



# Agenda

Ordinary Council Meeting  
Wednesday 16 April 2025

Date	Wednesday 16 April 2025
Time	3:30pm
Location	Shire of Wickepin Council Chambers 77 Wogolin Road, Wickepin WA 6370
Distribution Date	Wednesday 9 April 2025



## 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 19 March 2025 at the Shire of Wickepin Council Chambers, 77 Wogolin Road, Wickepin WA 6370.

A handwritten signature in black ink, appearing to read "Peter Clarke".

Peter Clarke  
Acting Chief Executive Officer

### 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, Cr Russell declared the meeting open at (time).

Cr Russell announced that the meeting is being recorded in accordance with section 14I of the Local Government Regulations 1996. The recordings will be made publicly available and serve as a public record of proceedings.

While section 9.57A of the Local Government Act 1995 provides the Local Government with limited protection from defamation liability for content published on its official website as part of a broadcast or recording of council proceedings, this does not extend to elected members or employees and I encourage all participants to ensure their contributions are respectful, professional, and consistent with the standards expected of Council meetings. Please remember that all comments will form part of the public record.

## 2 Attendance

### 2.1 Present

#### Councillors

J Russell	Shire President (Chair)
W Astbury	Deputy Shire President
F Allan	Councillor
L Corke	Councillor
P Thompson	Councillor

#### Employees

P Clarke	Acting Chief Executive Officer
E Clement	Deputy Chief Executive Officer
G Cross	Manager Works & Services
J Harvey	Executive Support Officer

#### Apologies

J Mearns	Councillor (Leave of Absence)
T Miller	Councillor (Leave of Absence)

## 3 Public Question Time

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

#### Mrs Jennifer McLaughlin

##### **QUESTION 1**

Why has there been no offer of "Assistance to Employee's Programmes" to the Pool Manageress by the Shire? An employee for 7 years plus.

##### **QUESTION/COMMENT 2**

The Shire President presented the Swimming Carnival with their Awards at the conclusion of the programme, but no acknowledgement or greeting was given to the Pool Manageress. A courtesy I would have thought.

**QUESTION/COMMENT 3**

The Offender of this whole situation sat in her car on the Childrens Swimming Carnival on Monday 10/3/2025 watching the Pool Manageress through the window of the Pool Office from a distance of 10yds or so – breaching her VRO and voicing vitriolic statements to a passer by.

I am personally very disappointed with the handling by the Shire of this matter. Wickepin public and users (sic) of the pool need to stand up & voice their concerns as the closure of the same affects you all & your children especially.

**Response (Shire President)**

Thank you, Jen, thank you very much for that. As your questions relate to a staff matter, we will take your questions on notice and we will provide you with a written response very soon. As you well know, Councillors do not get involved in staff matters, that is the concern of the CEO to deal with. You will get your response.

Ms McLaughlin responds – thank you.

**RESPONSE IN WRITING TO MRS MCLAUGHLIN – AFTER COUNCIL MEETING DATE**

I refer to the questions that were raised at the above meeting which were “Taken on Notice” by the Shire President. As advised at the meeting, the Shire President indicated that a written response would be provided to each question, which are detailed below:-

**RESPONSE TO Q1**

*From the notes of the incident provided by the previous CEO regarding the incident at the Pool, the CEO had indicated an opportunity for the Swimming Pool Manager to access an Employee Assistance Program was offered by the Shire of Wickepin through their Insurers. Again, from the notes above, following the Swimming Pool Manager providing a Medical Certificate no further action was taken, nor did the Swimming Pool Manager enquire further regarding the need for this service.*

**RESPONSE TO Q2**

*The Shire President attended the Pool for the specific task of presenting the Carnival Awards. The matter concerning the Swimming Pool Manager, and in particular the incident that occurred is primarily the responsibility of the CEO as it relates to a staff matter and one that Councillors do not involve themselves in.*

**RESPONSE TO Q3**

*It is understood that the Swimming Pool Manager did apply for a VRO against the person in question and if this is the case, then the matter becomes a Police issue and not one for the Shire of Wickepin. If the VRO was in place and the offender was breaching the conditions imposed, the Swimming Pool Manager should have referred this to the local Police for their action.*

*It should be noted that the CEO did not receive any calls from the Swimming Pool Manager on the day of the Swimming Carnival in relation to the above matter.*

**GENERAL COMMENT BY CEO**

From my reading of the events that took place, every effort was made to accommodate the Swimming Pool Manager e.g., the provision of a duress alarm and phone for emergency purposes.

Since my appointment as Acting CEO on Monday, 10 March 2025 the Swimming Pool Manager's first contact with me regarding any of her concerns was on Wednesday, 19 March, but due to a busy schedule of meetings on that day, I was only able to arrange a meeting with the Manager on Thursday, 20 March.

In matters such as these, there will be differences of opinion as to the actions of both parties and it is unfortunate that the relationship between the Pool Manager and the Shire has become strained. However, these issues can be resolved through opening up communication channels, and I hope that our initial contact and discussions from Thursday, 20 March can move forward to the point of reaching a satisfactory outcome for all parties.

Should you wish to discuss this matter further please do not hesitate to contact me.

### **3.2 Public Question Time**

## **4 Apologies and Leave of Absence**

### **4.1 Apologies**

### **4.2 Previously Approved Leave of Absence**

Cr Ty Miller and Cr John Mearns requested a leave of absence for the Ordinary Council Meeting 16 April 2025 for personal reasons.

### **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.

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 March 2025**

#### **Officer Recommendation**

*That Council confirms the minutes of the Ordinary Council Meeting held on Wednesday 19 March 2025, 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-170424-10	Local Emergency Management Committee Review – Combined Shires Wickepin, Cuballing and Narrogin	<p>Recommendation 1</p> <p>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> <p>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.</p>	○	A/CEO and DCEO met with Anika Keeling to discuss the preparation of Recovery and Evacuation plans.
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</li> </ol>	○	In progress. Staff have been progressing the resolution requirements of OCM of 15 May 2024. Shire President and A/CEO have signed and sealed the Local Law and advertising in GG and newspapers etc., has been undertaken. Staff currently preparing documentation for Joint Standing Committee on Delegated Legislation.

Item	Subject	Council Decision	Status	Action
		<p>Local Law 2024 as contained in Attachment 14.7.3.</p> <p>4. Instructs the Chief Executive Officer to:</p> <p>a) Publish the local law in the Government Gazette in accordance with section 3.12(5) of 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-210824-13	Shire of Wickepin – Draft Local Planning Strategy	<p>That with respect to the proposed Shire of Wickepin Draft Local Planning Strategy, Council:</p> <p>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.</p>	○	<p>A/CEO &amp; DCEO met with DPLH representative to discuss progress of LPS.</p> <p>Advice received that LPS is likely to be approved by June 2025.</p>

Item	Subject	Council Decision	Status	Action
		<p>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.</p> <p>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.</p> <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>		

Item	Subject	Council Decision	Status	Action
OCM-190325-06	Budget Review 2024/2025	That Council pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996, adopts the review of the 2024-2025 Annual Budget (as attached) and acknowledges the proposed revisions to revenue and expenditure estimates contained in the review.	✓	Budget review submitted to DLGSC.
OCM-190325-07	Annual Compliance Audit Return 2024	That Council adopt the Compliance Audit Return for the 2024 calendar year as shown in the attachment prior to it being submitted to the Department of Local Government, Sport and Cultural Industries.	✓	CAR report signed and submitted to DLGSC
OCM-190325-08	New Provisions for Local Governments to Pay Superannuation to Council Members	That Council, in accordance with section 54,62 and 63 of the local Government Amendment Act 2024 elect to not pay superannuation to all elected members.	✓	Complete

Item	Subject	Council Decision	Status	Action
OCM-190325-09	Appointment of Independent Chair, Audit and Risk Committee	That Council, in accordance with section 87 of the local Government Amendment Act 2024: Seeks expression of interest in writing from persons interested in becoming the Independent chair and Deputy chair for the Shire of Wickepin's Audit, Risk and Improvement Committee.	○	To be advertised.
OCM-190325-10	Lease of Yarling Brook Estate Land for Cropping Purposes	<p>1. That Council leases the Yarling Brook Estate vacant land under an MOU Agreement for the purpose of cropping and grazing to the Wickepin District Sports Club (WDSC) and the Wickepin Football Club (WFC) on a joint venture basis for a term of three (3) years commencing 1 April 2025 with the following rental to be applied: -  Year 1 \$2,200 (GST Inclusive)  Year 2 \$4,400 (GST Inclusive)  Year 3 \$4,400 (GST Inclusive)</p> <p>NOTE: Year 1 reduction in rental fee is to accommodate works the Joint Venture will be undertaking to improve the land/infrastructure for the cropping operations.)</p> <p>Further, the following conditions/limitations be noted: -</p> <ul style="list-style-type: none"> <li>• Council reserves the right to utilise the land for rural/residential development should the need/demand arises.</li> </ul>	✓	Letter forwarded to WDSC and WFC advising of Council decision and providing a Draft MOU Agreement for consideration prior to signing by both parties.

Item	Subject	Council Decision	Status	Action
		<ul style="list-style-type: none"><li>• The WDSC and WFC shall maintain boundary fences in a secure manner;</li><li>• The WDSC and WFC shall have regard for prevailing wind direction when undertaking spraying of crops with respect to adjacent residential areas;</li><li>• The WDSC and WFC shall maintain a fire break around land in accordance with the Fire Break Order of the Shire of Wickepin.</li></ul> <p>2. That the CEO be authorised to place the common seal of Council on the Lease - MOU agreement once signed by the Wickepin District Sports Club and the Wickepin Football Club.</p>		

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

### 10.1 Minutes of the Bush Fire Advisory Meeting held on Tuesday 18 March 2025.

*That Council confirms the minutes of the Bush Fire Advisory Meeting held on Tuesday 18 March 2025, as included in Attachment 10.1.1, as a true and accurate record and the recommendations contained therein be adopted by Council.*

## 11 Report by the President

To be tabled at the meeting.

## 12 Report by the Chief Executive Officer

CEO attended the following Meetings during March/April

- 20/3/25 – Met with Swimming Pool Manager to discuss Pool closure process and incident at Pool.
- 24/3/25 – Together with DCEO met with representative from Department of Planning, Lands and Heritage to discuss progress of Local Planning Strategy.
- 24/3/25 – Together with the Community Economic Development Officer, attended Yealering Progress Association meeting to discuss Kitchen upgrades at Yealering Hall and to discuss Lotteries Commission funding regarding these works.
- 27/3/25 – Met with Caravan Park Manager to discuss Park operations.
- 2/4/25 – Met with Anika Keeling to discuss preparation of Local Emergency Management Recovery and Evacuation Plans.
- 3/4/25 – Together with the Shire President and DCEO took part in Audit Entrance meeting with Council-appointed Auditors and OAG representative to discuss the impending 2024/2025 Audit process.
- 11/4/25 – Together with Shire President, attended Central Country Zone of WALGA meeting in Wickepin.

### Delegations exercised –

No.	Delegation Name	Delegation To	Delegation Exercised	When Exercised	Persons Affected
A1	Cheque Signing and Account Authorisation	CEO			A/CEO, DCEO
A2	Septic Tank Application Approvals	EHO			
A3	Building Approvals	BO	Demolition Permit – 48 Dumbleyung Road  Building Approval – Lot 55 Williams-Kondinin Road, CBH	31/03/2025  13/03/2025	A/CEO  A/CEO

<b>A4</b>	<b>Roadside Advertising</b>	<b>CEO</b>			
<b>A5</b>	<b>Application for Planning Consent</b>	<b>CEO</b>			
<b>A6</b>	<b>Appointment and Termination of Staff</b>	<b>CEO</b>			
<b>A7</b>	<b>Rates Recovery – Instalment Payments</b>	<b>CEO</b>			
<b>A8</b>	<b>Issue of Orders</b>	<b>CEO</b>			
<b>A9</b>	<b>Legal Advice</b>	<b>CEO</b>			
<b>A10</b>	<b>Permits to Use Explosives</b>	<b>CEO</b>			
<b>A11</b>	<b>Street Stalls</b>	<b>CEO</b>			
<b>A12</b>	<b>Liquor Consumption on Shire Owned Property</b>	<b>CEO</b>	Alcohol Consumption Permission – Wickepin Community Centre 20 <sup>th</sup> March 2025, Wickepin/Harrismith Cricket Club	20/03/2025	A/CEO
			Alcohol Consumption Permission – Wickepin Community Centre 19 <sup>th</sup> March 2025, Wickepin Netball Club	17/03/2025	A/CEO
<b>A13</b>	<b>Hire of Community Halls / Community Centre</b>	<b>CEO</b>	Fee Waiver Approval - Wickepin Community Centre 31 <sup>st</sup> March 2025, Ignite Wicky Festival Planning	31/03/2025	A/CEO
			Fee Waiver Approval - Wickepin Community Centre Wednesdays 16 <sup>th</sup> March – 12 <sup>th</sup> December 2025, Indoor Carpet Bowls	20/03/2025	A/CEO
<b>A14</b>	<b>The Food Act 2008 and the Food Regulations 2009</b>	<b>CEO</b>			
<b>A15</b>	<b>The Public Health Act 2016</b>	<b>CEO</b>			
<b>A16</b>	<b>Sponsorship, contributions and donations to sporting and community groups</b>	<b>CEO</b>			

## 13 Notices of Motions for the Following Meeting



## 14 Reports and Information

### 14.1 Monthly Schedule of Accounts Paid – March 2025

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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>	9 December 2024
<b>Attachment</b>	<b>14.1.1 – Monthly Schedule of Accounts Paid – March 2025</b>

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#### 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 March 2025.

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	EFT 15267-15328	\$ 387,294.84
Cheques	15986-15988,15990-15991	\$56,652.08
Direct Deductions	March 2025	\$1,333.05
Superannuation	March 2025	\$ 17,400.15
Credit Card	March 2025	\$615.95
BPay Payments	March 2025	\$1,904.80
Payroll	March 2025	\$101,626.00
Licensing	March 2025	\$ 15,664.30
<b>Municipal Fund Total</b>		<b>\$582,491.17</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>\$582,491.17</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

#### **Goal - Governance**

Objective:	11	We are proactive about collaboration and forward planning our future success
Strategy	11.2	Long Term Financial Plan is reviewed on a regular basis
	11.3	Ensure integrated planning documents remain current via regular reviews

**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 \$582,491.17 for March 2025, as included in Attachment 14.1.1.*

## 14.2 Statement of Financial Activity – March 2025

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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>	14 February 2025
<b>Attachment</b>	<b>14.2.1</b> - Statement of Financial Activity – March 2025

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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 March 2025.

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**

**Goal - Governance**

Objective:	11	We are proactive about collaboration and forward planning our future success
Strategy	11.2	Long Term Financial Plan is reviewed on a regular basis
	11.3	Ensure integrated planning documents remain current via regular reviews

**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 March 2025, as included in **Attachment 14.2.1**.*

### 14.3 Shire of Wickepin Standing Orders – 5. Meetings - Order of Business

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	N/A
<b>Name of Applicant</b>	N/A
<b>File Reference</b>	
<b>Author</b>	Peter Clarke – Acting Chief Executive Officer
<b>Interest Disclosures</b>	Nil
<b>Report Written Date</b>	31 March 2025
<b>Attachments</b>	Nil

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#### Summary

To submit to Council a proposal to alter the Order of Business as listed in Item 5.1 of the Shire of Wickepin Standing Orders, which relates to the Order of Business. It is recommended that 5.1(f), Status Report, be deleted from the Order of Business

#### Background

The Shire of Wickepin's Standing Orders Relating to the Conduct of Council and Committee Meetings have been in effect since 1998 and it is understood that little or no change has occurred since Gazettal.

The Standing Orders state the following in respect to the Order of Business at Ordinary Meetings of Council:-

*The order of business at meetings of the Council, unless altered by Council resolution to that effect, shall be nearly as practicable as follows:-*

- (a) Public question time;*
- (b) Apologies and leave of absence;*
- (c) Petitions, memorials and deputations;*
- (d) Declarations of Councillors and officers interest.;*
- (e) Confirmation of minutes of previous Council meeting(s);*
- (f) Status report*
- (g) Motions of which notice has been given;*
- (h) Receipt of minutes or reports and consideration of recommendations;*
- (i) Presidents report*
- (j) A report by the Chief Executive Officer;*
- (k) Notice of motions for the following meeting.*
- (l) Reports and information;*
- (m) Urgent business;*
- (n) Closure*

#### Comments

Over the years, Council meetings have been streamlined, particularly in the area of Reports and Recommendations by Officers. The recent introduction of live recording of meetings has also been a major change to the conduct of the meetings.

Council conducts a Forum Session prior to the meeting where Officers and Councillors can discuss matters in a more informal manner, and it is considered that the Status Report should be presented to Council in the Forum Session as it is more of an internal document rather than an external one.

Presenting the Status Report to the Forum Session would allow more discussion on the progress of certain items, particularly those that have been outstanding for some time and which require clarification/explanation from both Councillors and staff. The Status Report would be presented at the Forum Session in the same manner as has been previously presented to Council.

**Statutory Environment**

As per the *Shire of Wickepin Standing Orders 1998*, which state that the order of business can be altered by resolution.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Absolute Majority

**Officer Recommendation**

*That Council alters its Standing Orders relating to the Order of Business at Ordinary Council Meetings by deleting 5.1(f) Status Report, with the Status Report to be presented in the same format to the Council Forum Session which will allow discussion from Councillors and staff on items that require additional clarification/explanation.*

## 14.4 Shire of Wickepin Local Emergency Management Committee (LEMC) Proposed Terms of Reference

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<b>Submission to</b>	Ordinary Council Meeting
<b>Location / Address</b>	N/A
<b>Name of Applicant</b>	N/A
<b>File Reference</b>	ES.MEE.905
<b>Author</b>	Peter Clarke – Acting Chief Executive Officer
<b>Interest Disclosures</b>	Nil
<b>Report Written Date</b>	3 April 2025
<b>Attachments</b>	<b>Attachment 14.4.1</b> - Shire of Wickepin LEMC Draft Terms of Reference

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### Summary

To submit to Council a Draft of the Terms of Reference for the Shire of Wickepin Local Emergency Management Committee (LEMC).

### Background

Following Council's decision at its Ordinary meeting of 17 April 2024 to separate from the combined LEMC with the Shire of Cuballing, it is a requirement of Section 38(1) of the *Emergency Management Act* for the Shire of Wickepin to establish its own LEMC. As part of the LEMC's establishment, there is a need for Council to adopt a Terms of Reference relating to the duties and responsibilities of this Committee.

### Comments

Not only is a Terms of Reference required for the LEMC, Council also needs to prepare a new Recovery Plan, Evacuation Plan Local Emergency Management Arrangements and a local Contact and Resource Register.

Council was fortunate to receive funding from the Department of Fire and Emergency Services (DFES) via its "*All West Australians Reducing Emergencies (AWARE Program 2024-2025)*" to engage the services of a consultant to assist the Shire in the preparation of the above Plans. The milestones for this grant were to commence 31 July 2024 and for all Plans and associated documentation completed by 30 August 2025. Within these milestones, 2 meetings of the newly formed LEMC were to have occurred by February 2025. Unfortunately, none of the milestones have been reached, and the A/CEO wrote to DFES seeking approval for an extension of time to complete all the requirements of the grant by December 2025, to which DFES approved of same.

Once Council has adopted this Draft Terms of Reference, the first meeting of the newly formed LEMC can proceed. At this meeting a quarterly meeting schedule can be agreed upon and protocols adopted by the Committee.

### Statutory Environment

As per the *Emergency Management Act* relating to establishment of LEMC's.

### Policy Implications

Nil



**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple Majority

**Officer Recommendation**

*That Council adopts the Draft Terms of Reference for the soon-to-be-formed Shire of Wickepin Local Emergency Management Committee.*

## 14.5 Draft Local Planning Policy No. 10.3.7 – Wind Farm and Renewable Energy Facility: Submitted for Consent to Publicly Advertise

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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>	Policy Manual
<b>Author</b>	Steve Thompson, Consultant Planner
<b>Interest Disclosures</b>	Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the <i>Local Government Act 1995</i> ).
<b>Report Written Date</b>	31 March 2025
<b>Attachments</b>	<b>Attachment 14.5.1</b> - Draft Local Planning Policy No. 10.3.7 – Wind Farm and Renewable Energy Facility <b>Attachment 14.5.2</b> - Western Australian Planning Commission Position Statement: Renewable Energy Facilities <b>Attachment 14.5.3</b> - Extract from Planning and Development (Local Planning Schemes) Regulations 2015

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### Summary

The purpose of this report is to seek Council support to publicly advertise a draft planning policy relating to Wind Farm and Renewable Energy Facilities.

### Background

The Shire does not have a local planning policy relating to wind farms and renewable energy facilities. It is expected the Shire will receive applications for wind farms and renewable energy facilities over the coming years.

The draft policy, set out in **Attachment 14.5.1**, sets out the local government's draft position on wind farms and renewable energy facilities (including solar farms). The draft policy seeks to complement the matters set out in the *Western Australian Planning Commission Position Statement: Renewable Energy Facilities* (see **Attachment 14.5.2**).

Some sections of the draft policy particularly relate to wind farms.

The objectives of the draft policy are to:

- Specify information required to support a Development Application and set out key matters to be addressed;
- Protect the health, safety, and amenity of the community;
- Minimise or avoid environmental impacts; and
- Protect agricultural activities and protect approved development.

The draft policy applies throughout the district.

The draft policy sets out that no development approval is required for a domestic scale wind turbine servicing a single residence or a farming operation where infrastructure is contained on one lot and where it meets Scheme setback requirements for the zone. This is subject to the works not impacting a heritage-protected place. Development approval is required for all other wind farm and renewable energy facility development.

The draft policy is overall supportive of wind farms and renewable energy facilities subject to the applicant suitably addressing relevant planning considerations. In particular, the draft policy seeks to encourage appropriate development and where relevant, control wind farms and renewable energy facilities through establishing minimum requirements.

The draft policy includes policy provisions relating to:

- Siting, Separation Distances and Noise Impacts;

- Other Environmental and Social Impacts;
- Visual and Landscape Impact;
- Traffic Impacts and Road Contributions;
- Community Benefit Fund – it is highlighted there is no current statutory backing for a Community Benefit Fund or similar. In the foreseeable future, this would be a negotiated arrangement with the proponent; and
- Decommissioning.

With a goal of diversifying and growing the local economy, it is expected that the Shire will receive development applications for wind farms and renewable energy facilities in the coming years.

**Attachment 14.5.3** provides an extract from the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Regulations require draft local planning policies to be publicly advertised for at least 21 days.

### Comments

The draft policy, set out in **Attachment 14.5.1**, is considered appropriate to be publicly advertised for community and stakeholder comment. If Council agrees, submissions will be invited through various methods for a six (6) week period. In particular, through the Shire administration writing to and inviting comments from wide-ranging stakeholders and government agencies, placing public notices and details in a local paper, placing details on the Shire website, on the Shire's Facebook page and information being available at the Shire office.

The goal of the draft policy is to encourage community and stakeholder debate and to seek the receipt of submissions. Following the close of the consultation period, the Council and the Shire administration will consider the submissions and determine whether the draft policy is suitable for final adoption or whether it should be modified. The objective is to finalise a policy which will assist to increase certainty for everyone with an interest in this issue and which will provide increased guidance to Council and the Shire administration in assessing development applications.

### Statutory Environment

*Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015, Renewable Energy Facilities Position Statement, Shire of Wickepin Local Planning Scheme No. 4, Shire of Wickepin Local Planning Strategy*

### Policy Implications

These are addressed in this report and in the attached draft policy. Finalisation of the policy will increase certainty for everyone with an interest in the matter and should assist in more consistent decision making.

Local planning policies are non-statutory documents which provide guidance to assist the local government in its decision making. Accordingly, the local government is not bound by the policy but is required to have regard to the policy in determining development applications.

### Financial Implications

There are Shire costs associated with advertising the draft policy.

### Strategic Implications

The policy, if adopted, will assist:

- The decision-making of the Council and the Shire administration;
- To inform applicants/landowners of Council requirements; and
- To raise community and stakeholder awareness.

### GOAL – Economy

Objective: 6 New businesses are attracted and existing businesses 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 Council:*

1. *Support the public release of draft Local Planning Policy 10.3.7 – Wind Farm and Renewable Energy Facility, outlined in **Attachment 14.5.1**, and require the draft policy to be publicly advertised in accordance with the requirements set out in the Planning and Development (Local Planning Schemes) Regulations 2015 with an increased advertising period of six weeks.*
2. *Will reconsider draft Local Planning Policy 10.3.7 – Wind Farm and Renewable Energy Facility following the close of the public submission period and will determine whether or not to adopt the policy with or without modifications, or to not proceed with the policy.*

## **15 Confidential Reports and Information**

## **16 Urgent Business**

## **17 Closure**

With no further business, the Presiding Member Cr Russell declared the meeting closed at (time).