



Unconfirmed Minutes

Ordinary Council Meeting
Wednesday 20 August 2025

Date	Wednesday 20 August 2025
Time	3:30pm
Location	Shire of Wickepin Council Chambers 77 Wogolin Road, Wickepin WA 6370
Distribution Date	Thursday 28 August 2025



Notice of Meeting

Please be advised that an Ordinary Council Meeting of the Council of the Shire of Wickepin was held at 3:30pm on Wednesday 20 August 2025 at the Shire of Wickepin Council Chambers, 77 Wogolin Road, Wickepin WA 6370.

A handwritten signature in black ink, appearing to read "David Burton".

David Burton
Chief Executive Officer
20 August 2025

Disclaimer

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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 (3.36pm).

Cr Russell announced that the meeting is being recorded in accordance with section 14I of the Local Government Administrations 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)
F Allan	Councillor
J Mearns	Councillor
L Corke	Councillor
P Thompson	Councillor
T Miller	Councillor

Employees

D Burton	Chief Executive Officer
G Cross	Manager Works & Services
J Harvey	Executive Support Officer

Apologies

W Astbury	Deputy Shire President (Leave of Absence)
E Clement	Deputy Chief Executive Officer

3 Public Question Time

Nil.

3.1 Responses to Previous Public Questions Taken On Notice

3.2 Public Question Time

Nil.

4 Apologies and Leave of Absence

4.1 Apologies

4.2 Previously Approved Leave of Absence

Cr Wes Astbury requested a leave of absence for the Ordinary Council Meetings on 20th August 2025 & 17th September 2025.

4.3 Requests for Leave of Absence

Nil.

5 Petitions, Memorials and Deputations

5.1 Petitions

Nil.

5.2 Memorials

Nil.

5.3 Deputations

Nil.

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 – Nil.

7 Confirmation of Minutes of Previous Meetings

7.1 Minutes of the Ordinary Council Meeting held Wednesday 16 July 2025

Officer Recommendation

That Council confirms the minutes of the Ordinary Council Meeting held on Wednesday 16 July 2025, as included in Attachment 7.1.1, as a true and accurate record.

Council Decision

Resolution OCM-200825-01

Moved Cr F Allan

Second Cr L Corke

That Council confirms the minutes of the Ordinary Council Meeting held on Wednesday 16 July 2025, as included in Attachment 7.1.1, as a true and accurate record.

Carried 6/0

For Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller
Against Nil

8 Motions of Which Notice Has Been Given

Nil.

9 Receipt of Committee Minutes or Reports and Consideration of Recommendations

9.1 Minutes of the Albert Facey Homestead Meeting held on Tuesday 22 July 2025.

Officer Recommendation

That Council receives the minutes of the Albert Facey Homestead Meeting held on Tuesday 22 July 2025, as included in Attachment 9.1.1.

Council Decision

Resolution OCM-200825-02

Moved Cr T Miller

Second Cr L Corke

That Council receives the minutes of the Albert Facey Homestead Meeting held on Tuesday 22 July 2025, as included in Attachment 9.1.1.

Carried 6/0

For Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller

Against Nil

10 Report by the President

President's Report – August 20th, 2025

On behalf of the Shire of Wickepin residents and communities, I extend our deepest sympathy to Rodney Thornton, WALGA RoadWise, and his entire family on the untimely and tragic loss of his parents, Lach and Myra Thornton. Lach and Myra were long-term residents of the Wickepin Shire in the Toolibin district.

I would also like to extend condolences to Mark Fulford and his family on the passing of his father, Aussie Fulford, who was the Shire's Earthmoving Contractor for many years.

Unfortunately, we say goodbye to CEDO Sam Hankinson, who has resigned. Thank you, Sam, for your time with the Wickepin Shire, and we wish you all the best in your future ventures.

The annual WALGA Local Government Awards ceremony was held on July 19th. I would like to sincerely congratulate the award recipients from our neighbouring shires, who are all part of our region and active members of the Central Country Zone.

Cr Katrina Crute was awarded Life Membership to WALGA for her outstanding service to WALGA, Local Government, and the sector during her term as Councillor and President for the Shire of Brookton.

Cr Des Hickey from the Shire of Corrigin and Cr Jarrad Logie from the Shire of Williams were both awarded the Eminent Service Award for their distinguished contributions to WALGA, Local Government, and the sector during their terms as Councillor and President.

Cr Natalie Major from the Shire of Williams, along with Mr Allen Hicks, Manager of Works for the Shire of Wagin, were both awarded the Merit Award for their contributions to WALGA and their respective local government areas.

Congratulations are also in order for our own Shire of Wickepin Golfing Team, who won the recent LGIS Golf Tournament. A big thank you and well done to Cr Peter Thompson, Cr Ty Miller, Manager of Works Grant Cross, and Finance Officer Josh Hobley for representing the Shire of Wickepin.

As I have been away on annual leave, I have not attended any recent meetings. However, I did attend the WALGA Information Session for Council Nominees, held on August 18th.

11 Report by the Chief Executive Officer

The CEO attended the following meetings during July/August

- 22nd July Albert Facey Homestead Reference Group Meeting
- 22nd July Facey Group Board Meeting – Cuballing
- 23rd July Meeting with Yealering Bowling Club – Extensions and Sinking Fund
- 24th July Meeting with IT Software provider Readytech.
- 24th July Risk Management Group Zoom Meeting - LGIS
- 28th July Meeting with Wickepin School Principal
- 30th July Joint DFES Exercise at Kulin
- 30th July Yealering Progress Association AGM
- 31st July Meeting with Development WA for land releases.
- 1st August Wickepin CRC Communi-tea
- 1st August Meeting with local businesses – Smash Repairs
- 12th August Meeting with LGIS Officer
- 18th August WALGA Information Session for Council Nominees

Delegations exercised –

No.	Delegation Name	Delegation To	Delegation Exercised	When Exercised	Persons Affected
A1	Cheque Signing and Account Authorisation	CEO			CEO, DCEO
A2	Septic Tank Application Approvals	EHO			
A3	Building Approvals	BO	Occupancy Permit – Lot 55 Willaims Kondinin Road, Wickepin - CBH	1/07/2025	CEO
A4	Roadside Advertising	CEO			
A5	Application for Planning Consent	CEO	Development Approval – Lot 7438 no. 309 Stock Route Road – Konzag Development Approval – 4 Plover Street, Wickepin – Francis & Flyn	29/07/2025 18/07/2025	CEO CEO

A6	Appointment and Termination of Staff	CEO			
A7	Rates Recovery – Instalment Payments	CEO			
A8	Issue of Orders	CEO			
A9	Legal Advice	CEO			
A10	Permits to Use Explosives	CEO			
A11	Street Stalls	CEO			
A12	Liquor Consumption on Shire Owned Property	CEO	Alcohol Consumption Approval – Wickepin Community Centre, Workshop 20th August 2025 Alcohol Consumption Approval – Yealering Town Hall, Birthday Party 26th July 2025 Alcohol Consumption Approval – Wickepin Community Centre, Wickepin Netball Game 27th July 2025	23/07/2025 11/07/2025 11/07/2025	CEO CEO CEO
A13	Hire of Community Halls / Community Centre	CEO	Fee Waiver Approval – Wickepin Community Centre, Workshop 20th August 2025 Fee Waiver Approval – Wickepin Community Centre, St John Ambulance Volunteer Dinner 29th August 2025 Fee Waiver Approval – Wickepin Community Centre, Agrimaster Workshop 13th August 2025	23/07/2025 09/07/2025 09/07/2025	CEO 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			

12 Notices of Motions for the Following Meeting

Nil.

13 Reports and Information

13.1 Monthly Schedule of Accounts Paid – July 2025

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	4 July 25
Attachment	13.1.1 – Monthly Schedule of Accounts Paid – July 2025

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 July 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 13.1.1**.

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 15539-15553,15557-15590, 15593-15617	\$ 442,603.04
Cheques	16012-16014	\$16,015.23
Direct Deductions	July 2025	\$1333.05
Superannuation	July 2025	\$ 17,457.34
Credit Card	July 2025	\$746.96
BPay Payments	July 2025	\$3420.25
Payroll	July 2025	\$105,575.00
Licensing	July 2025	\$13,040.90
Municipal Fund Total		\$600,191.77
Trust Fund		
Electronic Funds Transfer	EFT 15554-15556,15591-15592	\$401.65
Cheques		\$
Trust Fund Total		\$401.65
Total		\$600,593.42

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 \$600,191.77 and Trust of \$401.65 for July 2025, as included in **Attachment 13.1.1**.*

Council Decision**Resolution** OCM-200825-03**Moved** Cr F Allan**Second** Cr J Mearns

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 acknowledges payments from the Municipal Fund of \$600,191.77 and Trust of \$401.65 for July 2025, as included in Attachment 13.1.1.

Carried 6/0**For** Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller**Against** Nil

13.2 Statement of Financial Activity – July 2025

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	4 August 2025
Attachment	13.2.1 - Statement of Financial Activity – July 2025 *To be provided at a later date*

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 July 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 13.2.1**.

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 ImplicationsCurrent 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 July 2025, as included in **Attachment 13.2.1**.*

Council Decision

Resolution	OCM-200825-04
Moved	Cr P Thompson
Second	Cr J Mearns

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 July 2025, as included in Attachment 13.2.1.

Carried 6/0

For Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller

Against Nil

13.3 Council Meeting Change of Date October 2025

Submission to	Ordinary Council Meeting
Location / Address	Whole of Shire
Name of Applicant	David Burton, Chief Executive Officer
File Reference	GO.CME.1323
Author	David Burton, Chief Executive Officer
Interest Disclosures	-
Report Written Date	4 August 2025
Attachments	Nil

Summary

The Chief Executive Officer seeks Council's approval to reschedule the Ordinary Council Meeting from 15 October 2025 to 22 October 2025. This change is proposed to accommodate the upcoming Council Elections on 18 October 2025, ensuring that newly elected Councillors are not delayed by a month before attending their first meeting. The rescheduling also addresses the limitations on Council decision-making during the caretaker period.

Background

The Ordinary Council Meeting for October 2025 is currently scheduled for 15 October 2025. As the Council Elections are to be held on 18 October 2025, it is considered appropriate to reschedule the meeting to 22 October 2025. This adjustment will ensure adequate time for the conduct of the election and any associated administrative processes.

Comments

In accordance with the Local Government Act 1995, Council may amend scheduled meeting dates, provided that public notice is given and all Council Members receive a minimum of 72 hours' notice of the meeting's date, time, and location, along with the meeting agenda.

Statutory Environment

5.3. Ordinary and special council meetings *[Section 5.3 amended: No. 47 of 2024 s. 37.]*

- (1A) A council deliberates, and makes its decisions, at meetings held in accordance with this Act.
- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

5.4. Calling council meetings

An ordinary or a special meeting of a council is to be held —

- (a) if called for by either —
 - (i) the mayor or president; or
 - (ii) at least 1/3 of the councillors, in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- (b) if so decided by the council.

5.5. Convening council meetings

- (1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.
- (2) The CEO is to convene a special meeting by giving each council member notice, before the meeting, of the date, time, place and purpose of the meeting.

5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to —
 - (a) the matters to be dealt with at ordinary or at special meetings of councils; and
 - (b) the functions of committees or types of committee; and
 - (ba) the holding of council or committee meetings by telephone, video conference or other electronic means; and
 - (c) the procedure to be followed at, and in respect of, council or committee meetings; and
 - (d) methods of voting at council or committee meetings; and
 - (e) the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made); and
 - (f) the content and confirmation of minutes of council or committee meetings and the keeping and preserving of the minutes and any documents relating to meetings; and
 - (g) the giving of public notice of the date and agenda for council or committee meetings; and
 - (h) the exclusion from meetings of persons whose conduct is not conducive to the proper conduct of the meetings and the steps to be taken in the event of persons refusing to leave meetings; and
 - (i) the circumstances and time in which the unconfirmed minutes of council or committee meetings are to be made available for inspection by members of the public; and
 - (j) the circumstances and time in which notice papers and agenda relating to any council or committee meeting and reports and other documents which could be —
 - (i) tabled at a council or committee meeting; or
 - (ii) produced by the local government or a committee for presentation at a council or committee meeting, are to be made available for inspection by members of the public.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

Officer Recommendation

That Council change the October Council meeting date to 22 October 2025 and advertise the change in accordance with the Local Government Act 1995.

Council Decision

Resolution **OCM-200825-05**

Moved **Cr J Mearns**

Second **Cr T Miller**

That Council change the October Council meeting date to 20 October 2025 and advertise the change in accordance with the Local Government Act 1995.

Carried **6/0**

For **Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller**

Against **Nil**

13.4 Parking and Parking Facilities Amendment Local Law 2025

Submission to	Ordinary Council Meeting
Location / Address	Shire of Wickepin
Name of Applicant	David Burton – Chief Executive Officer
File Reference	LD.LL.14
Author	David Burton - Chief Executive Officer Lara Marchei – Governance Officer
Interest Disclosures	Nil
Report Written Date	12 August 2025
Attachments	Attachment 13.4.1 - Draft Parking and Parking Facilities Amendment Local Law 2025

Summary

Council approval is sought to amend the *Shire of Wickepin Parking and Parking Facilities Local Law 2025*, following notification from the Joint Standing Committee on Delegated Legislation (JSCDL).

Background

The *Shire of Wickepin Parking and Parking Facilities Local Law 2024* was gazetted on 1 April 2025, following procedural steps as per Section 3.12 (1) to 3.12 (6) of the *Local Government Act 1995 (the Act)*. Section 3.12 (7) of the Act requires local governments to provide explanatory material for each local law gazetted to the Joint Standing Committee on Delegated Legislation (JSCDL). Preparing an Explanatory Memorandum forms part of the process of making a local law (section 3.12(7) of the Act).

The JSCDL is a joint committee of the Parliament of Western Australia comprising eight members with equal representation from the Legislative Council and the Legislative Assembly.

The committee has been delegated, by Parliament, the task of scrutinising subsidiary legislation in accordance with its terms of reference.

Correspondence was received from the JSCDL on 24 June 2025 advising of a number of typographical errors and changes requiring undertaking.

If a local law with an error has been published, it cannot be corrected by simply publishing a correction notice in the Gazette. A correction notice can only be used where the Department of Premier and Cabinet made a printing error or the error is something different to what the local government submitted for publishing. Any other changes to the published law, however small, must be made by way of a new proposed amendment local law, requiring fresh and full compliance with all of the steps of the process in section 3.12 of the *Local Government Act 1995 (The Act)*.

These matters were taken to the July 2025 ordinary council meeting and the following was resolved:

Council Decision

Resolution OCM-160725-12

Moved Cr T Miller

Second Cr P Thompson

That Council resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:

1. *within one year, amend the local law as follows:*
 - a) *in the clause 1.4 definition of 'symbol', replace '1999' with '2016'*
 - b) *in clause 3.1(3), alphabetise the numbering of subparagraphs (1), (2) and (3) to (a), (b) and (c), respectively*
 - c) *in clause 3.5(2)(k)(i), delete the numbering (i) and reposition the paragraph to align with the text of clause 3.5(2)*
 - d) *make all consequential amendments arising from the above amendments*
2. *not enforce the local law to the contrary before it is amended in accordance with undertaking 1*
3. *ensure that a copy of these undertakings accompanies the local law wherever it is made publicly available by the Shire, whether in hard copy or electronic form.*

Carried 6/0

For Cr J Russell, Cr W Astbury, Cr F Allan, Cr L Corke, Cr P Thompson, Cr T Miller

Against Nil

Comments

Council must now commence the process of making an amendment to the Parking and Parking Facilities Local Law to adopt these changes. This is done by making a new Parking and Parking Facilities Amendment Local Law, in accordance with section 3.12 of the Local Government Act 1995.

The purpose of this local law is to correct typographical errors as advised by the Joint Standing Committee on Delegated Legislation.

The effect of this local law will enable the Parking and Parking Facilities Local Law 2024 to be enforceable.

Following are the amendments to be made:

- **Australian Standard adopted**

Clause 1.4 defines 'symbol' as including:

any symbol specified by Australian Standard 1742.11-1999 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

This definition effectively adopts any symbols specified by the named standard, as well as any other symbol specified by Standards Australia from time to time for use in parking regulation. The Committee notes that the adopted standard has been superseded by Australian Standard 1742.11-2016. The reference to the standard should be updated.

- **Typographical error - Clause 3.1(3)**

Clause 3.1(3) reads as follows:

3.1 Restrictions on parking in particular areas

(3) A person shall not park a vehicle-

- (1) in a no parking area;
- (2) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
- (3) in a stall marked "MIC' unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.

The numbering of the subparagraphs in clause 3.1(3) should be alphabetised as (a), (b) and (c), and that is how they are referenced in Schedule 2 of the instrument, which lists prescribed offences. To ensure that there is consistency between clause 3.1(3) and Schedule 2, the subparagraphs should be alphabetised.

- **Drafting error - Clause 3.5(2)(k)(i)**

Clause 3.5 of the instrument provides as follows:

3.5 General prohibitions on parking

- (2) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is-
 - (a) between any other stationary vehicles and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - ... [other various prohibited parking positions] ...
 - (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked,
 - (i) **unless a sign or markings on the carriageway indicate otherwise.**
(bolding added)

In comparison, clause 3.5 of the WALGA template parking local law provides that:

3.5 General prohibitions on parking

- (2) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is-
 - (a) between any other stationary vehicles and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - ... [other various prohibited parking positions] ...
 - (k) within 10 metres of the nearer property line of any thoroughfare intersecting

the thoroughfare on the side on which the vehicle is parked,

unless a sign or markings on the carriageway indicate otherwise. (bolding added)

Clause 3.5(2)(k)(i) of this local law currently relates to, and modifies the effect of, the parking position prohibited by clause 3.5(2)(k). However, the corresponding paragraph in clause 3.5 of the WALGA template is not numbered and is positioned so that it aligns with the text of clause 3.5(2). This difference in alignment and lack of numbering changes the effect of the corresponding paragraph - it relates to, and modifies, the effects of all the parking positions prohibited by clauses 3.5(2)(a)-(k), not just the parking position prohibited by clause 3.5(2)(k).

The Committee believes that the numbering and alignment of clause 3.5(2)(k)(i) were drafting errors and should be rectified.

In accordance with section 3.12 of The Act, prior to making any local law, Council is required to give local public notice of the draft law and receive submissions from the public for at least six weeks.

Following the conclusion of the submission period, the local law will be resubmitted to Council for its consideration before it is adopted.

Statutory Environment

Section 3.12 of the *Local Government Act 1995* refers to the procedure for making local laws.

In addition, Regulation 3 of the Local Government (Functions and General) Regulations 1996 provides that "for the purpose of section 3.12, the person presiding at a Council meeting is to give notice of the purpose and effect of a local law by ensuring that –

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the council include the purpose and effect of the proposed local law."

Policy Implications

Nil

Financial Implications

Costs of advertising can be met from existing budget allocations.

Strategic Implications

Nil

Voting Requirement

Simple Majority

Officer Recommendation

That Council:

1. *In accordance with section 3.12 (3)(a) of the Local Government Act 1995, gives local public notice stating that it proposes to make a Parking and Parking Facilities Amendment Local Law 2025, its purpose and effect being:*

Purpose

The purpose of this local law is to correct typographical errors as advised by the Joint Standing Committee on Delegated Legislation.

Effect

The effect of this local law will enable the Parking and Parking Facilities Local Law 2024 to be enforceable.

2. *Notes that:*
 - a) *Copies of the proposed Parking and Parking Facilities Amendment Local Law 2025 may be inspected at the Shire's offices and will be made available on the Shire's website;*
 - b) *Submissions regarding the proposed Parking and Parking Facilities Amendment Local Law 2025 may be made to the Shire within a period of not more than 6 weeks after the public notice is given;*
 - c) *In accordance with section 3.12(3)(b) of the Local Government Act 1995, as soon as the notice is given, a copy of the proposed Parking and Parking Facilities Amendment Local Law 2025 will be provided to the Minister for Local Government; and*
 - d) *In accordance with section 3.12(3)(c) of the Local Government Act 1995, a copy of the proposed Parking and Parking Facilities Amendment Local Law 2025 will be supplied to any person requesting it.*
 - e) *All submissions received will be presented to Council for consideration.*

Council Decision

Resolution **OCM-200825-06**
Moved **Cr P Thompson**
Second **Cr F Allan**

That Council:

1. ***In accordance with section 3.12 (3)(a) of the Local Government Act 1995, gives local public notice stating that it proposes to make a Parking and Parking Facilities Amendment Local Law 2025, its purpose and effect being:***

Purpose

The purpose of this local law is to correct typographical errors as advised by the Joint Standing Committee on Delegated Legislation.

Effect

The effect of this local law will enable the Parking and Parking Facilities Local Law 2024 to be enforceable.

2. ***Notes that:***
 - a) ***Copies of the proposed Parking and Parking Facilities Amendment Local Law 2025 may be inspected at the Shire's offices and will be made available on the Shire's website;***

- b) Submissions regarding the proposed Parking and Parking Facilities Amendment Local Law 2025 may be made to the Shire within a period of not more than 6 weeks after the public notice is given;***
- c) In accordance with section 3.12(3)(b) of the Local Government Act 1995, as soon as the notice is given, a copy of the proposed Parking and Parking Facilities Amendment Local Law 2025 will be provided to the Minister for Local Government; and***
- d) In accordance with section 3.12(3)(c) of the Local Government Act 1995, a copy of the proposed Parking and Parking Facilities Amendment Local Law 2025 will be supplied to any person requesting it.***
- e) All submissions received will be presented to Council for consideration.***

Carried 6/0

For Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller

Against Nil

13.5 Dual Fire Control Officers – Shire of Pingelly & Shire of Kulin

Submission to	Ordinary Council Meeting
Location / Address	Whole Shire
Name of Applicant	Shire of Pingelly / Shire of Kulin
File Reference	ES.APN.901
Author	D Burton - Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	8 th August 2025
Attachments	Attachment 13.5.1 – Shire of Pingelly – Dual Fire Control Officers Letter Attachment 13.5.2 – Shire of Kulin – Dual Fire Control Officers Email

Summary

In accordance with legislation requirements, the Council is required to formally appoint its Bushfire Control Officers. This is done to ensure compliance and lawfully legitimise their authorisations under the *Bush Fires Act 1954*, in fulfilling their duty.

Background

The BFCO meeting was held earlier this year and prior to the adjoining Shires advising of their Dual Fire Control Officers for the Shire of Wickepin. The CEO has since received notification of Dual Fire Control Officers for the Shire of Wickepin from the following Shires:

Shire of Pingelly	Rodney Leonard Shaddick Brodie Cunningham Robert John Lee Brett Blechynden Sam MacNamara
Shire of Kulin	Clinton Mullan David Lewis

Comments

Council will need to appoint the following Dual Fire Control Officers for the Shire of Wickepin from adjoining Shires for the 2025/2026 Bush Fire Season:

Shire of Pingelly	Rodney Leonard Shaddick Brodie Cunningham Robert John Lee Brett Blechynden Sam MacNamara
Shire of Kulin	Clinton Mullan David Lewis

A copy of the letter from the Shire of Pingelly and email from the Shire of Kulin is provided in **Attachments**.

Statutory Environment

Bush Fires Act 1954

38. Local government may appoint bush fire control officer

- (1) *A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*
- (2A) *The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.*

40. Local governments may join in appointing and employing bush fire control officers

- (1) *Two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.*
- (2) *Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them.*

Policy Implications

There are no policies applicable to this item.

Financial Implications

There is no impost on the Shire's finances in relation to this matter.

Strategic Implications

GOAL - Community

- Objective: 9 Our communities are engaged, have a healthy lifestyle and are safe.
- Strategy: 9.8 Emergency service planning is coordinated and articulated
- 9.14 Develop community readiness to cope with natural disasters and emergencies

Voting Requirement

Simple Majority

Officer Recommendation

That Council appoints under Section 38 of the Bush Fires Act 1954, the following Dual Fire Control Officers for the Shire of Wickepin from adjoining Shire of Pingelly and the Shire of Kulin as the authorized officers in the capacity of Dual Fire Control Officer for the 2025/2026 Bush Fire Season:

*Shire of Pingelly Rodney Leonard Shaddick
 Brodie Cunningham
 Robert John Lee
 Brett Blechynden
 Sam MacNamara*

*Shire of Kulin Clinton Mullan
 David Lewis*

Council Decision**Resolution** **OCM-200825-07****Moved** **Cr L Corke****Second** **Cr T Miller**

That Council appoints under Section 38 of the Bush Fires Act 1954, the following Dual Fire Control Officers for the Shire of Wickepin from adjoining Shire of Pingelly and the Shire of Kulin as the authorized officers in the capacity of Dual Fire Control Officer for the 2025/2026 Bush Fire Season:

***Shire of Pingelly Rodney Leonard Shaddick
 Brodie Cunningham
 Robert John Lee
 Brett Blechynden
 Sam MacNamara***

***Shire of Kulin Clinton Mullan
 David Lewis***

Carried **6/0****For** **Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller****Against** **Nil**

13.6 Land Development - Wickepin

Submission to	Ordinary Council Meeting
Location / Address	Wickepin Townsite
Name of Applicant	Nil.
File Reference	LP.SBD.1704, LP.SBD.1705, CP.A&D.502, CP.A&D.507
Author	D Burton - Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	8 th August 2025
Attachments	Attachment 13.6.1 – RDAP Submission Guide Attachment 13.6.2 – Copy of Map of Subdivision showing selected areas for development

Summary

For Council to consider staff drafting a Regional Development Assistance Program (RDAP) application for Development WA for the development of Residential and industrial land for Wickepin.

Background

The Shire of Wickepin has been developing Yarling Brook Estate for several years now, and with the recent sale of the last available blocks, consideration of further development has been a target of Council.

Due to the significant cost of developing land being considerably more than the sale of the developed land, options for assistance have been considered by staff. One such consideration is to work with Development WA for the development of residential and industrial lots on the Yarling Brook Estate area.

Comments

As previously noted, the cost of developing land carries a significant cost with a recent quote from April 2024 having 2 estimates ranging from \$1.033m to \$1.324m without GST. For the Shire to recover costs, the blocks would need to be sold for \$95k to \$132k, which would not be able to be achieved.

The alternative recommended by staff is to proceed with an RDAP application with Development WA for the development of the land to reduce the financial impact on the Shire. This will be aided by the recent State Government budget allocations for the development of land in regional areas.

In discussion with Development WA, the development of the land can take 3-4 years to be finally developed and ready for sale.

Process

For the RDAP application, there is a lot of information that will need to be gathered and prepared for the final submission. Staff will work through this as quickly as possible to submit the application while funding is still available. Requirements for the submission can be seen in the submission guide.

For the process, essentially, the Shire gives the land to Development WA to develop the individual blocks and then will assist in the promotion of the sale of the blocks. Any funding assistance or in-kind assistance (road construction) is viewed favourably and will assist the Application.

To transfer the land to Development WA, the Shire will be required to follow the Sales of Property requirements of Section 3.58 of the Local Government Act 1995, requiring advertising and a submission period for the transfer. This would happen if the RDAP is approved.

Once the land is developed, the Shire is to assist in the sale of the blocks, which would fit within our Strategic Objectives.

It should be noted that some studies and/or information gathering will be required for the application, and there may be a cost for this. Staff will try to minimize the impacts, and costs should be able to be covered under the current budget allocations.

In the current subdivision plans, there is land for Residential purposes and land for Industrial purposes. Current funding for Development WA does allow for the 2 areas. As industrial land development will allow business growth (employment opportunities), it is recommended that an application be made for Residential Land (up to 12 lots) and Industrial land (up to 4 lots) as separate applications.

In discussion with Development WA, Officers indicated that they do not do lifestyle blocks, but they may be able to assist the Shire with submitting its own plan for this development.

Statutory Environment

Local Government Act 1995

Section 3.58 – Disposal of Property.

Policy Implications

Policy 6.1.1 – Conditions for Subdivision

Under Policy 6.1.1, the Developer is required to provide roadworks and kerbing. As development WA would be subdividing the Shire land, the Shire may wish to contribute in-kind works to the road infrastructure.

Financial Implications

There are no known cost impacts in proceeding with this application at this time; however, specific information may be required to complete the application. Funding should be available in the current budget to assist staff with this information.

The inclusion of roadworks would need to be budgeted for if the application is approved and the Council considers the in-kind support.

Strategic Implications

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 APPROVES the Chief Executive Officer to make a submission of:

- a) a Regional Development Assistance Program application through Development WA for the development of up to 12 residential lots; and*
- b) a Regional Development Assistance Program application through Development WA for the development of up to 4 Industrial lots;*

With the Shire giving in-principle support for in-kind assistance for road works for the subdivision.

Council Decision

Resolution **OCM-200825-08**

Moved **Cr J Mearns**

Second **Cr T Miller**

That Council APPROVES the Chief Executive Officer to make a submission of:

- a) a Regional Development Assistance Program application through Development WA for the development of up to 12 residential lots; and*
- b) a Regional Development Assistance Program application through Development WA for the development of up to 4 Industrial lots;*

With the Shire giving in-principle support for in-kind assistance for road works for the subdivision.

Carried **6/0**

For **Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller**

Against **Nil**

13.7 Yealering Bowling Club – Sinking Fund

Submission to	Ordinary Council Meeting
Location / Address	Yealering Townsite
Name of Applicant	Nil.
File Reference	CP.MIA.539, GS.PRG.1546, RC.LIA.2406, A6318
Author	D Burton - Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	12 th August 2025
Attachments	Nil

Summary

For Council to consider a request from the Yealering Bowling Club for a 12 month reprieve from contributing to the Greens Sinking Fund to enable some sand repairs to be done on the greens and also the construction of a shelter on the east side of the building to extend the viewing area.

Background

Members from the Yealering Bowling Club spoke with the CEO requesting consideration of a 12-month reprieve from contributing to the Greens Sinking Fund for the replacement of the surface, in favor of the funds being spent on adding sand to the green.

The Club considers the sand as a priority as it will extend the life of the surface for an extra couple of years, which will allow them to continue with the sinking fund.

The club has also requested to be able to add an extra shelter area on the eastern side of the building to allow for a greater shade area near the bar/kitchen, which would assist in managing larger crowds at events. The Club would be willing to purchase and construct the shelter area, and it would likely be staged with the shelter being done first, and then the concrete floor at a later date.

Comments

In accordance with the grant for the new surface of the Yealering Bowling Green, the Club was required to contribute annually to a sinking fund for the replacement of the green when it was required. The amount for this contribution was to be calculated at the cost of the replacement surface, divided by the life expectancy of the surface for the Club's contribution. The Club was originally advised that the contribution was \$7,900 per year. It is not known if the Club was advised of any increasing cost for the surface. As such, members believe that the club is 'in front' with the payments of the contribution. Current contributions to the Sinking fund are approximately \$93,000.

Replacement surfaces can be difficult to receive grants through the CSRFF funding scheme, and if funds are received, it would only be 1/6, not 1/3 of the cost. It is possible that the cost could be around \$250,000 (estimated), which would make the club contribution \$125,000 for the replacement surface. This is significantly more than the current funds held. As a consideration, if the repairs of the sand will extend the life of the greens, then the reprieve from the sinking fund contribution may allow the club additional years to make up the sinking fund contribution. It should be noted that the sinking funds being held are for replacement only and cannot be used for repairs.

In discussion with the Department of Community Industries, Tourism and Sport (CIRTS), the sinking fund is the responsibility of the Shire and no permission is required from CIRTS.

It is recommended that Council give consideration to the reprieve for a single year to allow for the Club to replace some of the sand on the green to extend its life. Still, the club should be informed that this opportunity will not be repeated until the full cost replacement is held in the Sinking Fund.

The Bowling Club is also looking at extending the shelter on the eastern side of the building to approximately the width where the member's left foot is in the photograph shown.



The Club is not seeking funding from the Shire, just permission for the extension. As the building is still part of a public building, staff will need to ensure that the expansion is in line with Building Code Practices for public buildings.

The extension would assist the Club by providing a larger area, enabling larger events without the entertainment area becoming crowded around the kitchen-bar area.

The construction will be done in a staged process, with the cover being planned to be completed for the 70th anniversary of the Club and the concrete flooring at a later date.

While staff have no concern about the shelter area, there are some issues with the building and water erosion at the back, which is impacting the building area. Staff will be looking at solutions for this issue.

It is recommended that Council approve the Clubs shelter extension on the proviso that:

The building licence is approved.

The building is up to code for public areas; and

The Club accepts the responsibility for the extension and any issues for the first 5 years after construction.

Statutory Environment

Building Construction Codes

Regulations pertaining to Public Facilities.

Policy Implications

Nil

Financial Implications

The reprieve from the Annual Sinking Fund contribution will create some risk that the funds may not be in the Reserve when the replacement is required; however, as the remedial works may extend the life of the green, it will give a better chance of funds being in the Sinking Fund when required. This reprieve should be considered as a single event to reduce the risk of funding not being available when required.

The installation of the shelter will be done by the Bowling Club, so the cost to the Shire would be minimal, maybe only the cost of the building licence.

Strategic Implications

GOAL - Infrastructure

- Objective: 4. Maintain Shire owned facilities in a strategic manner and also to meet community needs
- Strategy: 4.2 Support the improvement and maintenance of assets in a strategic manner
4.3 Encourage greater usage of Shire facilities

Voting Requirement

Simple Majority

Officer Recommendation

That Council AUTHORISES the Chief Executive Officer to:

- Advise the Yealering Bowling Club that a 1 year reprieve from the contribution to the Sinking funds is approved as a one-off event to assist with the green works; and*
Approve the building plans for the Clubs shelter extension on the proviso that:
- a) The building licence is approved.*
 - b) The building is up to code for public areas; and*
 - c) The Club accepts the responsibility for the extension and any issues for the first 5 years after construction.*

Council Decision

Resolution OCM-200825-09
Moved Cr T Miller
Second Cr L Corke

That Council AUTHORISES the Chief Executive Officer to:

- Advise the Yealering Bowling Club that a 1 year reprieve from the contribution to the Sinking funds is approved as a one-off event to assist with the green works; and*
Approve the building plans for the Clubs shelter extension on the proviso that:
- a) The building licence is approved.*
 - b) The building is up to code for public areas; and*
 - c) The Club accepts the responsibility for the extension and any issues for the first 5 years after construction; and*
 - d) The minutes of the Club are to be provided showing the majority support of the members.*

Carried 6/0
For Cr J Russell, Cr F Allan, Cr J Mearns, Cr L Corke, Cr P Thompson, Cr T Miller
Against Nil

Council amended the recommendation to ensure all members had an opportunity to consider the request for the shade area.

14 Confidential Reports and Information

Nil.

15 Urgent Business

Nil.

16 Closure

With no further business, the Presiding Member Cr Russell declared the meeting closed at 3.52pm.