



# Agenda

Ordinary Council Meeting  
Wednesday 20 November 2024

Date	Wednesday 20 November 2024
Time	3:30pm
Location	Shire of Wickepin Council Chambers 77 Wogolin Road, Wickepin WA 6370
Distribution Date	Friday 15 November 2024



## Notice of Meeting

Please be informed an Ordinary Council Meeting of the Council of the Shire of Wickepin will be held at 3:30pm on Wednesday 20 November 2024 at the Shire of Wickepin Council Chambers, 77 Wogolin Road, Wickepin WA 6370.

Kellie Bartley  
Chief Executive Officer

15 November 2024

### Disclaimer

*No responsibility whatsoever is implied or accepted by the Shire of Wickepin for any act, omission or statement or intimation occurring during council / committee meetings or during formal / informal conversations with Shire of Wickepin employees or representatives. The Shire of Wickepin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during council / committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.*

*In particular, and without derogating in any way from the broad disclaimer above, in discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member, employee or representative of the Shire of Wickepin during the course of any meeting is not intended to be, and is not to be, taken as notice of approval from the Shire of Wickepin. The Shire of Wickepin warns anyone who has an application lodged with the Shire of Wickepin must obtain, and only should rely on, written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Wickepin in respect of the application.*

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# 1 Declaration of Opening

The Presiding Member declared the meeting open at [time].

## 2 Attendance

### 2.1 Present

#### Councillors

J Russell	Shire President (Chair)
W Astbury	Deputy Shire President
F Allan	Councillor
J Mearns	Councillor
L Corke	Councillor
T Miller	Councillor

#### Employees

K Bartley	Chief Executive Officer
E Clement	Deputy Chief Executive Officer
G Hedditch	Manager Works & Services
J Harvey	Executive Support Officer

#### Apologies

P Thompson	Councillor
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## 3 Public Question Time

[Public Question Time]

### 3.1 Responses to Previous Public Questions Taken On Notice

### 3.2 Public Question Time

## 4 Apologies and Leave of Absence

### 4.1 Apologies

Cr P Thompson is an apology.

### 4.2 Previously Approved Leave of Absence

### 4.3 Requests for Leave of Absence

[Request for leave of Absence]

## 5 Petitions, Memorials and Deputations

### 5.1 Petitions

### 5.2 Memorials

### **5.3 Deputations**

## **6 Declarations of Councillors and Officers Interest**

A member or officer who has an impartiality, proximity or financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to an interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during, any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

The following declarations of interest have been disclosed –

## **7 Confirmation of Minutes of Previous Meetings**

### **7.1 Minutes of the Ordinary Council Meeting held Wednesday 16 October 2024**

#### **Officer Recommendation**

*That Council confirm the minutes of the Ordinary Council Meeting held on Wednesday 16 October 2024, as included in Attachment 7.1.1, as a true and accurate record.*

## 8 Status Report

### Key

○ = in progress    ✓ = completed    ✕ =superseded

Item	Subject	Council Decision	Status	Action
OCM-231213-04	Public Transport Authority – Draft Lease Template	That Council re-submit request to the Public Transport Authority to purchase railway reserve land south of the railway line.	○	Re-submitted and awaiting response. 09.07.2024 – current CEO to follow up on current PTA and the playground and skatepark. 05.09.2024 – CEO emailed PTA to follow up previous correspondence, nil response to date. Nov 24 – follow up email in progress with PTA and item.
OCM-170424-10	Local Emergency Management Committee Review – Combined Shires Wickepin, Cuballing and Narrogin	Recommendation 1 That Council may resolve to seek a variation to separate from the combined LEMC with the Shire of Cuballing, seeking to stand alone and conduct the LEMC with the Shire of Wickepin only. Recommendation 2 That Council authorises the Shire President and Chief Executive Officer to proceed to engage and seek the opportunities to apply for a Community Emergency Services Manager for the Shire of Wickepin and surrounding local governments that may have interest.	○	In progress, meeting to be held Monday 13 May 2024 for next step. CEO has been in contact with DFES, DEMC for requirements and advised by CEO's of Narrogin and Cuballing of outcomes. 09.07.2024 – pending process with the LEMC processes and changes as required. Sept 24 – CEO has sent relevant information and letter to SEMC for approval. Awaiting response. Shire has been approved for AWARE Grant to proceed with new process.

Item	Subject	Council Decision	Status	Action
				Oct 24 – No change pending grant agreement to be issued.
OCM-150524-12	Adoption – Shire of Wickepin Parking and Parking Facilities Local Law 2024	<p>That with respect to the proposed Shire of Wickepin Parking and Parking Facilities Local Law 2024, that Council:</p> <ol style="list-style-type: none"> <li>1. Makes the local law as detailed in Attachment 14.7.3, pursuant to section 3.12 (4) of the Local Government Act 1995;</li> <li>2. Notes the submissions received during the public advertising period required by the Local Government Act 1995 and the responses taken to the proposed Local Law.</li> <li>3. Authorises the Shire President and Chief Executive Officer to affix the common seal to the Shire of Wickepin Parking and Parking Facilities Local Law 2024 as contained in Attachment 14.7.3.</li> <li>4. Instructs the Chief Executive Officer to: <ol style="list-style-type: none"> <li>a) Publish the local law in the Government Gazette in accordance with section 3.12(5) of the Local Government Act 1995;</li> <li>b) Provide a copy of this local law to the Minister of Local Government once published in the Government Gazette;</li> <li>c) Give local public notice pursuant to section 1.7 of the Local Government Act 1995 following publication in the Government Gazette, stating the title and purpose and effect of this local law, and that the local law is published on the Shire website and that copies may be inspected at, or obtained from the Shire’s administration officers; and</li> </ol> </li> </ol>	○	In progress.



Item	Subject	Council Decision	Status	Action
		d) Prepare and submit to the Joint Standing Committee on Delegated Legislation, a copy of this local law, an explanatory memorandum (jointly signed by the Shire President and Chief Executive Officer) along with the checklist and any other supporting information on the local law made.		
OCM-170424-10	Local Emergency Management Committee – Separation	“That Council may resolve to seek a variation to separate from the combined LEMC with the Shire of Cuballing, seeking to stand alone and conduct the LEMC with the Shire of Wickepin only”	○	In progress. Sept 24 – Correspondence sent to SEMC for consideration. Pending approval. Oct 24 – in progress approval still pending.
OCM-210824-13	Shire of Wickepin – Draft Local Planning Strategy	That with respect to the proposed Shire of Wickepin Draft Local Planning Strategy, Council:  1. Pursuant to Regulation 12 of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts the Shire of Wickepin Draft Local Planning Strategy, as detailed in Attachment 14.5.1, for the purposes of advertising.  2. Forwards the Shire of Wickepin Draft Local Planning Strategy to the Western Australian Planning Commission for assessment and compliance with Regulation 12 of the Planning and Development (Local Planning Schemes) Regulations 2015.  3. Upon receiving certification from the Western Australian Planning Commission, advertise the Shire of Wickepin Draft Local Planning Strategy in accordance with Regulation 13 of the Planning and Development (Local Planning Schemes) Regulations 2015, including an extended public comment period of 90 days.	○	Sept 24 – Awaiting DLPH to then advertise as required. Oct 24 – request sent to DLPH for advertising approval, pending approval.

Item	Subject	Council Decision	Status	Action
		<p>4. After the expiry of the period within which submissions may be made, review the Shire of Wickepin Draft Local Planning Strategy, considering any submissions received.</p> <p>5. After the completion of the review of Shire of Wickepin Draft Local Planning Strategy, submit to the Western Australian Planning Commission:</p> <p>(a) a copy of the advertised Local Planning Strategy; and</p> <p>(b) a schedule of the submissions received; and</p> <p>(c) particulars of any modifications to the advertised local planning strategy proposed by the local government.</p>		
OCM-180924-06	Advertising of Tender – RFT-02-2024-2025 – Supply and Lay of Asphalt	That Council, pursuant to section 3.57 of the Local Government Act 1995 and Regulation 11 of the Local Government (Functions and General) Regulations 1996, approves for the Chief Executive Officer to publicly invite tenders for RFT02- 2024-2025 for the 2024/2025 laying and supply of the asphalt program for the works for Stock Route Road widening program.	✓	Oct 24 – out for tender, current in progress with tender requirements. Nov 24 – Item presented to Council for this month for decision.
OCM-161024-07	100th Anniversary Albert Facey Homestead – Budget Request	<p>That Council:</p> <p>1. Supports and authorises the Chief Executive Officer for the approval to expend funds for the purpose of the Albert Facey Homestead 100th year Celebration, up to \$1,000 from general ledger 116920 (CDOP) – Community Development Funds to be held in November 2024;</p> <p>2. Approves the Chief Executive Officer the expenditure for the purpose of the Albert Facey Homestead maintenance of up to \$1,000 from the Albert Facey Homestead Reserve Fund – General Ledger 172130 for the purpose of the 100 year celebration for Albert Facey Homestead; and</p>	✓	Nov 24 – Item now completed and actioned through AFH.

Item	Subject	Council Decision	Status	Action
		3. Authorises the Chief Executive Officer to transfer of funds from the Albert Facey Homestead Reserve – General Ledger 172130 to Albert Facey Expenditure – general ledger 167820 (Job Number - LAF1) for the purpose of maintenance for up to \$1,000.		
OCM-161024-08	Administration Office & Works Depot Closure - Christmas Trading Hours 2024/2025	<p>That Council;</p> <p>1. Approves the trading hours for 2024/2025 Christmas period be as follows:</p> <p>Monday 23 December                      Open  <del>Tuesday 24 December                      Open -</del>                      Closing at 12 noon <b>Closed</b>                      Wednesday 25 December                      Closed                      – Public Holiday (for Christmas Day)                      Thursday 26 December                      Closed –                      Public Holiday (for Boxing Day)                      Friday 27 December                      Closed -                      Employee Annual Leave                      Monday 30 December                      Closed -                      Employee Annual Leave                      Tuesday 31 December                      Closed -                      Employee Annual Leave                      Wednesday 1 January                      Closed –                      Public Holiday (for New Year’s Day)                      Thursday 2 January                      Closed -                      Employee Annual Leave                      Friday 3 January                      Closed -                      Employee Annual Leave                      Monday 6 January                      Reopening                      to normal hours</p> <p>2. Authorises the Chief Executive Officer that the closure and emergency contacts being published on the Shire’s website, Facebook page, notice boards and the Watershed in the months leading up to the Christmas period; and</p>	✓	Items actioned via operational advice to all staff and actions will be finalised in the week into closure period.

Item	Subject	Council Decision	Status	Action
		3. Notes that the Chief Executive Officer to ensure that there will be staff available for call outs in the event of an emergency.		

Where a resolution is formal, procedural or lost it has not been recorded e.g. confirmation of minutes, meeting behind closed doors, lapsed, etc.

**9 Motions of Which Notice Has Been Given**

**10 Receipt of Committee Minutes or Reports and Consideration of Recommendations**

**11 President's Report**

To be tabled at the meeting.

**12 Report by the Chief Executive Officer**

To be tabled at the meeting.

**Delegations exercised –**

No.	Delegation Name	Delegation To	Delegation Exercised	When Exercised	Persons Affected
A1	Cheque Signing and Account Authorisation	CEO	Payment of Accounts Refer to FM report item. 14.1 List of Accounts		CEO, DCEO
A2	Septic Tank Application Approvals	EHO	Permit to use Apparatus – 4 Plover Street	30/10/2024	CEO
A3	Building Approvals	BO	Building Permit – 1315 Wickepin-Corrigin Road, Yealering	16/10/2024	CEO
A4	Roadside Advertising	CEO			
A5	Application for Planning Consent	CEO			
A6	Appointment and Termination of Staff	CEO			
A7	Rates Recovery – Instalment Payments	CEO			
A8	Issue of Orders	CEO			
A9	Legal Advice	CEO			
A10	Permits to Use Explosives	CEO			
A11	Street Stalls	CEO			
A12	Liquor Consumption on Shire Owned Property	CEO	Alcohol Consumption Permission – Yealering Town Hall Spring Blooms   Yealering Progress Assoc.  Alcohol Consumption Permission – Community Centre Funeral  Alcohol Consumption Permission – Community Centre Trials Presentation Night   Facey Group  Alcohol Consumption Permission – Community Centre   Cricket Club	08/10/2024  25/10/2024  30/10/2024  30/10/2024	CEO  CEO  CEO  CEO
A13	Hire of Community Halls / Community Centre	CEO	Yealering Hall Fee Waiver – Blooms Fest  Yealering Hall Fee Waiver – Yealering Primary Presentation Night & Practices	11/10/2024  17/10/2024	CEO  CEO
A14	The Food Act 2008 and the Food Regulations 2009	CEO			
A15	The Public Health Act 2016	CEO			
A16	Sponsorship, contributions and donations to sporting and community groups	CEO			

**13 Notices of Motions for the Following Meeting**

## 14 Reports and Information

### 14.1 Monthly Schedule of Accounts Paid – October 2024

<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	-
<b>Name of Applicant</b>	-
<b>File Reference</b>	FM.FR.1212
<b>Author</b>	E Clement – Deputy Chief Executive Officer
<b>Interest Disclosures</b>	The author has no financial, proximity or impartiality interests in this item.
<b>Report Written Date</b>	9 November 2024
<b>Attachment</b>	<b>14.1.1 - Monthly Schedule of Accounts Paid – October 2024</b>

#### Summary

Council is required to have a Schedule of Accounts Paid produced each month containing relevant information, as legislated.

The purpose of this report is to present the –

- Schedule of Creditor Accounts Paid, including Corporate Credit Card Reconciliations, for October 2024

Council is requested to confirm the Monthly Schedule of Accounts Paid, as included in the attachments.

#### Background

The *Local Government (Financial Management) Regulations 1996* requires Shire officers to, monthly and within a prescribed timeframe, prepare a schedule of payments made from the Municipal Fund and the Trust Fund and present this to Council for confirmation.

#### Comments

Shire officers have prepared the Monthly Schedule of Accounts Paid, in accordance with legislative requirements, and is contained in **Attachment 14.1.1**.

The schedule of accounts, covering vouchers as listed below, have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costings and the amounts shown have been remitted.

For the month under review the following summarised details are presented –

<b>Municipal Fund</b>	<b>Vouchers</b>	<b>Amounts</b>
Electronic Funds Transfer	EFT14903 - EFT14980	\$ 400,467.66
Cheques	15958 - 15963	\$ 15,353.71
Direct Deductions	October 24	\$ 1,882.37
Superannuation	October 24	\$ 26,868.46
Credit Card	October 24	\$ 5,496.20
BPay Payments	October 24	\$ 0.00
Payroll	October 24	\$ 156,129.00
Licensing	October 24	\$ 38,880.90

<b>Municipal Fund Total</b>		<b>\$ 645,078.30</b>
<b>Trust Fund</b>		
Electronic Funds Transfer		\$0.00
Cheques		\$0.00
<b>Trust Fund Total</b>		<b>\$ 0.00</b>
<b>Total</b>		<b>\$ 645,078.30</b>

### Statutory Environment

*Local Government (Financial Management) Regulations 1996 – Regulation 13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*

Where the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the Chief Executive Officer is to be prepared each month showing details for each account paid.

This list is to be presented to the council at the next ordinary meeting of the council and recorded in the minutes.

### Policy Implications

*Council Policy 3.1.7 – EFT Payment and Cheque Issue*

Council has authorised the Chief Executive Officer to make payments from the municipal fund and the trust fund.

### Financial Implications

#### Current Financial Year

Payments included on the Schedule of Accounts Paid have been undertaken in accordance with appropriate processes and the Annual Budget.

#### Future Financial Years

Nil

### Strategic Implications

Nil

### Voting Requirement

Simple majority

### Officer Recommendation

*That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 acknowledges payments from the Municipal Fund of \$645,078.30 and Trust \$0 for October 2024, as included in **Attachment 14.1.1**.*



## 14.2 Statement of Financial Activity – October 2024

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	-
<b>Name of Applicant</b>	-
<b>File Reference</b>	FM.FR.1212
<b>Author</b>	E Clement – Deputy Chief Executive Officer
<b>Interest Disclosures</b>	The author has no financial, proximity or impartiality interests in this item.
<b>Report Written Date</b>	11 November 2024
<b>Attachment</b>	<b>14.2.1</b> - Statement of Financial Activity – October 2024

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### Summary

Council is required to have a Statement of Financial Activity produced each month containing relevant information, as legislated.

The purpose of this report is to present the Statement of Financial Activity for the period ended October 2024.

Council is requested to accept the Statement of Financial Activity.

### Background

The *Local Government (Financial Management) Regulations 1996* require Shire officers, monthly and within a prescribed timeframe, to prepare financial reports covering prescribed information and present these to Council.

### Comments

Shire officers have prepared the Statement of Financial Activity, and supporting documentation, in accordance with legislative requirements, and is contained in **Attachment 14.2.1**.

### Statutory Environment

*Local Government Act 1995 – Section 6.4 Financial report*

Local governments are required to prepare and present financial reports, on an annual basis and at any other time, and in any other format, as prescribed.

*Local Government (Financial Management) Regulations 1996 – Regulation 34 Financial activity statement required each month (Act s. 6.4)*

Shire officers are to prepare each month a statement of financial activity reporting on revenue and expenditure as set out in the annual budget. Each statement of financial activity is to be accompanied by information explaining the composition of net assets less committed and restricted assets, any material variances and any other supporting information considered relevant.

### Policy Implications

*Council Policy 3.1.14.2 – Monthly Financial Reporting*

The Chief Executive Officer shall ensure a monthly statement of financial activity complies with all aspects of the Act and *Local Government (Financial Management) Regulations 1996*.

## **Financial Implications**

### Current Financial Year

Commentary on the current financial position is outlined within the body of the attached reports.

### Future Financial Years

Nil

## **Strategic Implications**

Nil

## **Voting Requirement**

Simple majority

## ***Officer Recommendation***

*That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996, accepts the Statement of Financial Activity and associated documentation for the period ending October 2024, as included in **Attachment 14.2.1**.*

### 14.3 Proposed Council Meeting Dates 2025

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	Whole Shire
<b>Name of Applicant</b>	K Bartley, Chief Executive Officer
<b>File Reference</b>	CM.PLA.404
<b>Author</b>	L Marchei, Governance Officer
<b>Interest Disclosures</b>	The author/s has no financial, proximity or impartiality interests in this item.
<b>Report Written Date</b>	11 November 2024
<b>Attachments</b>	Nil

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#### Summary

The purpose of this report is for Council to adopt the Ordinary Council Meeting dates, time and schedule for the 2025 calendar year. All nominated dates fall on the 3<sup>rd</sup> Wednesday of the month.

#### Background

The *Local Government Act 1995* requires a local government, at least once a year, to give local public notice of the dates, times and places at which ordinary and committee meetings are to be held for the next twelve months.

Currently all Council Meetings are held in the Council Chambers at the Shire of Wickepin Administration Building at 77 Wogolin Road, Wickepin. Council Meetings commence at 3.30pm and are open to the public.

#### Comments

Accordingly, Council is requested to adopt the following dates on which Ordinary Council Meetings are to be held in 2025:

- No Meeting held in January 2025
- Wednesday February 19, 2025
- Wednesday March 19, 2025
- Wednesday April 16, 2025
- Wednesday May 21, 2025
- Wednesday June 18, 2025
- Wednesday July 16, 2025
- Wednesday August 20, 2025
- Wednesday September 17, 2025
- Wednesday October 15, 2025
- Wednesday November 19, 2025
- Wednesday December 17, 2025

#### Statutory Environment

Section 5.25(1)(g) of the *Local Government Act 1995* provides for the giving of public notices of the date and agenda for Council Meetings.

*Regulation 12 of the Local Government (Administration) Regulations 1996*, states:

**12. Meetings, public notice of (Act s. 5.25(1)(g))**

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
  - (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

**Policy Implications**

That there is no policy associated with this item.

**Financial Implications**

There is no financial costs to this item other than already budgeted funds through the annual budget process.

**Strategic Implications****GOAL - Governance**

- Objective: 12 Our communities are informed via multiple channels of regular intervals
- Strategy: 12.1 Provide meaningful communication that delivers information regularly and succinctly.
- 12.2 Promote Council services and achievements

**Voting Requirement**

Simple majority

**Officer Recommendation**

*That Council requests the Chief Executive Officer to give local public notice in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996 for the Shire of Wickepin's 2025 Ordinary Council Meetings to be held at \_\_\_\_\_pm in the Council Chambers, Shire of Wickepin Administration Office, 77 Wogolin Road, Wickepin;*

- *No Meeting Scheduled January 2025*
- *Wednesday February 19, 2025*
- *Wednesday March 19, 2025*
- *Wednesday April 16, 2025*
- *Wednesday May 21, 2025*
- *Wednesday June 18, 2025*
- *Wednesday July 16, 2025*
- *Wednesday August 20, 2025*
- *Wednesday September 17, 2025*
- *Wednesday October 15, 2025*

- *Wednesday November 19, 2025*
- *Wednesday December 17, 2025*

## 14.4 Budget Amendment - Australia Day Celebrations 2025 Grant

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	-
<b>Name of Applicant</b>	Olivia Melville-Main, Community & Economic Development Officer
<b>File Reference</b>	CR.MEE.211/GS.PRG.1554
<b>Author</b>	Olivia Melville-Main, Community & Economic Development Officer
<b>Interest Disclosures</b>	The author has no financial, proximity or impartiality interests in this item.
<b>Report Written Date</b>	12 November 2024
<b>Attachments</b>	Nil

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### Summary

This item is presented to Council to endorse the budget amendment in support of the Australia Day Grant 2025 that the Shire of Wickepin has been successful in securing for up to \$10,000.

### Background

The Australia Day Celebration is a much-loved annual event and is a staple in the Wickepin calendar. Each year the breakfast that Council hosts is attended by a large percentage of the community and is a prime opportunity to foster community engagement and co-operation. This has previously been rotated between the communities, the 2025 Australia Day Breakfast is to be held at Yealering, with further activities to be held at the Wickepin Swimming Pool later in the day.

### Comments

The Shire Officers submitted an application for up to \$10,000(excluding GST) through the National Australia Day Council. The Shire's proposal includes the following activities:

- Breakfast prepared by Councillors at the Yealering Town Hall
- Community Awards
- Pool Party and Free Sausage Sizzle at the Wickepin Swimming Pool
- Music and Entertainment by DJ Red
- Water Games and Prizes, hosted by the Swimming Pool Manager

This has now been submitted and was accepted, therefore requiring a budget variation to receive the income and expenses associated with the event. The Shire has now received confirmation that it was successful in this application and that 80% of the funds will be made available to cover the cost of the food, decorations and entertainment for the event. With the following 20% paid to the Shire once we provide the acquittal details after the event and before the 30<sup>th</sup> April 2025.

The Officer's recommendation is to support this request.

### Statutory Environment

This request aligns to *Section 6.8 of the Local Government Act 1995*, which states:

#### ***Expenditure from municipal fund not included in annual budget***

- 1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure-*
  - a) *Is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - b) *Is authorised in advance by resolution\*; or*

c) *Is authorised in advance by the mayor or president in an emergency.*

*\* Absolute majority required*

**Policy Implications**

There are no current policies that relate to this item.

**Financial Implications**

There are currently no provisions held within the current 2024/2025 budget to accommodate these funds to be received or be spent. Therefore, the new general ledgers are detailed below.

Account Number	Account Description	Increase	Decrease	Original Budget	Revised budget
0983	Grant Income	(\$10,000)			(\$10,000)
0312	Presentations & Others - Expenses	(\$10,000)			\$10,000
Net Effect to Budget					\$0.00
The total project cost will not have a negative effect on the budget due to project being fully funded					
<u>Reason: To provide for the income and expenditure for the Australia Day Event 2025.</u>					

**Strategic Implications**

**GOAL - Community**

Objective: 9 Our communities are engaged, have a healthy lifestyle and are safe

Strategy: 9.1 Advocate for quality health and community service

**Voting Requirement**

Absolute Majority

**Officer Recommendation**

That Council:

- 1) Approves the expenditure for the purpose for the Australia Day Event 2025 in the Shire of Wickepin, totalling \$10,000.00 (ex GST); and
- 2) Authorises the following amendments to the 2024/2025 Budget detailed in the table below.

Account Number	Account Description	Increase	Decrease	Original Budget	Revised budget
0983	Grant Income	(\$10,000)			(\$10,000)
0312	Presentations & Others - Expenses	(\$10,000)			\$10,000
Net Effect to Budget					\$0.00
The total project cost will not have a negative effect on the budget due to project being fully funded					
<u>Reason: To provide for the income and expenditure for the Australia Day Event 2025.</u>					

## 14.5 RFT - 03-2024-2025 – Supply and Delivery of a 6 x 4 Two-Way Tip Truck

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	-
<b>Name of Applicant</b>	Graeme Hedditch, Manager Works Services
<b>File Reference</b>	FM.TEN.1220/WM.TEN.2914
<b>Author</b>	Graeme Hedditch, Manager Works Services
<b>Interest Disclosures</b>	The author has no financial, proximity or impartiality interests in this item.
<b>Report Written Date</b>	14 November 2024
<b>Attachments</b>	Nil

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### Summary

This report is for Council to call for tenders in accordance with the requirements of the *Local Government Act 1995* and Regulations for the value of services over \$250,000 for the Asset Management Program for 2024/2025.

### Background

Each year tenders are called for the supply and services. Tenders to supply and delivery of a 6 x 4 two-way tip truck.

To assist with the tender process, the WALGA proforma tender document is used to simplify tenderers to understanding of Council requirements.

### Comments

In summary, the proposed Supply and Delivery of a 6 x 4 Two-Way Side Tip Truck will be called.

Supply and Delivery of a 6 x 4 Two-Way Tip Truck, Council will require to upgrade its asset management plan for 2024/2025. As the adopted Annual Budget for the 2024/2025 period has now been endorsed, the Shire Officers are seeking Council to support the advertising for the tender for the supply and delivery of a 6 x 4 two-way tip truck.

### Statutory Environment

#### ***Local Government Act 1995 – Section 3.57 – Tenders for providing goods and services***

#### ***3.57. Tenders for providing goods or services***

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

#### ***Local Government (Functions and General) Regulations 1996, Regulation 11***

#### ***11. When tenders have to be publicly invited***

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if—*



- (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
- (aa) *the supply of the goods or services is associated with a state of emergency or a COVID-19 declaration; or*
- (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or*
- [(ba) *deleted*]
- (c) *within the last 6 months —*
  - (i) *the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or*
  - (ii) *the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*
- or*
- (d) *the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or*
- (e) *the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or*
- (ea) *the goods or services are to be supplied —*
  - (i) *in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
  - (ii) *by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
- or*
- (f) *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
- (g) *the goods to be supplied under the contract are —*
  - (i) *petrol or oil; or*
  - (ii) *any other liquid, or any gas, used for internal combustion engines;*
- or*
- (h) *the following apply —*
  - (i) *the goods or services are to be supplied by —*
    - (I) *a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or*
    - (II) *a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;*
  - and*
  - (ii) *the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and*

- (iii) *the local government is satisfied that the contract represents value for money;*  
or
- (i) *the goods or services are to be supplied by an Australian Disability Enterprise; or*
- (ia) *the contract is formed by the novation of a contract to which subregulation (1) applies;*  
or
- (j) *the contract is a renewal or extension of the term of a contract (the **original contract**) where —*
  - (i) *the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and*
  - (ii) *the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and*
  - (iii) *the original contract contains an option to renew or extend its term; and*
  - (iv) *the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;*
- or
- (ja) *the contract is a renewal or extension of the term of a contract (the **original contract**) where —*
  - (i) *the original contract is to expire within 3 months; and*
  - (ii) *the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and*
  - (iii) *the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration or a COVID-19 declaration applying to the district, or part of the district, of the local government;*
- or
- (jb) *the contract is a renewal or extension of the term of a contract (the **original contract**) for the supply of dental or medical services by a person registered under the Health Practitioner Regulation National Law (Western Australia) in the dental profession or medical profession; or*
- (k) *the goods or services are to be supplied by a pre-qualified supplier under Division 3.*

### **Policy Implications**

Council Policy 3.1.6 – Purchasing & Council Policy 3.1.6.3 – is associated with this item.

### **Financial Implications**

The adopted annual budget for 2024/2025 provides for the current provisions, within the asset management plan which has been presented to Council for discussion through the budget workshop/forums. External grant funding financial allocations have been accepted through relevant stakeholders for the 2024/2025 works program.

### **Voting Requirement**

Simple Majority

**Officer Recommendation**

*That Council, pursuant to section 3.57 of the Local Government Act 1995 and Regulation 11 of the Local Government (Functions and General) Regulations 1996, approves for the Chief Executive Officer to publicly invite tenders for RFT03- 2024-2025 for the Supply and Delivery of a 6 x 4 Two-Way Tip Truck.*

## 14.6 Acceptance of Tender - RFT 02-2024-2025 - Supply & Lay of Asphalt – Stock Route Road

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<b>Submission To:</b>	Ordinary Council
<b>Location/Address:</b>	Whole Shire
<b>Name of Applicant:</b>	Graeme Hedditch, Manager Works & Services
<b>File Reference:</b>	FM.TEN.1220/WM.TEN.2914
<b>Author:</b>	Graeme Hedditch, Manager Works & Services
<b>Disclosure of any Interest:</b>	The author has no financial, proximity or impartiality interests in this item.
<b>Report Written Date:</b>	08 November 2024
<b>Attachments</b>	<b>Confidential Attachment 14.6.1 – RFT 02-2024-2025 Acceptance</b>

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### Summary:

The purpose of this report is to advise Council of submissions received in relation to Tender RFT 02-2024-2025 – Supply & Lay of Asphalt, and for Council to award the contract to the best value for money tenderer as proposed by the evaluation panel recommendation.

### Background:

The Request for Tender (RFT) RFT 02-2024-2025 - Supply and Lay of Asphalt was advertised via E-Quotes on Tuesday 24<sup>th</sup> September 2024 and closed at 2pm on Friday, 1<sup>st</sup> November 2024 on the Western Australian Local Government Association's ("WALGA") Preferred Supplier E-Quotes System. E-Quotes suppliers were notified of the request for tender.

The RFT sought the services of the suitably qualified and experienced contractor to undertake the supply and lay of asphalt. The RFT is for the supply and lay of asphalt products for roadworks including, although not limited to, the following 2024/2025 Capital Works program:

- Stock Route Road

The tender documentation specifically sought-

- Asphalt design.
- Supply the application of hot asphalt.
- Spread of Asphalt @3300m x 2m x 2 = 13200sqm in total. (Width may vary)
- Pre-tack spray before application.
- Sweeping.
- Rolling as required.
- Supply water as required.
- Traffic control during associated Asphalt works.
- Installation TRPM temporary raised pavement markers if required.

Additionally, tender submissions were required to include the following –

- Organisation profile;
- Agency details;
- Sub-contractor details;
- Quality assurance details;
- Selection criteria responses;
- Operational compliance details against set criteria;

- Demonstrated experience in similar works;
- Demonstrated commitment to customer service;
- Demonstrated assurance of occupational safety and health practices; and
- Price information.

## Submissions

The RFT was advertised through the WALGA E-Quotes with four (4) submissions received and the submissions are summarised in **CONFIDENTIAL Attachment 14.6.1**. Tender submissions failing to complete all information requirements contained within the tender documentation schedules will be rejected.

Tender submissions were received from the following companies:

#	Company Name
1	WCP Civil Pty Ltd
2	Roads 2000 Pty Ltd
3	Boral Resources (WA) Ltd
4	Supercivil Pty Ltd

The selection criteria, and associated weighting, for consideration in determining the successful complying tender submission are contained in **CONFIDENTIAL Attachment 14.6.1**.

## Evaluation Panel

An evaluation panel was convened and consisted of the following personnel:

- Manager Works & Services; and
- Chief Executive Officer.

All members of the evaluation panel have no relationship with any of the submissions received.

## Evaluation Criteria

The following evaluation criteria and weightings were used by the tender evaluation panel to assess tender submissions:

Evaluation Criteria	Weighting
Demonstrated experience to meet the requirements of the specification	40%
Demonstrated ability and practices to ensure public and employee safety	20%
Price	40%

## Comments

All tender submissions were assessed against the evaluation criteria and the qualitative and quantitative results for this assessment and prices are documented. At the close of the submission period four (4) complying submissions were received.

Following the assessment of all tender submissions, against the selection criteria, the tender submitted by WCP Civil Pty Ltd was assessed as being the best value for money that meets the Shire's requirements.

The tender evaluation panel therefore recommends the tender submission made by WCP Civil Pty Ltd be accepted.

## **Statutory Environment**

### *Local Government Act 1995 – Section 3.57*

A local government is required to invite tenders before it enters a contract of a prescribed kind under which another person is to supply goods or services.

### *Local Government (Functions and General) Regulations 1996 – Division 2 Part 4*

Tenders shall be invited before the Shire enters a contract for another person to supply goods or services if the consideration under the contract is or is expected to exceed \$250,000.

### *Local Government (Functions and General) Regulations 1996 – Regulation 18 Rejecting and accepting tenders*

A local government may reject, accept or decline to accept any or all tenders received through a request for tender process.

## **Policy Implications**

### *Council Policy 3.1.6 Purchasing*

Purchases which may be more than \$250,000 ex GST must be tendered.

## **Financial Implications**

If only works included as per the estimated tender specifications occur, Council will commit to \$348,348.00 ex GST, which is included in 2024-2025 budget.

## **Future Financial Years**

Maintenance costs associated with proposed works will occur. The substance of the proposed works is likely to have a minor impact on future maintenance costs.

## **Strategic Implications**

### **GOAL - Infrastructure**

- |            |     |                                                                                  |
|------------|-----|----------------------------------------------------------------------------------|
| Objective: | 1   | Roads are a key economic driver across the Shire                                 |
| Strategy:  | 1.1 | Improve road safety and connectivity                                             |
|            | 1.2 | Develop and implement long-term (minimum 5 year) works construction programs     |
|            | 1.4 | Identification of road maintenance and improvements in the Asset Management Plan |

## **Voting Requirement**

Simple majority

## ***Officer Recommendation***

*That Council, with respect to Tender RFT-02-2024-2025 Supply and Lay of Asphalt;*

1. Authorises the Chief Executive Officer seeking a request for variation from Regional Road Group Lakes Subgroup with a variation of \$102,073 from Wickepin-Pingelly Road to Stock Route Road from projected savings;
2. Pursuant to *Local Government (Functions and General) Regulations 1996* – Regulation 18 awards Tender RFT-02-2024-2025 to WCP Civil Pty Ltd for \$348,348.00 ex GST; and
3. Authorises the Chief Executive Officer to sign a contract on behalf of the Shire of Wickepin for Tender RFT-02-2024-2025 - Supply and Lay of Asphalt, in principle, pending variation approved by the Regional Road Group Lakes Subgroup.

## 14.7 Policy Review – Council Policy – 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	Whole Shire
<b>Name of Applicant</b>	Kellie Bartley – Chief Executive Officer
<b>File Reference</b>	Policy Manual
<b>Author/s</b>	Kellie Bartley – Chief Executive Officer Lara Marchei – Governance Officer
<b>Interest Disclosures</b>	The author has no financial, proximity or impartiality interests in this item.
<b>Report Written Date</b>	12 November 2024
<b>Attachments</b>	<b>Attachment 14.7.1</b> – Current Council Policy – 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities <b>Attachment 14.7.2</b> – Revised Council Policy – 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities <b>Attachment 14.7.3</b> – Application to Waive Fees & Charges for Hiring of Council Facilities

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### Summary

The purpose of this report is to recommend to the Council to amend the current Council Policy 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities, so that it reflects current practice.

### Background

Shire Officers have commenced the review of the policies to be presented to the Council over the next 12 months. The review will identify to revoke, review or endorse work procedures due to their administrative functions.

The Council Policy 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities has been endorsed since 2015 and has been reviewed over this period of time. The policy requires further clarification to allow for an equitable assessment of a waiver of fees and charges request. It has been further developed and now has a clear direction and parameters in relation to the objectives and protocols for waiving fees and charges for the hiring of Council owned facilities.

The current Council Policy 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities is contained in **Attachment 14.7.1**.

### Comments

The review of the policy aims to ensure clear guidelines for the equitable assessment of requests to waive fees and charges for the hiring of Council facilities within the parameters set by Council under Delegated Authority, in a consistent and transparent manner.

The Shire currently utilises this policy on a consistence basis and seeks further clarity and direction for the shire and users for the Shire's facilities. The Shire currently assists many local groups, community and requests that help support the community in the needs for community cohesion and building community capacity in these spaces.

The revised policy outlines the definitions of eligibility, a standard process for applicants to follow when requesting waiver of fees and transparency and accountability to the community.



Shire Officers have reviewed and updated the changes to the Council Policy 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities contained in **Attachment 14.7.2**.

The changes are noted in **RED** for additional wording and the deletions are noted with ~~STRIKE-OUT~~ in **BLUE**.

## Statutory Environment

Section 2.7 of the *Local Government Act 1995*, states:

### 2.7. Role of council

(1) *The council —*

(a) *governs the local government's affairs; and*

(b) *is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to —*

(a) *oversee the allocation of the local government's finances and resources; and*

(b) *determine the local government's policies.*

Furthermore, section 5.41 of the *Local Government Act 1995* notes that one of the CEO's functions is to ensure that advice and information is available to Council so that informed decisions can be made.

## Policy Implications

The policy will provide for the objective of specific guidelines for waiving of fees and charges for the hiring of Council owned facilities.

## Financial Implications

There are no financial implications to this item.

## Strategic Implications

### GOAL - Governance

Objective: 10 Our organisation is well positioned and has capacity for the future.

Strategy: 10.1 Attract, train, develop and retain a skilled and effective workforce.

## Voting Requirement

Simple Majority

## Officer Recommendation

*That Council adopts the revised Council Policy 3.1.4 – Waiving of Fees & Charges for Hiring of Council Facilities, with the relevant changes noted and contained in **Attachment 14.7.2**.*

## 14.8 Shire of Wickepin – Adoption Local Heritage Survey

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	Whole Shire
<b>Name of Applicant</b>	Shire of Wickepin
<b>File Reference</b>	GR.SL.5
<b>Author</b>	L Gray – Heritage Intelligence (WA)
<b>Interest Disclosures</b>	The author have no financial, proximity or impartiality interests in this item.
<b>Report Written Date</b>	11 November 2024
<b>Attachments</b>	<b>Attachment 14.8.1</b> - Shire of Wickepin Local Heritage Survey 2024 <b>Attachment 14.8.2</b> - Appendix 1 – Table of Heritage Places <b>Attachment 14.8.3</b> - Appendix 2 – Heritage List

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### Summary

The purpose of this report is to request Council to adopt the Local Heritage Survey and Heritage List.

### Background

Laura Gray of Heritage Intelligence (WA) has been contracted to undertake a review of the 1996 Shire of Wickepin's Municipal Inventory of Heritage Places. Given the expiration of time since then and changes to legislation, a review was considered with the support of funding to achieve the outcomes.

In July 2019, the Heritage Act 2018 replaced the Heritage of Western Australia Act 1990. Changes in the new Act enhanced heritage protection and streamlined processes to bring it more into line with the other States.

The review is undertaken in consideration of the Department of Planning, Lands and Heritage's guidelines; *Criteria for the assessment of local heritage places and areas* as recommended in *State Planning Policy 3.5 Historic Heritage Conservation*.

Heritage Intelligence (WA) presented an overview of the review process to Council and discussed the implications associated with the Heritage List in late 2023.

### Comments

The final report is a summary of heritage places throughout the Shire, recorded in the Local Heritage Survey (LHS). Places identified as having the highest level of cultural heritage significance form the Heritage List from within the LHS. The places on the Heritage List are worthy of protection through Shire planning provisions.

176 places, including many sites, are recommended in the Local Heritage Survey, many of which were mentioned in the 1996 heritage inventory. Of the 176 places, 45 are on the Heritage List, and one of those places; the former Wickepin Hospital, is on the Heritage Council of Western Australia's Register of Heritage Places- the highest accolade for a heritage place in Western Australia.

Assessments determine levels of significance for each place in consideration of the overall context of the Shire's towns and district. The levels of significance are consistent with the required categories (*Heritage Act 2018*).

The consultant presented an overview of the review process to Council and discussed the implications associated with the Heritage List. The draft report comprised recommendations for the Local Heritage

Survey and the places within that survey that form the Heritage List for conservation guidance through the provisions of the Shire's planning scheme and a local planning policy.

Shire Council's endorsement of the draft report at the Ordinary Council meeting on 21<sup>st</sup> August 2024 facilitated the call for community consultation is an important part of the review process. There was no response from the community.

These reports are contained in **Attachments 14.8.1, 14.8.2 and 14.8.3.**

### **Statutory Environment**

This item is related to the following legislation:

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Heritage Act 2018 – Part 8 Local Heritage Surveys*
- *State Planning Policy 3.5 – Historic Heritage Conservation*
- *Guidelines for Local Heritage Surveys 2022*

### **Policy Implications**

There are no policies applicable to this item however consideration for a Local Planning Policy may be considered as part of the review process.

### **Financial Implications**

A provision has been included in the 2024/2025 annual budget for various planning services needed this financial year. There will be cost incurred for advertising, possible drop-in session.

### **Strategic Implications**

The proposed development aligns with several strategic goals and objectives of the Shire of Wickepin. These goals may include:

#### **Goal - Economy**

Objective:	6	New Businesses are attracted and existing business grow
Strategy	6.2	Plan in a Local Planning Strategy and Town Planning Scheme for a diverse range of land, housing and development opportunities for facilitation of growth in residential and industrial land use – to meet current and future needs

### **Voting Requirement**

Simple Majority

### **Officer Recommendation**

*That with respect to the proposed Shire of Wickepin Draft Local Heritage Survey, Council:*

*endorses the final Local Heritage Survey and Heritage List contained in **Attachments 14.8.1, 14.8.2 and 14.8.3.***

## **15 Confidential Reports and Information**

## **16 Urgent Business**

## **17 Closure**

With no further business, the Presiding Member, (PM) declared the meeting closed at (Time)