



Agenda

Ordinary Council Meeting
Wednesday 17 July 2024

Date	Wednesday 17 July 2024
Time	3:30pm
Location	Shire of Wickepin Council Chambers 77 Wogolin Road, Wickepin WA 6370
Distribution Date	Friday 12 July 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 17 July 2024 at the Shire of Wickepin Council Chambers, 77 Wogolin Road, Wickepin WA 6370.

A handwritten signature in black ink, appearing to read "K Bartley".

Kellie Bartley
Chief Executive Officer

12 July 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	Councillor
W Astbury	Councillor
F Allan	Councillor
L Corke	Councillor
J Mearns	Councillor
P Thompson	Councillor

Employees

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

Apologies/Leave

T Miller	Councillor (Leave of absence)
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3 Public Question Time

3.1 Responses to Previous Public Questions Taken On Notice

3.2 Public Question Time

[Public Question Time]

4 Apologies and Leave of Absence

4.1 Apologies

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 19 June 2024

Officer Recommendation

That Council confirm the minutes of the Ordinary Council Meeting held on Wednesday 19 June 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
1104-190820-11	Albert Facey Homestead Committee Recommendations	An inventory of all public artefacts and donations within the Shire is to be completed.	✕	Commenced, not yet complete. Chief Executive Officer has contacted the Committee regarding progress of the project. 09.07.2024 – Current CEO will follow up with Albert Facey Homestead Reference Group and work with the team to finalise. No longer required to be reported on status report.
1161-150921-13	Townscape and Cultural Planning Committee Recommendations	That the current Wogolin Road Information Board not be re-sited and that a new board be redesigned.	✕	Commenced, researching digital signage. Chief Executive Officer has contacted the Committee regarding progress of the project. 09.07.2024 – Current CEO will follow up with Townscape Reference Group and work with the team to finalise. No longer required to be reported on status report.
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.
OCM-210224-09	Consideration of Motion from 2024 Annual General Meeting of Electors – Annual Australia Day Event	1. That Council commit to having an annual Australia Day event, either Shire managed or via a local community group with funding of the event by Council.	○	To be discussed at July Forum. 09.07.2024 – to be discussed at Forum for July 2024.

Item	Subject	Council Decision	Status	Action
		2. That consideration/planning for the 2025 Australia Day event be scheduled to commence in July 2024 via discussion at that month's Forum.		
OCM-200324-12	Club Nights Light Program Grant Application – Wickepin Tennis Club	<p>1. That Council approve the submission of the Club Night Lights Program (CNLP) grant application by the Wickepin Tennis Club for upgrade of lighting at the tennis courts.</p> <p>2. The Council advises the Department of Local Government, Sport and Cultural Industries that Council ranks this grant application as Priority 1 of 1 for the current CNLP funding round for this Shire.</p> <p>3. That Council, in the event the application is successful, commits to funding its financial contribution (\$5,750 cash, \$4,016 in-kind) in the 2024/25 budget with the cash component being funded from the 2024/25 community grants allocation.</p>	○	Submitted, pending outcome. 09.07.2024 – CEO spoke to Northam DLGSC – Minister of Sport & Rec yet to release any details or announcements.
OCM-200324-13	Final Adoption Scheme Amendment No. 3 – Lot 7 (No. 56) Fisher Street, Wickepin	<p>That with respect to the proposed Scheme Amendment No. 3 at Lot 7 (No.56) Fisher Street, Wickepin, to rezone the land from "Recreation and Open Space" reserve to "Residential" zone with a density coding of R10, Council:</p> <p>1. Pursuant to Section 50(2) & (3)(a) of the Planning and Development (Local Planning Schemes) Regulations 2015, support the Standard</p>	✓	In Progress 09.07.2024 – final stages completed and signed by SP, CEO & sent to DLHP via Shire of Narrogin. All documentation provided and supplied to the DLHP

Item	Subject	Council Decision	Status	Action
		<p>Scheme Amendment No.3 without modifications to the Shire of Wickepin Local Planning Scheme No. 4 for final approval by:</p> <ol style="list-style-type: none"> a. Amending the classification of Lot 7 on Deposited Plan189958 (No. 56) Fisher Street, Wickepin from 'Recreation and Open Space' reserve to 'Residential' zone with a density coding of R10. b. Amending the Scheme Map accordingly. <ol style="list-style-type: none"> 2. Authorise the Chief Executive Officer and President to endorse the amendment documentation for final approval and affix the Shire of Wickepin common seal. 3. Advise those persons who lodged submissions of the outcome. 4. Forward the endorsed scheme amendment documentation to the Western Australian Planning Commission for its determination. 5. Write to the property owner advising of the potential spray drift from the agricultural property to the east. 		
OCM-170424-10	Local Emergency Management Committee Review – Combined Shires Wickepin, Cuballing and Narrogin	<p>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.</p> <p>Recommendation 2</p>	○	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.

Item	Subject	Council Decision	Status	Action
		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.		09.07.2024 – pending process with the LEMC processes and changes as required.
OCM-150524-12	Adoption – Shire of Wickepin Parking and Parking Facilities Local Law 2024	That with respect to the proposed Shire of Wickepin Parking and Parking Facilities Local Law 2024, that Council: <ol style="list-style-type: none"> 1. Makes the local law as detailed in Attachment 14.7.3, pursuant to section 3.12 (4) of the Local Government Act 1995; 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. 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. 4. Instructs the Chief Executive Officer to: <ol style="list-style-type: none"> a) Publish the local law in the Government Gazette in accordance with section 3.12(5) of 	○	In progress.

Item	Subject	Council Decision	Status	Action
		<p>the Local Government Act 1995;</p> <p>b) Provide a copy of this local law to the Minister of Local Government once published in the Government Gazette;</p> <p>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</p> <p>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.</p>		
OCM-190624-07	Voting Delegates – WALGA Annual General Meeting 2024	<p>That Council;</p> <p>1. Nominates Councillor P Thompson and Councillor W Astbury as voting delegates for the 2024 WALGA Annual General Meeting; and</p> <p>2. Nominates Councillor J Mearns and Councillor L Corke as proxy voting delegates in the event</p>	✓	July 2024 – completed and advised through to WALGA

Item	Subject	Council Decision	Status	Action
		that one or both delegates above are unable to attend.		
OCM-190624-08	Dual Fire Control Officers	That Council appoints under Section 38 of the <i>Bush Fires Act 1954</i> , the following Dual Fire Control Officers for the Shire of Wickepin from adjoining Shire as the authorized officer in the capacity of Dual Fire Control Officer for the 2024/2025 Bush Fire Season.	✓	July 2024 - completed
OCM-190624-10	Facey Group Incorporated Agreement	That Council; <ol style="list-style-type: none"> 1. Formally enters into a three year agreement with the Facey Group Incorporated as contained in amended Confidential Attachment 14.5.2 effective from 1 July 2024 to 30 June 2027; 2. Authorises the Chief Executive Officer to dispose of the vehicle to the Facey Group that is currently supplied to Facey Group Incorporated, by the end of this agreement date 30 June 2027 and for the Shire to incur the associated costs with the transfer. 	○	July 2024 – MOU has been sent however letter of response to be addressed with Council.
OCM-190624-12	Policy Review – Revocation of Council Policy 3.1.10	That Council revokes Council Policy – 3.1.10 – Petty Cash as contained in Attachment 14.6.1 as it is identified as Work	✓	Completed

Item	Subject	Council Decision	Status	Action
		Procedures effective 19 June 2024.		
OCM-190624-13	Policy Review – Council Policy 3.1.3 Corporate Credit Card	That Council adopts the revised Council Policy – 3.1.3 – Transaction Card Policy with the relevant changes noted and contained in Attachment 14.7.2.	✓	Completed
OCM-190624-14	Review Delegation A5 Application for Planning Consent	That Council adopts, by absolute majority, that the Delegation A5 Application for Planning Consent as contained in Attachment 14.8.2 effective 1 July 2024.	✓	Completed
OCM-190624-15	Fees and Charges 2024/2025	That Council, with respect to the fees and charges for 2024-2025 and pursuant to Section 6.16 of the <i>Local Government Act 1995</i> , imposes the fees and charges as included in Attachment 14.9.1, effective 1 July 2024.	✓	Completed part of annual budget process for 2024/2025.

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.

12 Report by the Chief Executive Officer

To be tabled.

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			
A3	Building Approvals	BO	30 Robert Street, Yealering (Verandah) 423 Dorakin Road, Wickepin (Patio)	10.06.2024 28.06.2024	CEO CEO
A4	Roadside Advertising	CEO			
A5	Application for Planning Consent	CEO	1315 Wickepin Corrigin Road, Yealering - House	21.06.2024	CEO
A6	Appointment and Termination of Staff	CEO	Appointment of CSO	20.06.2024	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	Facey Group – 22 July 2024	17.06.2024	CEO
A13	Hire of Community Halls /	CEO	Yealering Hall Hire – Churchlands Senior High School	04.07.2024	CEO

	Community Centre		44 th Battalion – PA System for War Memorial PD Day – Wickepin Primary School	01.07.2024 21.06.2024	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 – June 2024

Submission to	Ordinary Council Meeting
Location / Address	-
Name of Applicant	-
File Reference	FM.FR.1212
Author	E Clement – Deputy Chief Executive Officer
Interest Disclosures	The author has no financial, proximity or impartiality interests in this item.
Report Written Date	10 July 2024
Attachment	14.1.1 - Monthly Schedule of Accounts Paid – June 2024

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 June 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 –

Municipal Fund	Vouchers	Amounts
Electronic Funds Transfer	EFT 14586-14680	\$ 317,744.00
Cheques	15937 -15944	\$ 33,286.83
Direct Deductions	June 2024	\$ 22,687.68
Superannuation	June 2024	\$ 14,963.90
Credit Card	June 2024	\$ 61.65
BPay Payments	June 2024	\$ 3,344.34
Payroll	June 2024	\$ 93,822.00
Licensing	June 2024	\$ 24,447.00
Municipal Fund Total	June 2024	\$ 510,357.40

Trust Fund		
Electronic Funds Transfer	EFT 14681-14682	\$ 123.30
Cheques		\$ 0
Trust Fund Total		\$ 123.30
Total	June 2024	\$ 510,480.70

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 \$510,480.70 for June 2024, as included in **Attachment 14.1.1.***

14.2 Statement of Financial Activity – June 2024

Submission to	Ordinary Council Meeting
Location / Address	-
Name of Applicant	-
File Reference	FM.FR.1212
Author	E Clement – Deputy Chief Executive Officer
Interest Disclosures	The author has no financial, proximity or impartiality interests in this item.
Report Written Date	10 July 2024
Attachment	14.2.1 - Statement of Financial Activity – June 2024

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 May 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 June 2024, as included in **Attachment 14.2.1**.*

14.3 RFT 01-2024-2025 – Stabilization and Bitumen Works 2024/2025

Submission to	Ordinary Council Meeting
Location / Address	-
Name of Applicant	Graeme Hedditch, Manager Works Services
File Reference	FM.TEN.1220/WM.TEN.2914
Author	Graeme Hedditch, Manager Works Services
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	5 July 2024
Attachment/s	Nil

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 Capital Works Program for Stabilization and Bitumen Works 2024/2025.

Background

Each year tenders are called for the supply and spray of bitumen products including aggregate and road stabilization services. Tenders for stabilization services and the tender for the supply of road surface sealing have been requested for service where the shire works crew are unable to complete these works.

Council will be required to undertake the sealing and road works program, it is necessary to call tenders for the supply of bitumen and stabilization services. To assist with the tender process, the WALGA proforma tender document is used to simplify tenderers' understanding of Council requirements.

Comments

In summary, the proposed Capital Works Program will be called for the following quantities across the following roads:

Location Stabilization Works	SLK	SLK	Length (m)	Width (m)	Area (m²)	Material Cover	Seal Type	Cover Size (mm) 1st Coat	Cover Size (mm) 2nd Coat
Wickepin-Pingelly Rd	4.8	6.8	2km	8	16000	Wet Mix	N/A		
Rabbit Proof Fence Rd	9.86	14.86	5km	9	45,000	Wet Mix	N/A		
Yilliminning Rd	2.0	4.0	2km	9	18,000	Wet Mix	N/A		
Location Bitumen Works									
Wickepin-Pingelly Rd	4.8	6.8	2km	7.2	14,400	Aggregate	Bitumen	14	7
Rabbit Proof Fence Rd	9.86	14.86	5km	8	40,000	Aggregate	Bitumen	14	7
Yilliminning Rd	2.0	4.0	2km	8	16,000	Aggregate	Bitumen	14	7

Noting that schedule of works is only indicative and may be subject to change through the Annual Budget adoption process.

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 Policy & Council Policy 2.1.17 – Tenders of Budgeted Items – are associated with this item.

Financial Implications

The draft annual budget for 2024/2025 provides for the current draft provisions, within the roadworks program which has been presented to Council for discussion through the budget workshop/forums. External grant funding financial allocations have been accepted through relevant stakeholders (Regional Road Groups, Roads to Recovery, Wheatbelt Secondary Freight Network, and Shire funds) for the 2024/2025 works program.

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, 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 the 2024/2025 Stabilization and Bitumen works as detailed below:

Location	SLK	SLK	Length (m)	Width (m)	Area (m ²)	Material Cover	Seal Type	Cover Size (mm) 1 st Coat	Cover Size (mm) 2 nd Coat
Stabilization Works									
Wickepin-Pingelly Rd	4.8	6.8	2km	8	16000	Wet Mix	N/A		
Rabbit Proof Fence Rd	9.86	14.86	5km	9	45,000	Wet Mix	N/A		
Yilliminning Rd	2.0	4.0	2km	9	18,000	Wet Mix	N/A		
Bitumen Works									
Wickepin-Pingelly Rd	4.8	6.8	2km	7.2	14,400	Aggregate	Bitumen	14	7
Rabbit Proof Fence Rd	9.86	14.86	5km	8	40,000	Aggregate	Bitumen	14	7
Yilliminning Rd	2.0	4.0	2km	8	16,000	Aggregate	Bitumen	14	7

14.4 Policy Review – Council Policy – 2.1.15 – Flag Protocol

Submission to	Ordinary Council Meeting
Location / Address	Whole Shire
Name of Applicant	Kellie Bartley – Chief Executive Officer
File Reference	Policy Manual
Author/s	Kellie Bartley – Chief Executive Officer Erika Clement – Deputy Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	5 July 2024
Attachments	14.4.1 – Current Council Policy – 2.1.15 – Flag Protocol 14.4.2 – Revised Council Policy – 2.1.15 – Flag Protocol

Summary

The purpose of this report is to recommend to the Council to amend the current Council Policy – 2.1.15 – Flag Protocol 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 – 2.1.15 – Flag Protocol has been endorsed since 2015 and has been reviewed over this period of time. The policy provides minimal standards for the flag flying practices. It has been further developed and now has a clear direction and parameters in relation to the objectives, and protocols for flag flying.

The current Council Policy – 2.1.15 – Flag Protocol is contained in **Attachment 14.4.1**.

Comments

The protocols have been issued by the Department of the Prime Minister and Cabinet. Whilst the Shire only has two flag poles located at the shire offices, and one at the war memorial site in Wickepin, and poles located at Yealering and Harrismith. The policy allows for up to the opportunity in the future to expand to four flagpoles, if so desired.

The Shire does receive at times, advice to lower flags at half-mast on an official request form the either Federal or State Governments at certain times.

The review of the policy addresses provision and use of the flag/s along with the different flags that can be flown along with the provisions to fly flags at half-mast. Whilst updating standard guidelines aligned with the Australian National Flag Protocols. The changes are noted in **RED** for additional wording and the deletions are noted with ~~STRIKE OUT~~ in **BLUE**.

Shire Officer's have reviewed and updated the changes to the Council Policy – 2.1.15 – Flag Protocol Policy as contained in **Attachment 14.4.2**.

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 on the appropriate use of Council flagpoles and the raising of flags on shire owned buildings or reserves.

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 – 2.1.15 – Flag Protocol Policy with the relevant changes noted and contained in **Attachment 14.4.2**.

14.5 New Policy – 2.1.31 - Closed Circuit Television (CCTV) Policy

Submission to	Ordinary Council Meeting
Location / Address	Whole Shire
Name of Applicant	Kellie Bartley – Chief Executive Officer
File Reference	Policy Manual
Author	Kellie Bartley – Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	June 2024
Attachments	14.5.1 - Draft 2.1.31 - Closed Circuit Television (CCTV) Policy

Summary

The purpose of this report is to recommend that Council adopt a new Council Policy – 2.1.31 - Closed Circuit Television (CCTV) Policy for the Shire of Wickepin.

Background

The Shire of Wickepin has several points of CCTV within the townsite for the purpose of providing an opportunity to keep Shire facilities and community safe and to continue to protect the Shire's assets. Council has had the CCTV in place since using shire and grant funding opportunities over time.

On review of operational matters associated with the current CCTV protocols, the Council does not have a current policy to define the guidelines to support CCTV.

Comments

The policy will allow for the Chief Executive Officer (CEO) and staff to operate within legislative requirements. The policy will provide for best practices approach to CCTV, its use, security requirements, and objectives.

The purpose of the CCTV policy is to establish clear parameters for the use of the closed circuit television systems within the Shire. The objective of CCTV within a local government is to help reduce personal and property crime, in association with a range of other crime prevention strategies. Whilst CCTV cameras bring benefits to the community, such as a reduction in crime, which can lead to enhanced community safety and property protection in particular areas, it is recognised that crime is never totally prevented.

In establishing a CCTV policy, the prescribed boundaries, guidelines and expectations of Council are set to allow for a consistent and reasoned approach to all CCTV projects into the future. This further allows for officers to communicate relevant information to stakeholders, including the community where required.

The Officer's recommendation is to support to endorse the new Council Policy – 2.1.31 - Closed Circuit Television (CCTV) Policy. The policy is contained in **Attachment 14.5.1**.

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, other Acts and associated legislation is applicable to the implementation and management of CCTV systems. These are referenced in the draft policy.

Policy Implications

The policy has been detailed in the item that is being presented.

Financial Implications

There are no financial implications associated with this item.

Strategic Implications

Theme - Infrastructure

Objective: 4 Maintain Shire owned facilities in a strategic manner and also to meet community needs

Strategy: 4.2 Support improvement and maintenance of assets in a strategic manner

Voting Requirement

Simple Majority

Officer Recommendation

That Council adopts the Council Policy – 2.1.31 - Closed Circuit Television (CCTV) Policy as contained in **Attachment 14.5.1** effective 17th July 2024.

14.6 Amendment to Organisational Structure – July 2024

Submission to	Ordinary Council Meeting
Location / Address	-
Name of Applicant	All Staff
File Reference	PE.EC.1
Author	Kellie Bartley – Chief Executive Officer
Interest Disclosures	The author has an interest in this item due to being responsible for the operations of the Shire.
Report Written Date	4 July 2024
Attachments	14.6.1 - Current Organisational Structure 2023/2024 14.6.2 - Revised Organisational Structure – July 2024

Summary

This report is for Council to consider minor amendments to the Organisational Structure – July 2024 to be provided with the Annual Budget for 2024/2025.

Background

Section 5.36 of the *Local Government Act 1995* provides that a local government is to employ the number of persons that it believes is necessary to carry out the functions of the council.

The current Organisational Structure is contained in **Attachment 14.6.1** that was reflected in the 2023/2024 year.

Comments

To enhance and maintain the current status of the organisation and the service delivery, the Organisational Structure of the Shire is subject of review on an annual basis. With recent changes to the Administration staff, the casual position of Governance Officer has been added, along with the direct reporting line for the positions of Swimming Pool Manager and the Executive Support Officer.

The organisational structure establishes a teams approach to the allocation of task based on each position's functions and responsibilities. The structure establishes defined position responsibilities and reporting structures.

The revised Organisational Structure – July 2024 is contained in **Attachment 14.6.2**.

As mentioned, most of the changes relates to operational improvement through shuffling and realignment of some duties that also reflects one minor title change. Reporting lines for the Governance Officer, Executive Support and the Swimming Pool Manager will be reporting to the Chief Executive Officer however areas of these roles will also have reporting requirements to the relevant Senior Officer.

Statutory Environment

Local Government Act 1995 – Section 5.36 Local government employees

5.36. *Local government employees*

- (1) *A local government is to employ —*
- (a) *a person to be the CEO of the local government; and*
 - (b) *such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.*

Furthermore, this item aligns to the Annual Budget and more particularly the allocation of salaries and wages as part of this process under Section 6.2 (1) of the *Local Government Act 1995*.

Policy Implications

At this stage there are no Plans or Policy implications are identified for this item.

Financial Implications

There is no current financial impact on the annual budget as there is no new positions only realignment of reporting lines and the Governance Officer title amended from Administration Officer.

Strategic Implications

GOAL - Governance

Objective: 10 Our organisation is well positioned and has capacity for the future
Strategy: 10.2 Periodically review the Workforce Plan to assess employee needs and priorities and to determine whether the organisation has the resources and structure to deliver Council's strategic objectives.

Voting Requirement

Simple Majority

Officer Recommendation

*That Council endorses the revised Organisational Structure – July 2024, as presented in **Attachment 14.6.2** to this report with minor changes to a position title and re-alignment of reporting lines.*

14.7 Determination of Chief Executive Officer Key Performance Indicators 2024

Submission to	Ordinary Council Meeting
Location / Address	-
Name of Applicant	-
File Reference	PF.S153
Author	Kellie Bartley – Chief Executive Officer
Interest Disclosures	The author has a financial interest in this item.
Report Written Date	4 July 2024
Attachments	14.7.1 – Chief Executive Officer - Key Performance Indicators July 2024

Summary

This report is for Council to adopt the Key Performance Indicators (KPIs) for the Chief Executive Officer.

Background

Within three (3) months of the commencement date of the Chief Executive Officer, Council and the Chief Executive Officer (CEO) must negotiate and determine the Key Performance Indicators applicable to the role of the Chief Executive Officer.

The Chief Executive Officer commenced employment on 18 March 2024.

To assist Council in determining the Key Performance Indicator, the Department of Local Government, Sport and Cultural Industries has developed Chief Executive Officer Standards, which are available on the Department's website (www.dlgsc.wa.gov.au).

The aim of the Standards is to provide local government with a consistent and equitable process for recruitment, performance review and termination of the Chief Executive Officer in accordance with the principles of merit, equity and transparency.

Comments

Council was presented with a list of KPIs at the Council Forum held on 19 June 2024. As the performance measures have been previously discussed and presented under the previous CEO, minor changes were made to the KPIs as they are and still relevant to the organisation and the current Shire's direction.

These KPIs have been drafted to focus on the key functions of a CEO under the Local Government Act 1995, delivery of the Strategic Community Plan and any other key focus areas that are not already included in the strategic direction of the Shire.

The criteria considered for proposal, having regard to the need to negotiate and agree within the assigned timeframes, as are follows:

- Legal and statutory compliances are met, particularly related to asset infrastructure.
- Ensure effective financial management, including internal controls, throughout the organisation.
- Under delegation from Council, represent the objectives of Council with relevant stakeholders.
- Provide strategic direction and leadership within the organisation in delivering a high level of service to the community and Council, in accordance with corporate business objectives.
- Ensure the development and maintenance of sound communication and effective relationships between the Shire, Community Groups, regional Local Governments, as well as State and Federal Government Departments.

The Chief Executive Officer has agreed to the criteria shown above and is contained in **Attachment 14.7.1**.

Draft CEO KPIs have been developed and considered being reviewed by the CEO and Council. If Council does not agree with the criteria it will need to negotiate with the Chief Executive Officer within the assigned timeframe.

Statutory Environment

Local Government Act 1995 – Section 5.38 Annual review of employees' performance

A local government must review the performance of the Chief Executive Officer each year.

Local Government Act 1995 – Section 5.39 Contracts for CEO and senior employees

The employment of the Chief Executive Officer is to be governed by a written contract which includes, amongst other matters, the need to specify Key Performance Criteria for the purpose of reviewing the person's performance.

Local Government Act 1995 – Section 5.39A Model standards for CEO recruitment, performance and termination

Model standards for local governments relate to the review and performance of Chief Executive Officers.

Policy Implications

Council Policy 2.1.26 CEO Recruitment, Performance and Termination applies to this item. Council adopted the Model Standards regarding the recruitment, performance and termination of the CEO which, amongst other matters, includes the need to determine the appropriate KPIs.

Financial Implications

There are no financial implications associated with this item.

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.

Voting Requirement

Simple Majority

Officer Recommendation

That Council, pursuant to Section 5.39 of the Local Government Act 1995, determine the following Key Performance Indicators applicable to the performance of the Chief Executive Officer as contained in Attachment 14.7.1, are as follows:

- a) *Legal and statutory compliances are met, particularly related to asset infrastructure;*

- b) Ensure effective financial management, including internal controls, throughout the organisation;*
- c) Under delegation from Council, represent the objectives of Council with relevant stakeholders;*
- d) Provide strategic direction and leadership within the organisation in delivering a high level of service to the community and Council, in accordance with corporate business objectives; and*
- e) Ensure the development and maintenance of sound community and effective relationships between the Shire, Community Groups, regional Local Governments, as well as State and Federal Government Departments.*

14.8 Local Emergency Management Committee - Separation

Submission to	Ordinary Council Meeting
Location / Address	Whole District
Name of Applicant	Kellie Bartley, Chief Executive Officer
File Reference	ES.MEE.905
Author	Kellie Bartley, Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	June 2024
Attachments	14.8.1 - State Emergency Management Procedure – Section 3.15 14.8.2 – Draft Changes – Wickepin Shire Evacuation Plan 2024 14.8.3 – Changes – LEMA adopted 01.01.2016

Summary

This report is for Council to endorse the separation of the current joint arrangements of the Local Emergency Management Committee (LEMC) with the Shire's of Wickepin and Cuballing.

Background

Local Governments are required to establish one or more Local Emergency Management Committees (LEMCs) to ensure the Local Emergency Management Arrangements (LEMA) are developed and maintained.

LEMA refers to the suite of emergency management documentation, systems, processes, agreements and memorandum of understanding/s (MOU/s) that support a coordinated approach to emergency management at the local level. The LEMA is currently outlined in an overarching document that is developed in consultation with key stakeholders, endorsed by the respective Local Government and noted by the affiliated DEMC (District Emergency Management Committee) and SEMC (State Emergency Management Committee).

The Shire's of Wickepin and Cuballing historically have a joint LEMC which involves meeting twice per year and has provided the minimum standards for both local governments. Meetings are held in April and October of each year.

Comments

With Shire of Cuballing successful in an Aware Grant, seeking the combine Wickepin and Cuballing with the Shire of Narrogin for LEMC. Giving the opportunity to increase shared resources and meeting procedures between the 3 shires.

The Acting CEO received an email from the Shire of Cuballing requesting the Shire to consider the opportunity to review and was also requested to make contact with the Shire's of Wickepin and Narrogin to see if there was interest in a possible joint LEMC with all three shires.

The Shire of Cuballing requested the Shire consider:

“Emergencies and natural disasters do not respect shire boundaries and as was demonstrated with the East Narrogin and Shackleton fires, any large incident is likely to involve more than one local government. Each LEMCs seek to have engagement from the various state agencies and reducing the number of

separate committees in which they are expected to participate should the increase the likelihood of attendance.

Please let me know your Council's view on whether there is interested in proposed arrangement."

The Shire of Narrogin held their LEMC on 19 March 2024 and requested that the LEMC recommend that the Shire of Narrogin partake in discussions with the Shire's of Wickepin and Cuballing to enter into a joint LEMC and LEMA and authorise the CEO to enter into discussions.

A meeting was held on 27 March 2024 with the 3 Chief Executive Officers of the local governments of Narrogin, Cuballing and Wickepin along with the Shire Presidents in attendance from Wickepin and Cuballing. The consultant who is undertaking the grant process for the Shire of Cuballing was also in attendance.

Discussions were held to ascertain if the Shire of Wickepin was interested in the AWARE Grant and the process to amalgamate the 3 shires into one LEMC. The Shire of Wickepin requested further discussions with a presentation to be held on 17 April 2024 outlining the benefits to the Shire. The Chief Bush Fire Control Officer, local Police and St John will also be present for their input into this request. Council will also be further informed on the LEMC and what will be the benefits for the Shire of Wickepin.

At the Ordinary Council Meeting held on 17 April 2024, Council resolution stated:

Council Decision

Resolution **OCM-170424-10**

Moved **Cr W Astbury**

Second **Cr J Mearns**

"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"

Carried **5/1**

For **Cr J Russell, Cr W Astbury, Cr L Corke, Cr J Mearns, Cr F Allan**

Against **Cr P Thompson**

The joint LEMC meeting was held on 13 May 2024, and it was presented by both CEO's on the matter for both Councils and their considerations for a separation of LEMC. The LEMC recommendations from were:

Committee Decision

- 1. That the Local Emergency Management Committee determines that sufficient consultation has taken place in relation to changes to Local Emergency Management Arrangements.**
- 2. Request that Anika Keeling prepare a proposal to the State Emergency Management Committee seeking approval for the formation of two new Local Emergency Management Districts / Committees:**
 - One joint committee between Cuballing and Narrogin; and**
 - A second LEMC for Wickepin alone.**
- 3. That a copy of this resolution be provided to each of the three affected Local**

Governments for endorsement.

Moved S Scott
Seconded J Russell
Carried 13/0

Committee Decision

That the Combined Shire of Cuballing and Shire of Wickepin Local Emergency Management Committee and Combined Local Emergency Management Arrangements seek separation under 3.15 of the State Emergency Management Procedures.

Moved K Bartley
Seconded M Langford
Carried 13/0

The Shire will now be required to follow the State Emergency Management Procedures, Section 3.15 – Separation of Combined Local Governments for the Purpose of Emergency Management as contained in **Attachment 14.8.1**.

The process for endorsement is outlined below:

1. Document written by LG advice from LEMC.
2. Send LEMA to DEMA for desktop review and check against LEMA Guideline, Recovery Guideline and Evacuation Guidelines.
3. LG consider and incorporate DEMA proposed changes as required/agreed.
4. LG then return the revised document to DEMA for distribution to DEMC allowing members an “out of session” review for a period of 2 weeks.
5. LG consider DEMA comments and incorporate changes as required/agreed.
6. Draft then presented to LEMC for endorsement.
7. Council to then endorse LEMA
8. LEMA then sent to DEMC & SEMC for noting.

The following documents have been amended to proceed with the process however will be further developed and formatted through the process under the new reporting guidelines that SEMC has introduced. The Shire Officers have applied for grant funding to assist in this process and should the Shire be successful will seek the services of Narrogin Consulting Services to assist the Shire on this process over the next 12 months.

Changes to the Wickepin Shire Evacuation Plan 2023 has had only one minor change for the Shire of Cuballing name to be removed along with the word “joint” on page 6 under the amendments to the document. The attachment for this change is in **Attachment 14.8.2**.

The contact list and Wickepin Local Contacts and Resource Register have been updated for this report and is only distributed between the members of LEMC.

The current version of the Local Emergency Management Arrangements have had Shire of Cuballing striked out in **RED** and any other changes that have been required as per the requirement to remove the Shire of Cuballing as part of the previous joint arrangement. This is contained in **Attachment 14.8.3**.

Without any further discussions, the Shire of Wickepin will now require to seek the process to separate from the Joint LEMC with the Shire of Cuballing.

Statutory Environment

Local Government has legislated responsibilities under the *Emergency Management Act 2005* and the *Bush Fires Act 1954*.

Policy Implications

There are no policy related to this item.

Financial Implications

There is currently no financial requirements for this item however the proposed grant has been added into the draft 2024/2025 Annual Budget for consideration.

Strategic Implications

Community

9. Our communities are engaged, have a healthy lifestyle and are safe.
- 9.8 Emergency service planning is coordinated and articulated.
- 9.9 Recruiting volunteers is a partnership approach between the Shire and emergency services.

Voting Requirement

Simple Majority

Officer Recommendation

That Council:

1. Notes the outcomes of the Local Emergency Management Committee meeting on 13 May 2024;
2. Is satisfied that sufficient consultation has been conducted in relation to the proposed changes;
3. Requests the Chief Executive Officer to prepare a proposal to the State Emergency Management Committee seeking approval for the separation of the Joint Local Emergency Management Committee for the Shire's of Wickepin and Cuballing; and
4. Accepts the changes due to the separation of the Joint Local Emergency Management Committee, as contained in **Attachment 14.8.3**, aligned to the procedures under section 3.15 of the State Emergency Management Procedure for the separation of combined local governments for the purpose of emergency management.

15 Confidential Reports and Information

16 Urgent Business

17 Closure

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