 1

ITEM	DESCRIPTION	COST	QUANTITY	TOTAL QUANTITY	TOTAL	SOW BUDGET	FUNDING
Shelter Korrelocking Ova	materials	\$ 12,000.00	1	1	\$ 12,000.00		
Contractor	installation labour	\$ 6,500.00	1	1	\$ 6,500.00		
Contractor	concrete	\$ 3,500.00	1	1	\$ 3,500.00		
					\$ 22,000.00		\$22,000.00
Enviro Loo	shelter	\$ 20,000.00	1	1	\$ 20,000.00		
Korrelocking Oval	toilet	\$ 5,000.00	1	1	\$ 5,000.00		
Contractor	installation	\$ 15,000.00	1	1	\$ 15,000.00		
					\$ 40,000.00		\$40,000.00
Track Work	gravel + push up	\$ 3.70	/M3	450	\$ 1,665.00		
(in kind)	truck incl labour	\$ 200.00	/hour	40	\$ 8,000.00		
	grader incl labour	\$ 250.00	/hour	40	\$ 10,000.00		
	roller incl labour	\$ 240.00	/hour	25	\$ 6,000.00		
	loader incl labour	\$ 220.00	/hour	25	\$ 5,500.00		
					\$ 31,165.00	\$ 31,165.00	
Signage	Trail Markers (Directional)	\$ 100.00	ea	15	\$ 1,500.00		\$ 1,500.00
	Interprative artwork	\$ 170.00	ea	3	\$ 510.00		\$ 510.00
	artwork	\$ 1,500.00		18	\$ 1,500.00		\$ 1,500.00
(in kind)	Installation	\$ 200.00	/hour	10	\$ 2,000.00	\$ 2,000.00	
	Frames	\$ 200.00	ea	3	\$ 600.00		\$ 600.00
	pedestrian warning signs	\$ 150.00	ea	8	\$ 1,200.00		\$ 1,200.00
					\$ 7,310.00		
Project Management		\$ 90.00	/hour	9,000	\$ 9,000.00	\$ 9,000.00	
(in kind)						\$ 42,165.00	\$67,310.00

Stage 2 FY 25/26 ALL SHIRES ESTIMATED EXPENDITURE

EXPENDITURE (STAGE TWO)						INCOME (STAGE TWO)			
Item	Description	Cost	Qty	Total	Group Total	SOT	SOW	SON	FUNDING
Shelter	Shelter - Materials	12000	Each	2	\$24,000.00				
(Nembudding & Kweikan)	Installation - Labour	5500	Each	2	\$6,500.00	\$0.00	\$0.00	\$0.00	\$37,500.00
	Concrete	3500	Each	2	\$7,000.00				
Enviro Loo	Shelter	20000	Each	2	\$40,000.00				
(Nembudding & Kweikan)	Toilet	5000	Each	2	\$10,000.00	\$0.00	\$0.00	\$0.00	\$80,000.00
	Installation	15000	Each	2	\$30,000.00				
Track Work	Gravel & pushing up	70 per cubic Met	/ m3	2250	\$8,325.00				
	Truck inc Labour	200	/ Hr	200	\$40,000.00				
	grader inc Labour	250	/ Hr	200	\$50,000.00	\$51,942.00	\$51,942.00	\$51,942.00	0
	Roller inc Labour	240	/ Hr	125	\$30,000.00				
	Loader inc Labour	220	/ Hr	125	\$27,500.00				
Signage	Trail Markers (Directional Signage) x 15	100	Each	75	\$7,500.00	\$0.00	\$0.00	\$0.00	\$7,500.00
	Interpretive Signage x 15	170	Each	15	\$2,550.00	\$0.00	\$0.00	\$0.00	\$2,550.00
	Sign Artwork	5000	Each		\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
	Installation of Signs & Markers	200	/ Hr	50	\$10,000.00	\$3,333.00	\$3,333.00	\$3,333.00	0
	Frames for signs	200	Each	15	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
	Pedestrian Warning Signs on Roads	150	Each	37	\$5,550.00	\$0.00	\$0.00	\$0.00	\$5,550.00
Project Management		90	/ hr	300	\$27,000.00	\$9,000.00	\$9,000.00	\$9,000.00	0
TOTAL					\$333,925.00	\$64,275.00	\$64,275.00	\$64,275.00	\$141,100.00

POLICY IMPLICATIONS

- 2.1. Purchasing Policy
- 2.3. Transaction Card Policy
- 9.2. Community Bus Hire

FINANCIAL IMPLICATIONS

There are budgeted financial implications concerning this item.

COMMUNITY & STRATEGIC OBJECTIVES

Objective No.	Outcome (Business Plan)	Goal No.	Actions (Community Strategic Plan)
ED1.1.2.5	<p>Coordinate activities that recognise national events, our leaders, volunteers and new community members.</p> <p>Increase visitors to our region.</p> <p>Our built environment responds to the accessibility and connectivity needs of all.</p>	Goal 2.2	<p><i>“An active, engaged and social community.”</i></p> <p><i>Facilitate, encourage, and support community events.</i></p>
		2.3	<p><i>Partner with key stakeholders to achieve an increase in active participation for all ages.</i></p>
		4.1	<p><i>Promote, develop tourism & maintain/enhance local attractions.</i></p>
		4.2	<p><i>Collaborate with our partners to promote local and regional tourism initiatives.</i></p>
		4.3	<p><i>Provide facilities to encourage tourist and resident visitation.</i></p>
		8.1	<p><i>Improving safety on road, cycle and footpath networks.</i></p>
		8.2	<p><i>Developing & planning community infrastructure to improve use & social interaction.</i></p>

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(94/2024) Moved: Cr Loton

Seconded: Cr Lawson Kerr

That Council receives the Community Development Officer’s report.

CARRIED 7/0

10.4. GOVERNANCE AND COMPLIANCE

10.4.1. CHIEF EXECUTIVE OFFICER'S REPORT – MAY 2024

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Sabine Taylor, Chief Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	10.4.1 – Correspondence as listed in CEO Report

SUMMARY

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

COMMENT

Organisationally the CEO focus has included progressing the Community Strategic Plan, continued review of the procurement process and the delivery of the Financial Year 2024 /2025 Shire of Wyalkatchem Budget. Staff performance reviews have commenced and include a review and update of all position descriptions.

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

- 01 May 2024 Recovery Basics for Local Government and Community Leaders Workshop.
- 03 May 2024 Meeting with Community Member – Quentin Davies
- 08 May 2024 Wheatbelt Business Network AGM
- 08 May 2024 Town Team Movement Meeting
- 09 May 2024 Celebration of Women Morning Tea at the Wylie CRC
- 13 May 2024 CEACA Management Committee Meeting
- 13 May 2024 Meeting re Medical Centre
- 14 May 2024 WSN Catch Up
- 15 May 2024 NAB Federal Budget Update
- 16 May 2024 Dowerin Work Camp
- 23 May 2024 Meeting re Medical Centre
- 28 May 2024 NEWROC, Dowerin
- 30 May 2024 Meeting with Community Member – Stephen Gamble
- 30 May 2024 Attend Quiz night at CRC
- 07 June 2024 NBN Emergency Round Table
- 11 June 2024 Business Grant Cheque Presentation, Wyalkatchem Post Office

KEY CORRESPONDENCE RECEIVED

- Attachment A: Wheatbelt Business Network AGM
Chair Report, Audited Financials and WBN Annual Report (compressed)
- Attachment B: Wheatbelt Secondary Freight Network Governance Plan
- Attachment C: Red cross Recovery Basics – email dated 10 May 2024
- Attachment D: Wyalkatchem District High School Newsletter
- Attachment E: WALGA Federal Inquiry into Local Government Sustainability

- Attachment F: April and May Crime Statistics
- Attachment G: Wheatbelt Health making smoking and vaping history (10 Attachments)
- Attachment H: Integrity in Local Government Training
- Attachment I: WSFN Funding

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

COMMUNITY & STRATEGIC OBJECTIVES

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

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

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



Sabine Taylor, Chief Executive Officer

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(95/2024) Moved: Cr Lawson Kerr

Seconded: Cr Begley

That Council receives the Chief Executive Officer’s report.

CARRIED 7/0

10.4.2. PIONEER PATHWAY MoU JULY 2024 – 30 JUNE 2027

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	NIL
File Number:	13.05.01
Attachment Reference:	Attachment 10.4.2 – Pioneer Pathway MOU exp June 30 2027

BACKGROUND

The Pioneers Pathway is a Self-Drive Trail that runs from Toodyay to Merredin, a distance of 226 kilometres. The trail passes through the following Shires:

- Toodyay
- Goomalling
- Dowerin
- Wyalkatchem
- Nungarin
- Merredin

The Pioneers Pathway (PP) has had a MoU between member Councils since 2017.

The purpose of the funding is to continue to collaboratively develop historical tourism in the region through the development, promotion and marketing of the Pioneers’ Pathway Self Drive Trail from Perth to Merredin reminiscing the path of the Pioneers’ during the gold rush in the eastern goldfields and the development of agriculture and communities in the region.

The Council’s Governance Executive Officer regularly attends the Pioneers Pathway as Council’s proxy delegate and ensures that the Shire of Wyalkatchem contributes and progresses initiatives and projects.

COMMENT

The current Memorandum of Understanding (MoU) is set to expire on 30 June 2024.

The PP Advisory Group recommends that this MoU be renewed for another three-year period, extending its validity to 30 June 2027.

The intent and objectives of the MoU will remain unchanged, focusing on continued collaboration and support between the parties involved.

In alignment with the objectives of the MoU, it has been proposed to incrementally increase the Council’s financial commitment over the next three years. Specifically, the recommended financial contribution is as follows:

- \$3,500 for the year 2024-2025
- \$4,000 for the year 2025-2026
- \$4,500 for the year 2026-2027

The recommended increase in financial commitment is driven by the importance and benefits of continuing this partnership, noting that there has not been an increase in Council contributions since 2017.

This is a strategic decision addressing the current environment of inflation and rising costs aimed at sustaining and enhancing the partnership, ensuring that the objectives of the MoU are met effectively and efficiently over the next three years.

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

By entering into the MoU, the Shire will be committing to a 3-year staged contribution of \$12,000 as well as potentially other miscellaneous in-kind expenditure.

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 Goal 12 Form strategic partnerships and advocate for the Community.

Goal No.	Action No.	Actions
10 Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
12 Form strategic partnerships	12.1	Ensuring that the Shire of Wyalkatchem is well positioned to meet future needs

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(96/2024) Moved: Cr Petchell

Seconded: Cr Dickson

That Council;

- a) Endorse the CEO to sign the Pioneers Pathway MoU 2024-2027 (attachment 10.4.2) and**
- b) Commit to approve a staged financial commitment of \$12,000.00 over three years.**

CARRIED 7/0

10.4.3. ELECTRONIC MEETINGS AND ATTENDANCE AT COUNCIL MEETINGS AND COMMITTEE MEETINGS VIA ELECTRONIC MEANS and RECORDING OF MEETINGS

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Stephanie Elvidge – Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	22.02.01
Attachment Reference:	Attachment 10.4.3 – New Policy

SUMMARY

This report presents a proposed new policy relating to the conduct of electronic meetings and attendance at Council and Committee Meetings via electronic means and relating to the recording and publication of recordings of Council and Committee Meetings – see attachment 10.4.3.

BACKGROUND

Temporary provisions to enable local governments to hold meetings electronically and to enable Councillors to attend via electronic means were introduced in 2020 as part of the immediate response to the COVID-19 pandemic.

These electronic meeting provisions enabled Councils to continue making critical decisions during the pandemic. The use of videoconferencing and the adoption of livestreaming has since shown the benefits of providing different forms of public access and participation in the business of local government, as well as allowing attendance by Councillors where they cannot attend meetings in person.

As a result, and as part of the State Government’s package of local government reforms, changes to the *Local Government (Administration) Regulations 1996* were implemented to enable local governments to continue conducting meetings and allow attendance via electronic means.

As Council would be aware, the Local Government Amendment Bill 2023 has passed through Parliament delivering significant changes to the local government sector in WA in more than twenty-five (25) years.

The changes included No 6. Mandating live streaming and recording of Council meetings.

COMMENT

For consistency and transparency, the Department of Local Government, Sport & Cultural Industries (DLGSC) recommends that local governments adopt a policy in relation to dealing with requests for electronic attendance at meetings and the expectations in relation to equipment, location and confidentiality.

In accordance with the DLGSC’s direction, a policy has been developed to provide guidance on the attendance and conduct of Council and Committee Meetings held via electronic means.

It should be noted that a Councillor may only attend a meeting remotely by electronic means provided they have not attended more than half of all Council Meetings in the previous twelve (12) months by this method. The 50% attendance cap ensures that Councillors and Committee Members attend at least half of all meetings conducted over a twelve (12) month period, in person.

In reference to point 6 of the Local Government Amendment Bill 2023, based upon a local government's banding by the Salaries and Allowances Tribunal, the Band 1 and 2 local governments will need to live stream meetings of Council. Band 3 and 4 local governments will need to record their meetings and publish that recording on the local government's website. The Shire of Wyalkatchem is a Band 4 local government.

The change is intended to make local government meetings more transparent and to improve the accountability of Council and Committee members by ensuring records are available of what was said at meetings on items for debate.

With Council Chambers designated as the 'usual meeting place', Council will need to consider the layout of the room to ensure that all members can view each other if attending electronically.

STATUTORY ENVIRONMENT

Local Government Act 1995 S 2.7 Role of Council (2)(b) - determine the local government's policies. Regulations 14C to 14E of the Local Government (Administration) Regulation 1996.

POLICY IMPLICATIONS

Code of Conduct: Council Members, Committee Members & Candidates

FINANCIAL IMPLICATIONS

There may be minor costs associated with procuring sound/video editing software to enable the portion of meetings closed to the public (Behind Closed Doors) to be edited from the publicly available copy. This can be managed within current budget allocations.

The Shire may be required to alter the layout of the Council Chambers which could incur unknown expenses.

COMMUNITY & STRATEGIC OBJECTIVES

Goal 10 Transparent, accountable and effective governance.

Goal No.	Action No.	Actions
10 Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
	10.4	Maintaining Integrated Strategic and Operational plans

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(97/2024) Moved: Cr Petchell

Seconded: Cr Begley

That Council,

- 1. Resolves to adopt a new policy for electronic meetings and attendance at council meetings and committee meetings via electronic means and recording of meetings as presented in Attachment 10.4.3 – New Policy and*
- 2. Authorises the Chief Executive Officer to make any minor formatting and error changes to the policy prior to publication.*

CARRIED 7/0

10.4.4. MINOR REVIEW – SOCIAL MEDIA AND COMMUNICATIONS POLICY 1.7

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Stephanie Elvidge – Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	4.14.2024
Attachment Reference:	Attachment 10.4.4 – Original Policy 1.7

SUMMARY

For Council to consider and adopt the revised and updated Social Media and Communications Policy 1.7.

BACKGROUND

The Statutory Environment Review of Council Policies, Section 2.7 of the *Local Government Act 1995*, provides that the role of Council is to “determine the local government’s policies”. The amendment, adoption or rescindment of any Council Policy must therefore be resolved by Council as per sections – 2.8, 2.9, 5.34 and 5.41 of the *Local Government Act 1995* (the Act), which require Local Governments to prepare and adopt a policy in relation to the official communications with the community.

COMMENT

Council’s Social Media and Communications Policy 1.7 (refer attachment 10.4.4) has now been reviewed in line with the WALGA policy template.

The revised Council Policy incorporating the amendments is provided for Council’s consideration.

The adoption of the revised Policy is an important step towards establishing clarity for all Elected Members communications.

STATUTORY ENVIRONMENT

Local Government Act 1995 s2.7(2)(b) – Determine the Local Government’s policies

Local Government Act 1995, s – 2.8, 2.9, 5.34 and 5.41

Local Government (Rules of Conduct) Regulations 2007

State Records Act 2000

Freedom of Information Act 1992

POLICY IMPLICATIONS

Revised Social Media and Communications Policy 1.7.

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-managed and effective Council organisation	5.1.1	Implement effective governance structures
		5.1.2	Embed sound risk management frameworks to mitigate council's strategic and operational risk
		5.1.4	Implement systems and processes to enhance organisational capability

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(98/2024) Moved: Cr Begley

Seconded: Cr Petchell

That Council adopt the revised Social Media and Communications Policy 1.7 as provided for in Attachment 10.4.4 Original Policy 1.7.

CARRIED 7/0

10.4.5. MAJOR REVIEW – ELECTED MEMBER TRAINING AND DEVELOPMENT POLICY 6.4

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Stephanie Elvidge – Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	4.14.2024
Attachment Reference:	Attachment 10.4.5.1 – Original Policy 6.4 Attachment 10.4.5.2 – Revised Policy 6.4

SUMMARY

For Council to consider and adopt the revised and updated Elected Member Training and Development Policy 6.4.

BACKGROUND

The Statutory Environment Review of Council Policies, Section 2.7 of the *Local Government Act 1995*, provides that the role of Council is to “determine the local government’s policies”.

The amendment, adoption or rescindment of any Council Policy must therefore be resolved by Council as per sections 5.127 and 5.128 of the *Local Government Act 1995* (the Act), which require Local Governments to prepare and adopt a policy in relation to the continuing professional development of Council Members, and to provide annual reports on training.

COMMENT

Council’s Elected Member Training and Development Policy 6.4 (refer attachment 10.4.5.1) has now been reviewed in line with the WALGA policy template. It has been determined that the training and development budget allocated to Councillors and the President will remain unchanged.

It should be noted that attendance at the WALGA conference will be treated separately under Budget allocations part b. of the Policy. (\$2,000/ member and \$3,000 for the president.)

The revised Council Policy incorporating the amendments is provided for Council’s consideration (attachment 10.4.5.2 Revised Policy 6.4).

The adoption of the revised Policy is an important step towards establishing clarity for all Elected Members and their developmental needs.

STATUTORY ENVIRONMENT

Local Government Act 1995 s2.7(2)(b) – Determine the Local Government’s policies

POLICY IMPLICATIONS

Revised Elected Member Training and Development Policy 6.4.

FINANCIAL IMPLICATIONS

There are budgeted 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-managed and effective Council organisation	5.1.1	Implement effective governance structures
		5.1.2	Embed sound risk management frameworks to mitigate council's strategic and operational risk
		5.1.4	Implement systems and processes to enhance organisational capability

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(99/2024) Moved: Cr Petchell

Seconded: Cr Loton

That Council adopt the revised Elected Member Training and Development Policy 6.4 as provided for in Attachment 10.4.5.2.

LOST 7/0

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(100/2024) Moved: Cr Stratford

Seconded: Cr Lawson Kerr

That Council defer item 10.4.5 until the July 2024 OMC once further clarification has been sought.

CARRIED 7/0

10.4.6. SHIRE OF WYALKATCHEM BUSH FIRE BRIGADES LOCAL LAW

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Stephanie Elvidge, via Consultant Chris Liversage
Disclosure of Interest:	NIL
File Number:	19.08.02
Attachment Reference:	Attachment 10.4.6 – Draft BFBLL

SUMMARY

The Shire of Wyalkatchem has bush fire brigades but did not have a local law as required by s43 of the *Bush Fires Act 1954*. A local law was duly made and published in the Government Gazette on 13 March 2023 and came into effect 14 days later.

Local laws are subject to review by the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) who scrutinize and review local laws and subsidiary legislation on behalf of Parliament. If a local law offends its terms of reference, is unlawful or it considers that the local law was not correctly made, the Committee can recommend to Parliament that the local law be disallowed. Prior to doing so, the Committee usually requests the responsible authority to amend the regulation or local law.

In June 2023, the Committee requested the Shire to amend its Bush Fire Brigades Local Law as it considered that it did not fully deal with the matters that it considered must be dealt with if a local government makes a bush fire brigades local law. While the Shire's original local law was the same as one made by the City of Greater Geraldton and the Shire of Carnarvon in 2022 and supported by legal advice obtained by those local governments, the JSCDL noted that it included a clause 7 which stated that:

7. Appointment, Employment, Payment, Dismissal and Duties of Bush Fire Control Officers
The appointment, employment, payment, dismissal and duties of bush fire control officers is dealt with by the Act.

The *Shire of Wyalkatchem Bush Fire Brigades Amendment Local Law 2023* was published in the Government Gazette on 7 November 2023 and deleted the apparently offending clause.

In February 2024 the committee advised that the amendment still did not fulfil the undertaking previously requested and amongst other things advised that '*Such matters must be regulated by local law. The local law is inconsistent with and not authorised by the Bush Fires Act 1954.*'

At its meeting held on 21 March 2024 council resolved to adopt a new local law which is a template made by the WA Local Government Association. The draft was advertised for comment and copies sent to the relevant Ministers as required by the Act. No comments were received other than a suggested minor date correction by the WA Department of Local Government and Regional Development.

Subject to that amendment it can now be 'made' and will come into effect 14 days after publication in the Government Gazette.

COMMENT

As advised to council on 21 March, the most efficient way to deal with the JSCDL requirements was to replace the local law. A new *Shire of Wyalkatchem Bush Fire Brigades Local Law 2024* is attached; as noted above it is identical to a template made by the WA Local Government Association (WALGA).

STATUTORY ENVIRONMENT

Most matters relating to bush fires and the role of local governments are dealt with by the Bush Fires Act and its associated Regulations. Section 43 of the Bush Fires Act provides that a local government which establishes a bush fire brigade shall by its local laws:

... provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.

Other sections of the Bush Fires Act where a local government may make local laws are:

- Under s33(5a) to require land owners to make fire breaks. Section 33(1) though allows this to be done simply by publishing a notice in the Gazette or a newspaper circulating in the district; and where a local government does so the provisions of the notice override the local law.
- Under s41(1), to establish and maintain one or more bush fire brigades and equip them with appliances, equipment and apparatus; and
- Under s62, make local laws in relation to —
 - the appointment, employment, payment, dismissal and duties of bush fire control officers; and
 - the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
 - any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.

Section 3.12 of the Local Government Act 1995 sets out how local governments are to make local laws. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the proposed Shire of Wyalkatchem Volunteer Bush Fire Brigades Local Law was included in the agenda of the council meeting of 21 March 2024. A copy of the proposed local law was sent to the Ministers for Local Government and Emergency Services.

Public notice as required was given for a 7-week period ending on 21 May 2024. No comments were received from the public or the Minister for Emergency Services. The WA Department of Local Government responded on behalf of the Minister for Local Government suggesting a minor correction to a date in the proposed local law, which is shown 'marked' on the attachment to this report.

Subject to adoption by council, this amendment the local law may now be Gazetted, and will come into effect 14 days after publication. Other procedural matters required are listed in the recommendation to council.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are financial implications associated with the drafting, advertising, notices required and Gazettal of the proposed new local law.

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.	Action No.	Actions
10 Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
	10.4	Maintaining Integrated Strategic and Operational plans

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

(101/2024) Moved: Cr Begley

Seconded: Cr Petchell

That Council:

- 1. In accordance with section 3.12(4) of the Local Government Act 1995, adopts the Shire of Wyalkatchem Bush Fire Brigades Local Law as attachment 10.4.6;*
- 2. In accordance with s3.12(5) of the Local Government Act 1995 the local law be published in the Government Gazette and a copy sent to the Ministers for Local Government and Emergency Services;*
- 3. In accordance with s3.12(6) of the Local Government Act 1995, after Gazettal local public notice be given:
 - a. Stating the title of the local law;*
 - b. Summarizing the purpose and effect of the local law and specifying the day on which it comes into operation; and*
 - c. Advising that copies of the local law may be inspected or obtained from the Shire offices.**
- 4. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.*

CARRIED 7/0

10.4.7. TEMPORARY WAIVER OF HIRE FEES FOR THE AIR STRIP AND TERMINAL

Applicant:	Wyalkatchem CBH & Agricultural Museum Ass Inc.
Location:	Shire of Wyalkatchem
Date:	25 June 2024
Reporting Officer:	Stephanie Elvidge – Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	22.02.01
Attachment Reference:	Attachment 10.4.7 - Request for Waiver of Fees - Aerodrome Fly – In Event 13 th July 2024

SUMMARY

Council has been asked to grant approval to the CEO to waive various bonds, fees and charges for the Wyalkatchem tourist motivated Fly -In Event on 13th July 2024.

BACKGROUND

The Museum is proposing to hold a Fly – In Event with a sausage sizzle, farm, museum and gypsum mine visits for the aircraft members of the Northam Aero Club; Cunderdin Club and Royal Aero Club.

The CEO’s current Delegation 1.2.32 Reduction or Waiver of Fees is authorised up until a limit of \$500.00. This is insufficient for the request received.

COMMENT

In the past the Council has agreed to waive fees to accommodate various activities and events. The CEO proposes that Council waive the following fees associated with the Fly – In Event:

\$ 50.00 Filming Permit

\$430.00 Airstrip Day Hire

\$ 55.00 Terminal Building Hire

\$535.00 TOTAL FEES

In addition, The CEO requests consideration be given to waiving the Bond amounts for the Hire of the Airstrip and Terminal Building as follows:

\$2,600.00 Airstrip use bond

\$ 100.00 Terminal Building (TB) deposit

\$ 100.00 TB Cleaning deposit

\$ 15.00 TB Key deposit

\$2815.00 TOTAL BONDS

*Note that Community Bus Cleaning and Fuel fees will apply as per fees and charges.

STATUTORY ENVIRONMENT

Local Government Act 1995 S6.12 – Power to defer, grant discounts, waive or write off debts;

Local Government Act 1995 – Delegation Register

Local Government (Financial Management) Regulations 1996, Regulation 26 – Discount, incentive, concession.

POLICY IMPLICATIONS

Council Policy 9.2 – Community Bus Hire.

FINANCIAL IMPLICATIONS

In providing approval to the CEO to waive the bonds, fees and charges associated with the Wyalkatchem CBH Agricultural Museum Association Incorporation, Errol Croft Fly In, Council is foregoing an income of \$535 (on the assumption that the bond money is fully refunded after the event).

COMMUNITY & STRATEGIC OBJECTIVES

The Errol Croft Fly in is in accordance with the following Goals in the Shire of Wyalkatchem Strategic Community Plan:

Goal 2 – An active, engaged and social community; Goal 4 – Capitalise Tourism Potential

Outcome No.	Outcome	Action No.	Actions
Goal 2	An active, engaged and social community	2.3	Provide community venues, & open spaces that facilitate opportunities for the community to connect
		2.4	Partner with key stakeholders to achieve an increase in active participation for all ages
Goal 4	Capitalise Tourism Potential	4.1	•Promote, develop tourism & maintain/enhance local attractions
		4.2	•Collaborate with our partners to promote local and regional tourism initiatives
		4.3	•Provide facilities to encourage tourist and resident visitation
		4.4	•Work with the community to develop & promote tourism initiatives
		4.5	•Encouraging visitors into the town centre

VOTING REQUIREMENT

Absolute Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(102/2024) Moved: Cr Lawson Kerr

Seconded: Cr Dickson

1. *That Council support the Wyalkatchem CBH & Agricultural Museum Ass Inc. Fly – In Event.*
2. *That Council approve the CEO to waive bonds and fees and charges for the hire of the Wyalkatchem Airstrip and Wyalkatchem Terminal Building for Saturday 13 July 2024.*

CARRIED 7/0

10.5. PLANNING AND BUILDING

A subdivision application has been received – this will be presented for consideration In July 2024 Council Meeting.

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

Welcome to Allister Butcher, consultant to Works.

14.MATTERS BEHIND CLOSED DOORS

Nil

15.CLOSURE OF THE MEETING

There being no other business to attend to, Shire President Cr Garner closed the meeting at 4:44pm.