



Unconfirmed Minutes

Ordinary Council Meeting
Wednesday 16 July 2025

Unconfirmed

Date	Wednesday 16 July 2025
Time	3:30pm
Location	Shire of Wickepin Council Chambers 77 Wogolin Road, Wickepin WA 6370
Distribution Date	Friday 18 July 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 16 July 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
16 July 2025

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.

Contents

1	Declaration of Opening	5
2	Attendance.....	5
2.1	Present	5
3	Public Question Time.....	5
3.1	Responses to Previous Public Questions Taken On Notice	5
3.2	Public Question Time	5
4	Apologies and Leave of Absence	5
4.1	Apologies	5
4.2	Previously Approved Leave of Absence	5
4.3	Requests for Leave of Absence	6
5	Petitions, Memorials and Deputations.....	6
5.1	Petitions	6
5.2	Memorials	6
5.3	Deputations.....	6
6	Declarations of Councillors and Officers Interest	6
7	Confirmation of Minutes of Previous Meetings.....	7
7.1	Minutes of the Ordinary Council Meeting held Wednesday 18 June 2025.....	7
8	Motions of Which Notice Has Been Given.....	7
9	Receipt of Committee Minutes or Reports and Consideration of Recommendations	7
9.1	Minutes of the WALGA Central Country Zone Meeting held on Friday 20 June 2025.....	7
10	Report by the President	8
11	Report by the Chief Executive Officer	8
12	Notices of Motions for the Following Meeting	9
13	Reports and Information.....	10
13.1	Monthly Schedule of Accounts Paid – June 2025.....	10
13.2	Statement of Financial Activity – June 2025.....	13
13.3	2025-2026 Community Grants – Seeking further clarification.....	15
13.4	District Fire Break Notice Approval 2025/2026	20
13.5	Shire of Wickepin Growth Strategy.....	25
13.6	Local Laws Review	27

13.7 Amended Parking and Parking Facilities Local Law 202431

13.8 Draft Guidelines on Community Benefits for Renewable Energy.....36

13.9 Voting Delegates – WALGA Annual General Meeting 202440

14 Confidential Reports and Information42

15 Urgent Business.....42

16 Closure.....42

Unconfirmed

1 Declaration of Opening

The Presiding Member, Cr Russell declared the meeting open at 3.35pm.

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)
W Astbury	Deputy Shire President
F Allan	Councillor
L Corke	Councillor
P Thompson	Councillor
T Miller	Councillor

Employees

D Burton	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)
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3 Public Question Time

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

Nil.

4.2 Previously Approved Leave of Absence

Cr John Mearns requested a leave of absence for the Ordinary Council Meeting on 16th July 2025.

4.3 Requests for Leave of Absence

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

Council Decision

Resolution OCM-160725-01

Moved Cr F Allan

Second Cr L Corke

That Cr Wes Astbury be granted a leave of absence for the Ordinary Council Meeting on 20 August 2025 & 17 September 2025 for personal reasons.

Carried 6/0

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

Against 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 18 June 2025

Officer Recommendation

That Council confirms the Minutes of the Ordinary Council Meeting held on Wednesday 18 June 2025, as included in Attachment 7.1.1, as a true and accurate record.

Council Decision

Resolution OCM-160725-02

Moved Cr L Corke

Second Cr P Thompson

That Council confirms the Minutes as amended of the Ordinary Council Meeting held on Wednesday 18 June 2025, as included in Attachment 7.1.1, as a true and accurate record.

Carried 6/0

For Cr J Russell, Cr W Astbury, Cr F Allan, 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 WALGA Central Country Zone Meeting held on Friday 20 June 2025.

Officer Recommendation

That Council receives the Minutes of the WALGA Central Country Zone Meeting held on Friday 20 June 2025, as included in Attachment 9.1.1.

Council Decision

Resolution OCM-160725-03

Moved Cr W Astbury

Second Cr T Miller

That Council receives the Minutes of the WALGA Central Country Zone Meeting held on Friday 20 June 2025, as included in Attachment 9.1.1.

Carried 6/0

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

Against Nil

10 Report by the President

Shire President attended the following meetings during the month of June 2025

- 20th June 2025 – Central Country Zone meeting in Williams
- 23rd June 2025 – Council Budget meeting
- 24th June 2025 – CEO & President met with 2 representatives from Department of Planning; collating information state gov renewable energy guidelines

11 Report by the Chief Executive Officer

CEO attended the following meetings during June/July

- 20th June Central Country Zone
- 24th June Meeting with DLPH – Renewable Energy Planning Framework
- 30th June Meeting with Water Corporation
- 30th June Meeting with Yealering Progress Association
- 1st July Discussion with Caroline Robinson – Growth Strategy
- 2nd July Meeting with Albert Facey Group
- 3rd July Attended Albert Facey Group Field Demonstration Day activity at Community Centre
- 4th July Attended Wickepin CRC Qualitea session
- 8th July Attended Bird Flu Webinar
- 9th July Engaged with Origo for discussion on weather stations for Shire.
- 15th July Attended Webinar for Community Benefit for Renewable Energy.

CEO has also been dropping into local businesses for an introduction.

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	Building Permit – WK2025013 Lot 15108 Wickepin Harrismith Road, Harrismith 6361 - Supreme Shades	10/06/2025	CEO
A4	Roadside Advertising	CEO			
A5	Application for Planning Consent	CEO			
A6	Appointment and Termination of Staff	CEO			
A7	Rates Recovery – Instalment Payments	CEO			
A8	Issue of Orders	CEO			
A9	Legal Advice	CEO			
A10	Permits to Use Explosives	CEO			
A11	Street Stalls	CEO			

A12	Liquor Consumption on Shire Owned Property	CEO	Permission to Consume Alcohol Approval – Yealering Hall, Funeral 20 June 2025	16/06/2025	CEO
			Permission to Consume and Sell Alcohol – Wickepin Community Centre, Quiz Night 5 July 2025	16/06/2025	CEO
A13	Hire of Community Halls / Community Centre	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 – June 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 – June 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 June 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 15438-15497,15500-15539,15552	\$507,010.73
Cheques	16002-16011	\$ 33,757.57
Direct Deductions	June 2025	\$ 22,749.33
Superannuation	June 2025	\$ 17,015.35
Credit Card	June 2025	\$ 1,253.01
BPay Payments	June 2025	\$ 1,7548.49
Payroll	June 2025	\$103,933.00
Licensing	June 2025	\$ 32,907.55
Municipal Fund Total		\$720 385.03
Trust Fund		
Electronic Funds Transfer	EFT 15498-15499	\$ 301.40
Cheques		\$
Trust Fund Total		\$ 301.40
Total		\$720,686.43

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 \$720,385.03 and Trust of \$310.40 for June 2025, as included in **Attachment 13.1.1**.*

Council Decision

Resolution OCM-160725-04

Moved Cr F Allan

Second Cr P Thompson

That Council, pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996 acknowledges payments from the Municipal Fund of \$720,385.03 and Trust of \$310.40 for June 2025, as included in Attachment 13.1.1.

Carried 6/0

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

Against Nil

13.2 Statement of Financial Activity – June 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 2025
Attachment	13.2.1 - Statement of Financial Activity – June 2025

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 June 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 June 2025, as included in **Attachment 13.2.1**.*

Council Decision

Resolution	OCM-160725-05
Moved	Cr F Allan
Second	Cr W Astbury

That Council, pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996, accepts the Statement of Financial Activity and associated documentation for the period ending June 2025, as included in Attachment 13.2.1.

Carried 6/0

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

Against Nil

13.3 2025-2026 Community Grants – Seeking further clarification

Submission to	Ordinary Council Meeting
Location / Address	-
Name of Applicant	-
File Reference	GS.PRG.1541
Author	S Dawes – Community and Economic Development Officer D Burton - Chief Executive Officer
Interest Disclosures	-
Report Written Date	10 July 2025
Attachments	Attachment 13.3.1 – Response Letter – Facey Group – Clarification on funding allocation.

This item was tabled at the Ordinary Council Meeting held on 18 June 2025, following a request from Council for further clarification regarding the specific costs to which the proposed funding will be applied.

Summary

Council is requested to consider and endorse the allocation of the 2025/2026 Community Grant funding, and to include an amount of \$6,000 in the 2025/2026 budget for the undertaking of a Base Stock Survey.

Each year the Shire of Wickepin makes a budget provision of a maximum of 2.5% of the previous year's levied rates to distribute to community groups and sporting organisations. This equates to \$42,279.00 GST Exclusive for the coming funding period. The objective of the funding is to establish or improve playing areas or buildings necessary for the conduct of sport or for community use, support for major sporting and community events, support for sporting or coaching clinics, to assist community groups in establishing a service, activity seen as a need for the betterment of and improvement to the enjoyment of life within the community, and increasing visitors to the region.

This item was presented at the June Ordinary Meeting of Council; however, additional information was requested for the consideration of the grant. Further information has been received from the Facey Group for Council consideration. From the additional information provided, the following is an indication of how the funding will be used:

As a not-for-profit grower group, Facey Group relies on external funding to deliver research and extension activities that directly support our local farming community. While our team is contributing significant in-kind time and expertise, the requested funding is essential to cover the practical costs of delivering the project on the ground. This includes travel and fuel expenses to visit producers on-farm, as well as general running costs associated with coordinating and conducting in-depth, discussion-based surveys. Additionally, a portion of the funding will be allocated to communication activities to ensure the findings are effectively shared with the broader community, helping to inform future planning, support producer decision-making, and guide local research priorities. This funding will enable us to reach as many producers as possible and maximise the impact of the data collected.

Comments

The Facey Group's application meets funding criteria. Supporting the 'Stock Take' baseline survey will provide vital insights into the region's livestock sector. This project will improve service delivery, guide strategic investments, and promote sustainability, strengthening local farming resilience, addressing emerging needs, and fostering long-term economic stability.

Whilst this is contrary to the Policy Guidelines, where grants sought between \$2,000-\$5,000 and \$5,000 and above receive 75% and 50% respectively, a precedent was set in the 2024/2025 funding round,

where Council awarded an unincorporated group a total amount of \$8,988.00 with no % reduction based on the Guidelines.

Policy Guidelines:

- Establishment or improvement of playing areas or buildings.
- Support for major sporting and community events.
- Support for general sporting clinics, including coaching clinics and;
- To assist community groups in establishing a service or activity seen as a need for the betterment of and improvement to the enjoyment of life within the community.
- Increasing visitors to the region.

Statutory Environment:

N/A.

Policy Implications:**3.1.5 Sponsorship, contributions and donations to sporting and community groups**

OBJECTIVE: Provide guidelines for the provision of financial assistance to community and sporting clubs within the Shire of Wickepin.

A maximum of 2.5% of the previous year's levied rates may be provided for in Council's budget each year to distribute to community and sporting organisations upon application to the Council.

\$3,000 per year will be allocated to a rolling fund for grants under \$500 with the CEO being given delegated authority to authorise the grants under \$500.

3.1.5.1 Fund Objective

Funds from Council may be made available for the following:

- establishment or improvement of playing areas or buildings
- Support for major sporting and community events
- Support for general sporting clinics, including coaching clinics :and
- To assist community groups in establishing a service or activity seen as a need for the betterment of and improvement to the enjoyment of life within the community.
- Increasing visitors to the region

Council may fund the following:

- 100% up to \$2000
- 75% between \$2,000 and \$5,000
- 50% \$5,000 and above

Voluntary labour and equipment may be included in the applicant's contribution at a value of \$25/hour.

Council employees or equipment may be used in lieu of a cash contribution from Council.

Council will favour applications that would not otherwise be funded through other government grants e.g. CSRFF.

3.1.5.2 Application Procedure

Applications for funding must be received at the Shire of Wickepin Office by close of business of the due date each year to be considered in the Council budget. Applications are to be made in writing on the Shire of Wickepin Community Grants form (attached).

Applications should only be made when an applicant group is confident that all cash the applicant proposes to contribute will be readily available if a grant is approved.

The value of work undertaken by volunteers can be included in the local contribution but this value may not exceed one third of the completed value of the project. The voluntary work should be described and valued at the rate of \$25.00 per hour.

Funds are not to be used for trophies, prizes or expenses (including loan repayments) incurred in the conduct of the sport or community activities.

Council reserves the right for the CEO or his/her delegate to carry out an inspection of the project at any time prior to and at completion of the project.

3.1.5.3 GUIDELINES

All applications must be completed on the Shire of Wickepin Community Grants form attached.
Applications should be supported by 2 written quotes for materials or other goods included in the funding submission if possible.
Applications will be acknowledged as received by Council.
Council reserves the right to request further information on demand.
Council reserves the right to consider and allocate funds without the right of appeal. Money will not be allocated for completed projects. Council reserves the right to set aside large projects as longer term budget items to be funded over more than one year.
No project requiring funding shall commence without the written consent of Council.
Money granted must be spent on the project allocated.
All monies allocated must be spent and claimed by 30 June in the financial year for which it was allocated and any unspent allocation will not be carried over to the next budget year.
Council reserves the right to inspect reserves and buildings without prior notification to the respective committee.
All funded projects are to acknowledge the Shire of Wickepin through project media, community engagement and event promotions. CDO can provide support regarding signage and approved use of the Shires Logo.
Ineligible Items: - Private or commercial ventures or activities - Retrospective Funding - Purchase of Land - Support for an individual pursuit - Events/activities/programs that already receive financial assistance from other source of funding - Events/activities/programs that are eligible under the CSRFF grants scheme
All successful applicants must provide Council with an acquittal of all grants on an acquittal form available from the Shire Administration Office.

Strategic Implications:

Aligns with Strategic Community Plan 2018 -2028.

infrastructure

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

SHORT TERM STRATEGY	MEDIUM TERM STRATEGY	POINT OF MEASUREMENT	10 YR OUTCOME
4.1 Asset Management Plan is developed and adopted	4.3 Asset Management Plan is reviewed	- Level of facility usage is maintained and increases	Asset maintenance and preservation is in line with community needs and Shire financial resources
4.2 Encourage greater usage of current Shire owned facilities	4.4 Support the improvement and maintenance of assets in a strategic manner	- Level of community investment into facilities and equipment	

Officer Recommendation:

That Council allocates in its 2025/2026 Budget the following Community Grants:

Facey Group for funding of \$6,000.00 inclusive of GST for the “Stock” Take baseline survey project.

Recommendation

Resolution OCM-160725-07
Moved Cr P Thompson
Seconded Cr F Allan

That Council;

Moves into suspended standing orders at 3.55pm to discuss item.

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

Recommendation

Resolution OCM-160725-08
Moved Cr W Astbury
Seconded Cr L Corke

That Council;

Moves back into standing orders at 4.04pm.

Carried 6/0

For Cr J Russell, Cr W Astbury, Cr F Allan, Cr J Mearns, Cr L Corke, Cr T Miller
Against Nil

Council Decision

Resolution OCM-160725-06

Moved Cr T Miller

Second Cr W Astbury

That Council allocates in its 2025/2026 Budget the following Community Grants:

Facey Group for funding of \$6,000.00 inclusive of GST for the "Stock" Take baseline survey project.

Council considered the item and deemed it ineligible in accordance with Grant Guidelines Section 3.1.5.3, which identifies 'private or commercial ventures or activities' as an ineligible item for funding. Council considered that the item being funded had commercial application and/or value.

Lost 0/6

For Nil

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

13.4 District Fire Break Notice Approval 2025/2026

Submission to	Ordinary Council Meeting
Location / Address	-
Name of Applicant	-
File Reference	ES.MEE.904
Author	E Clement – Deputy Chief Executive Officer D Burton - Chief Executive Officer
Interest Disclosures	-
Report Written Date	4 June 2025 7 July 2025
Attachments	Attachment 13.4.1 – Comments from the previous Chief BFCO

This item was tabled at the Ordinary Council Meeting – 18^h June 2025 and was laid on the table for Shire Officers to present further information in relation to the distance for the fencing requirements. Changes to the original report are written in **red**.

Summary

Council is requested to approve the wording for the 2025-2026 Fire Break Notice which is distributed to all owners and occupiers in the district.

Background

The Bush Fire Control Officers meeting held on Tuesday 18 March 2025 proposed no amendments to the annual Fire Break Notice.

As per legislation, a local government may require an occupier of land to plough or clear a fire break to the satisfaction of the local government or a duly authorised officer.

The requirement includes all or any of the following things –

- To plough, cultivate, scarify, burn or otherwise clear upon the land fire breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as determined,
- To maintain the fire breaks clear of inflammable matter, and
- To act as and when specified with respect to anything which is upon the land which is, or is likely to be, conducive to the outbreak of a bush fire or the spread or extension of a bush fire.

Comments

The Bush Fire Control Officers have made no changes to the fire break notice previously passed by Council.

At the Ordinary Council Meeting held on 18 June 2025, Council requested further advice on the appropriate wording and any necessary additions to be included in the notice.

Procedural Motion

Council Decision

Resolution **OCM-180625-11**

Moved **Cr J Russell**

Second **Cr W Astbury**

That the item lie on the table with the reason to seek further advice on the wording of the district firebreak notice Rural Land Restrictions.

REASON: To seek advice on the appropriate wording and any necessary additions to be included in the notice.

Carried 6/0

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

Against Nil

Statutory Environment

Bush Fires Act 1954 – Section 33. Local government may require occupier of land to plough or clear fire-break

A local government may, from time to time, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire, give notice to an owner or occupier of land within the district requiring them to undertake activities on the land to remove items which is, or is likely to be, conducive to the outbreak of a bush fire or the spread or extension of a bush fire.

Policy Implications

Nil

Financial Implications

Current Financial Year

Nil

Future Financial Years

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

Officer Recommendation 1

That Council, in relation to the District Fire Break Notice for 2025-2026 and pursuant to Section 33 of the Bush Fires Act 1954 approves the following text –

***Bush Fires Act 1954
Shire of Wickepin
Annual Firebreak Notice 2025/2026***

Action is required by owners and/or occupiers of all land in the Shire of Wickepin. Please read this notice carefully. Any queries should be directed to the Shire of Wickepin Administration Centre or Local Shire Bush Fire Control Officer. Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, owners and occupiers of property within the Shire of Wickepin are hereby required on or before 1 October 2025 and thereafter to 14 April 2026 to plough, scarify or otherwise provide and maintain firebreaks clear of all inflammable material at least 2.5 metres wide as follows:

Rural Land

Inside the boundary of all land held by each owner or occupier, their firebreaks need not follow the perimeter of any paddock but will be acceptable following land contours in an endeavour to overcome water erosion;

- To subdivide each holding into lots of no greater than 400 hectares; and*
- To surround the homestead, out buildings and fuel storages on any such land.*
- That from the 15th October all harvesting and baling (including cutting and raking) operations, there shall be an operational mobile engine powered firefighting unit or units with a minimum combined capacity of 1,200 litres of available water, located in or immediately adjacent to the paddock being harvested and/or baled. The minimum capacity off any single firefighting unit shall be 600 litres of available water. The responsibility to supply and operate the firefighting unit is that of the landowner and/or occupier.*

Townsite Land

All lots within the townsites of Harrismith, Tincurrin, Toolibin, Wickepin and Yealering are required to be cleared and maintained free of all debris or inflammable material. Failure to comply with these requirements renders the owner or occupier liable to a penalty of \$5,000.

Clearing of Fence Lines

When clearing for new fence lines adjoining road reserves, you must have written approval from the Shire of Wickepin prior to commencement of clearing works. Landholders are asked to consider locating the fence three (3) metres inside their boundary to avoid any clearing on road reserves. Old fences should first be removed. If landholders wish to place their fence on the boundary, they may clear no more than one (1) metre beyond their boundary. This may be varied in special circumstances at the discretion of the Chief Executive Officer. Any timber removed from the road reserve is to be pushed onto the owner's property.

Fencing of Road Reserves

Council encourages farmers to fence off road reserves running through their properties to protect trees on these reserves and to allow new growth of vegetation.

Burning on Roadsides

Should property owners wish to carry out burning of the road reserve adjacent to their property, it is necessary to obtain council approval prior to any burning taking place.

Burning Periods

Restricted Burning – 1 October 2025 to 13 November 2025

Prohibited Burning – 14 November 2025 to 7 February 2026

Restricted Burning – 8 February 2026 to 14 April 2026

Harvest and Fire Ban 2025/2026 Season

Harvesting is banned on Christmas Day, Boxing Day and New Year's Day.

Lighting of fires is banned on Good Friday and Easter Sunday.

Officer Recommendation 2

That Council approves the proposed amendments to the 2025/2026 District Firebreak Notice, as endorsed by Council at the Ordinary Meeting held on 15 May 2024; Resolution OCM-150524-10, to correct a typographical error contained in the version previously presented to Council on 18 June 2025.

Bush Fires Act 1954 Shire of Wickepin Annual Firebreak Notice 2025/2026

Action is required by owners and/or occupiers of all land in the Shire of Wickepin. Please read this notice carefully. Any queries should be directed to the Shire of Wickepin Administration Centre or Local Shire Bush Fire Control Officer. Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, owners and occupiers of property within the Shire of Wickepin are hereby required on or before 1 October 2025 and thereafter to 14 April 2026 to plough, scarify or otherwise provide and maintain firebreaks clear of all inflammable material at least 2.5 metres wide as follows:

Rural Land

Inside the boundary of all land held by each owner or occupier, their firebreaks need not follow the perimeter of any paddock but will be acceptable following land contours in an endeavour to overcome water erosion;

- To subdivide each holding into lots of no greater than 400 hectares; and*
- To surround the homestead, out buildings and fuel storages on any such land.*
- From 15 October all harvesting, baling and **stubble crunching** (including cutting and raking) operations, there shall be an operational mobile engine powered firefighting unit or units with a minimum combined capacity of 1,200 litres of available water, located in or immediately adjacent to the paddock being harvested and /or baled. The minimum capacity of any single firefighting unit shall be 600 litres of available water. The responsibility to supply and operate the firefighting unit lies with the **landowner and/or** occupier.*

Townsite Land

All lots within the townsites of Harrismith, Tincurrin, Toolibin, Wickepin and Yealering are required to be cleared and maintained free of all debris or inflammable material. Failure to comply with these requirements renders the owner or occupier liable to a penalty of \$5,000.

Clearing of Fence Lines

When clearing for new fence lines adjoining road reserves, you must have written approval from the Shire of Wickepin prior to commencement of clearing works. Landholders are asked to consider locating the fence three (3) metres inside their boundary to avoid any clearing on road reserves. Old fences should first be removed. If landholders wish to place their fence on the boundary, they may clear no more than one (1) metre beyond their boundary. This may be varied in special circumstances at the discretion of the Chief Executive Officer. Any timber removed from the road reserve is to be pushed onto the owner's property.

Fencing of Road Reserves

Council encourages farmers to fence off road reserves running through their properties to protect trees on these reserves and to allow new growth of vegetation.

Burning on Roadsides

Should property owners wish to carry out burning of the road reserve adjacent to their property, it is necessary to obtain council approval prior to any burning taking place.

Burning Periods

Restricted Burning – 1 October 2025 to 13 November 2025

Prohibited Burning – 14 November 2025 to 7 February 2026

Restricted Burning – 8 February 2026 to 14 April 2026

Harvest and Fire Ban 2025/2026 Season

Harvesting is banned on Christmas Day, Boxing Day and New Year's Day.

Lighting of fires is banned on Good Friday and Easter Sunday.

Council Decision

Resolution **OCM-160725-09**

Moved **Cr W Astbury**

Second **Cr L Corke**

That Council approves the proposed amendments to the 2025/2026 District Firebreak Notice, as endorsed by Council at the Ordinary Meeting held on 15 May 2024; Resolution OCM-150524-10, to correct a typographical error contained in the version previously presented to Council on 18 June 2025.

Carried **6/0**

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

Against **Nil**

13.5 Shire of Wickepin Growth Strategy

Submission to	Ordinary Council Meeting
Location / Address	Nil
Name of Applicant	Shire of Wickepin
File Reference	GR.SL.1452
Author	David Burton – Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	3 July 2025
Attachments	Attachment 13.5.1 - Shire of Wickepin Draft Growth Strategy

Summary

This report is for the Council to consider the draft Growth Strategy for the Shire of Wickepin to allow for advertising and public Comment.

Background

Over the last few months, 150 Square has been assisting the Shire of Wickepin with the development of a Growth Strategy to consider opportunities for our towns to grow and take advantage of local resources and information on what is happening in the district.

This information has been collated, along with the Shire's desires for growth, into the Growth Strategy.

Comments

The Growth Strategy is a high-level strategic document that looks at the data of our region, along with the opportunities and desires of the Council for the expansion and growth of our area. It should be noted that the ideas and priorities considered are the larger projects or overall objectives Council is seeking to achieve, not the smaller projects and steps that may be required to assist or further enhance the towns.

As suggested by the Strategy, further work will be required to be done in conjunction with community groups such as the Yealering Progress Association and Ignite Wicky to look at individual projects that are short (easy wins), medium, or longer term basis that will feed into the larger strategy.

To ensure the Growth Strategy is accepted by the general public, it is recommended that the draft is put out for public display to allow for any submissions or comments to be returned to Council before final adoption of the Strategy.

Statutory Environment

There are no statutory requirements to this report.

Policy Implications

There are no policy implications to this report.

Financial Implications

Attendance at the WALGA Local Government Convention does have a cost for attendance and accommodation; however, a budget allocation has been made to cater for Members to attend.

Strategic Implications

GOAL - Governance

Objective: 11 We are proactive about collaboration and forward planning our future success

Strategy: 11.3 We are proactive about collaboration and forward planning our future success

Voting Requirement

Simple Majority

Officer Recommendation

That Council;

1. *Receives the Draft Shire of Wickpin Growth Strategy; and*
2. *The Chief Executive Officer advertises the document for public comment and submission before being returned to Council for adoption.*

Council Decision

Resolution OCM-160725-10

Moved Cr T Miller

Second Cr F Allan

That Council;

1. *Receives the Draft Shire of Wickpin Growth Strategy; and*
2. *The Chief Executive Officer advertises the document for public comment and submission before being returned to Council for adoption.*

Carried 6/0

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

Against Nil

13.6 Local Laws Review

Submission to	Ordinary Council Meeting
Location / Address	Shire of Wickepin
Name of Applicant	D Burton – Chief Executive Officer
File Reference	LE.LL.1814
Author	D Burton – Chief Executive Officer L Marchei – Governance Officer
Interest Disclosures	Nil
Report Written Date	1 July 2025
Attachments	Nil

Summary

The purpose of this report is for Council to initiate a review of its Local Laws.

The Shire of Wickepin is required under section 3.16 of the *Local Government Act 1995* (the Act). It is proposed that Council formally initiates a review and provide local public notice of the review, as required under section 3.16(2) of the Act.

The purpose of a review is to determine whether or not the laws should be repealed, amended or remain unchanged. The following local laws are proposed to be reviewed:

- a) Health Local Law 2008
- b) Bush Fire Brigades Local Law 2000
- c) Dogs Local Law 2000
- d) Local Government Property Local Law 2000
- e) Pest Plants Local Law 2000
- f) Harrismith, Toolibin, Wickepin, Yealering Cemeteries Local Law 2000

Background

The WA State Government has amended the *Local Government Act 1995* through the *Local Government Amendment Act 2024*. These amendments:

- Change local law review requirements
- Make minor changes to the process for making local laws
- Introduce a streamlined process for making local laws that adopt model local laws (prepared by the Governor and published in the Government Gazette)

The statutory requirement for a Local Government to review its local laws every 8 years has been extended to 15 years. Subject to the transitional provisions, local laws not reviewed within 15 years after they commenced, or after the last s.3.16 review, will be repealed.

This change came into effect on 7 December 2024. Local Governments have a period of two years from this date to conduct any overdue local law reviews.

There are three types of local law that may be made:

Principal Local Law - A new local law that may include provisions that have the effect of repealing and replacing an existing principal local law (as amended).

Amendment Local Law - A local law that has the effect of amending a principal local law.

Repeal Local Law - A local law that repeals, and does not replace, a principal local law.

In addition, Local Governments must publish on their website a Consolidated version of each local law. This is the Principal Local Law as amended, so that the text of the Principal Local Law is updated to include amendments from each relevant Amendment Local Law - s5.96A(1)(b).

A Local Government is required to undertake periodic reviews of their current local laws (as amended) in accordance with Section 3.16 of the Act.

Under Section 3.16 of the Act, the Local Government must conduct a review to consider whether a current local law should be repealed, amended, or remain unchanged.

A review must be conducted by:

- Providing local public notice (in accordance with section 1.7 of the Act, and regulation 3A of the Local Government (Administration) Regulations 1996 stating:
 - the Local Government's intention to review the local law;
 - that a copy of the local law may be inspected at a specified place; and
 - that submissions by the community may be made until a certain date. This date must be at least 6 weeks after the notice is given. [s.3.16(2)]
- Providing a report to Council after the submission period closes, that outlines the submissions, and recommends the local law be either repealed, amended, or remain unchanged. [s.3.16(3)]
- After considering the report and submissions Council must determine (by absolute majority) whether the local law be either repealed, amended, or remain unchanged. [s.3.16(4)]

If Council determines it is necessary to repeal or amend the local law, the Local Government must commence the process of making a new repeal or amendment local law (outlined in section 3.12 of the Act) to implement any changes. This includes the requirement to conduct another local public notice process under section 3.12(3).

Comments

The Act enables local governments to make local laws considered necessary for the good government of their districts. The Shire of Wickepin currently administers seven local laws:

- a) Parking & Parking Facilities Local Law 2024
- b) Health Local Law 2008
- c) Bush Fire Brigades Local Law 2000
- d) Dogs Local Law 2000
- e) Local Government Property Local Law 2000
- f) Pest Plants Local Law 2000
- g) Harrismith, Toolibin, Wickepin, Yealering Cemeteries Local Law 2000

The Shire's newly gazetted Parking and Parking Facilities Local Law 2024 is currently with the WA Joint Standing Committee on Delegated Legislation, the final step in the lawmaking process, for review.

The Health Local Law has not been reviewed since it was gazetted in 2008 and the Bush Fire Brigades Local Law, Dogs Local Law, Local Government Property Local Law, Pest Plants Local Law and Harrismith, Toolibin, Wickpin, Yealering Cemeteries Local Law have not been reviewed since they were gazetted in 2000.

The statutory requirement for a Local Government to review its local laws every 8 years has been extended to 15 years. Subject to the transitional provisions, local laws not reviewed within 15 years after they commence, or after the last s.3.16 review, will be repealed.

Schedule 9.3 - Transitional Provisions in the Act sets out directions for the purpose of the transitioning former Local Government Act provisions to the amended provisions. Division 7, Subdivision 3, Clause 65 of the Transitional Provisions specifically addresses the amendments relevant to periodic review of local laws as part of the Local Government Amendment Act 2024.

[Clause 65(9)&(10)]

If a local law commenced before 7 December 2016, and the Local Government did not give local public notice of reviewing the local law between 7 December 2016 and 6 December 2024, then the local law must be reviewed before 6 December 2026.

If the review is not completed in this time, the local law will be revoked and no longer be applicable or enforceable.

Clause 65(10) of the Transitional Provisions has the effect of providing a 2-year grace period for overdue local law reviews. That is, any local laws which were due for review before 7 December 2024 but were not reviewed in accordance with Section 3.16 must be reviewed before 6 December 2026.

As the Shire's local laws commenced prior to 7 December 2016 and local public notice was not given to review the local laws between 7 December 2016 and 6 December 2024, Council now must complete a review of the local laws before 6 December 2026.

Statutory Environment

Local Government Act 1995

Section 3.16 Periodic review of local laws

- (1) Within a period of 15 years after the day on which a local law commenced or a determination in respect of the local law was last made under subsection (4), as the case requires, a local government must carry out a review of the local law to determine whether it considers that the local law should be repealed, be amended or remain unchanged.*
- (2) The local government is to give local public notice stating that —*
 - (a) the local government proposes to review the local law; and*
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) After the report has been submitted to its council, the local government must determine* whether it considers that the local law should be repealed, be amended or remain unchanged.*

** Absolute majority required.*

Policy Implications

There is no policy related to this item.

Financial Implications

The Local Law Review process will have minimal costs, which have been included in the Annual Budget. It is likely that the Local Laws will need replacement Local Laws and assistance will also be required to ensure this process goes smoothly. A budget allocation has been made for assistance with Local Law process.

Strategic Implications

This item relates to the following component from the Shire of Wickepin's Strategic Community Plan 2023 - 2033

GOAL - Governance

Objective: 12 Our communities are informed via multiple channels at regular intervals

Strategy: 12.1 Provide meaningful communications that deliver information regularly and succinctly.

Voting Requirement

Simple Majority

Officer Recommendation

That Council resolves to undertake a review of the following Local Laws:

Health Local Law 2008

Bush Fire Brigades Local Law 2000

Dogs Local Law 2000

Local Government Property Local Law 2000

Pest Plants Local Law 2000

Harrismith, Toolibin, Wickepin, Yealering Cemeteries Local Law 2000

in accordance with section 3.16 of the Local Government Act 1995 and to give public notice of its intent to do so.

Council Decision

Resolution OCM-160725-11

Moved Cr T Miller

Second Cr W Astbury

That Council resolves to undertake a review of the following Local Laws:

Health Local Law 2008

Bush Fire Brigades Local Law 2000

Dogs Local Law 2000

Local Government Property Local Law 2000

Pest Plants Local Law 2000

Harrismith, Toolibin, Wickepin, Yealering Cemeteries Local Law 2000

in accordance with section 3.16 of the Local Government Act 1995 and to give public notice of its intent to do so.

Carried 6/0

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

Against Nil

13.7 Amended Parking and Parking Facilities Local Law 2024

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	2 July 2025
Attachments	Attachment 13.7.1 - Letter from the WA Legislative Council

Summary

This item is seeking Council to endorse the amendments to the Shire of Wickepin's newly gazetted Parking and Parking Facilities Local Law 2024, resolved by the Joint Standing Committee on Delegated Legislation.

Background

The 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.

Local laws are subsidiary legislation that are capable of disallowance by either House of Parliament under section 42 of the *Interpretation Act 1984*. Disallowance is the device by which the Parliament maintains control of the power it has delegated to local governments, State departments and other agencies of the government to make subsidiary legislation. In the case of local governments, this power is granted by the Act and other particular Acts including the *Cat Act 2011* and the *Dog Act 1976*.

Scrutiny by the committee and disallowance are accountability mechanisms to guard against the making of local laws that are either unlawful by going beyond the power that is delegated or contravening one of the committee's terms of reference.

The other accountability mechanisms impacting on local laws are:

- the local community, who under the Act are required to be consulted on proposed local laws
- the Minister for Local Government, who is charged with administering the Department of Local Government, Sport and Cultural Industries which monitors local law making
- the State Government, which can request the Governor to make regulations or local laws under the Act that repeal or amend local laws or prevent certain local laws being made
- the courts, which can pronounce on the validity of local laws.

Because it is Parliament that delegates the power to make local laws, the Parliament can, by disallowance, ensure that the power is not abused or exercised inappropriately. The committee, through

being empowered by Parliament to scrutinise local laws on its behalf, can recommend to Parliament that a local law be disallowed if it contravenes one of its terms of reference.

Comments

Advice was received from the JSCDL on 24 June 2025 advising of the following matters:

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,*
- (l) *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 70 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.

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 Act.

Statutory Environment

Section 3.12 - Procedure for making local laws of the *Local Government Act 1995*.

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 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 undertaking accompanies the local law wherever it is made publicly available by the Shire, whether in hard copy or electronic form.*

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 undertaking 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

13.8 Draft Guidelines on Community Benefits for Renewable Energy.

Submission to	Ordinary Council Meeting
Location / Address	Nil
Name of Applicant	Shire of Wickepin
File Reference	GR.SL.1452
Author	David Burton – Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	7 July 2025
Attachments	Attachment 13.8.1 - Community benefits guideline draft (2025) Attachment 13.8.2 - Draft Guideline on Community Benefits for Renewable Energy Projects Attachment 13.8.3 - Infopage Communications Agreements Consultations

Summary

This report is for the Council to consider the Chief Executive Officer submitting a submission to WALGA and to the State Government with regards to the Draft Guideline on Community Benefits for Renewable Energy Projects.

Background

The Department of Energy, Mines, Industry Regulation and Safety has released the 2025 Draft Guideline on Community Benefits for Renewable Energy Projects (Guidelines) to try to give some direction for ensuring community benefits to the communities that are hosting the renewable energy projects.

Several examples used in this item refer to the King Rocks Wind Farm. For further information on this project, please see: [King Rocks Wind Farm \(KRWF\) - SynergyRED](#)

Comments

The draft Guidelines attempts to strike a balance between providing a community benefit for the community impacted by the proximity of the renewable energy source, while also trying to limit cost impacts of electricity generation, which would be passed on to the end user. While this is a consideration, the impact on the local community will be to a smaller community and likely a far greater impact than the increase in the cost of electricity to the end users, which would be spread over a wider client base.

As well as the Community Benefit Funds (CBF), the draft recognises the positive impacts that the new energy source can bring, such as jobs, training opportunities, local procurement, and possibly community infrastructure. While these are possibilities, the opportunities for local jobs are limited (for example, from one current project most work has been allocated to outside contractors at this time), and ongoing jobs are limited as the expected workforce would be minimal or may be shared between locations. Community infrastructure may be able to be explored as an opportunity, but may be seen more as a token gesture.

The draft guidelines provides some examples of types of community benefits which can include:

- Legacy funding and grant fund initiatives. These financial arrangements are explained in greater detail below, along with a suggested range for contribution.
- Sponsorship. This contributes to local groups and/or activities and can also build the local reputation of a project. Sponsorship can work well in combination with more long-term funding or support.

- Community Infrastructure. Infrastructure for the use of the community, such as local housing used as worker accommodation during construction of the development, can be donated to the community by the developer or constructed with direct financial support by the developer. Where there is a community need for these services, project proponents can also fund or supply upgraded solar, battery and/or telecommunications infrastructure.
- Innovative financing and co-ownership. Developers may choose to offer the local community additional opportunities to become involved in local projects.

Community Benefit Fund (CBF)

The greater expectation from the communities where the renewable projects will be delivered is the establishment of an ongoing CBF. This would ensure that the local community is being assisted in a variety of ways from the generation of the energy.

- Grant funding is usually seen as a direct benefit to the community and as an ongoing source of funding, which can provide a better outcome from the CBF. This should be made in several ranges and allow local consideration to ensure the CBF is applicable, and not a lot of small grants that do not do much. As an example, for the consideration of another Wind Farm, the CBF was broken into smaller grants and sponsorship, to larger grants to allow for major capital purchases, and the consideration of banking surplus funds into a larger-scale project, longer term. Any sizeable project by the local community may take funding over several years to ensure a worthwhile project can be delivered instead of smaller, token projects.
- Sponsorship is a good way for the local provider to get recognition, but again, this is usually done with small amounts for specific events. Generally, sponsorship is for amounts of \$1,000 or less, unless the event is a large event, in which case there are not many.
- Community infrastructure would be one of the major CBF items for most communities, as infrastructure in general is expensive and needs to be replaced or renewed at regular intervals. The idea of housing is a problem for most regional communities and would be of great assistance, but the accommodation used for the construction phase of a renewable project would consist of 'donger' style accommodation, which would have limited use outside of the construction phase or only a small number of accommodation blocks would be able to be repurposed to local accommodation (seasonal workers?).
- Innovative financing and co-ownership could be taken up by the local community, but would likely be a smaller number of the local community and would have a reduced impact on the wider community.

For the benefit guidelines, the draft guidelines encourage flexibility with a range of:

- *\$500–\$1,500 per MW per annum for wind projects; and*
- *\$150–\$800 per MW per annum for solar projects,*

paid over the life of the development and indexed to inflation.

Using the example of the King Rocks Wind Farm project, which is a 105MW at maximum capacity, the CBF would be in the vicinity of \$50,000 to \$150,000 per year. When considering that the community of Hyden, with a population of approximately 450 people, a smaller CBF of \$50,000 would be considered minimal, considering the installation of 17 turbines that will impact the skyline to a height of 206m just 35kms from the townsite, which has the popular tourist destination of Wave Rock. As part of the WALGA submission for the guidelines, they are recommending the higher end of the scale of the CBF limits, and this would seem more appropriate for the local community. Indexation is critical to ensure the CBF keeps up with current price considerations.

The main concern with the CBF is that it is relevant to the local community and the guidelines provide for this.

WALGA Review:

The draft submission prepared by WALGA does raise most of the concerns of the author of the report, and support for the submission is recommended.

The author has also been discussing a joint submission with other CEO's who are currently considering the draft. It is recommended that all opportunities to make a submission for the guidelines be taken advantage of.

Recommendation:

Any opportunity to support the WALGA submission or to provide considerations for the draft Guidelines should be taken advantage of, to strengthen the benefits offered to regional areas that will be hosting the Energy Projects for the wider South West Integrated System (SWIS).

Statutory Environment

There are no statutory requirements for this report; however, a submission for the guidelines is strongly recommended.

Policy Implications

Council currently has a draft Renewable Energy Town Planning Policy in development.

Financial Implications

While the submission for the Draft Guidelines will not have a financial impact on the Shire, should a Renewable Energy Project be considered for this area, the submission and strengthening of the guidelines could have a significant impact.

Strategic Implications

GOAL - Governance

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 the CEO prepare a submission for the Draft Guidelines on Community Benefits for Renewable Energy Projects for the State government and also for the WALGA submission indicating support for the WALGA submission; and

The CEO be authorised to make any joint submissions with other parties that will enhance the Guidelines.

Council Decision

Resolution **OCM-160725-13**

Moved **Cr L Corke**

Second **Cr W Astbury**

That the CEO prepare a submission for the Draft Guidelines on Community Benefits for Renewable Energy Projects for the State Government and also for the WALGA submission indicating support for the WALGA submission; and

The CEO be authorised to make any joint submissions with other parties that will enhance the Guidelines.

Carried **6/0**

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

Against **Nil**

13.9 Voting Delegates – WALGA Annual General Meeting 2024

Submission to	Ordinary Council Meeting
Location / Address	Nil
Name of Applicant	WALGA
File Reference	GR.SL.1452
Author	David Burton – Chief Executive Officer
Interest Disclosures	The author/s have no financial, proximity or impartiality interests in this item.
Report Written Date	3 July 2025
Attachments	Attachment 13.9.1 - WALGA LGC25-Program-20250624-1_1

Summary

This report is for Council to determine voting delegates for the Annual General Meeting (AGM) for the Western Australian Local Government Association (WALGA) to be held in September 2025.

Background

WALGA is required to hold an AGM annually and will be held during the Annual WALGA Conference to be held between Monday 22nd September (Planning Showcase – 9am and Presidents Forum – 3.30pm and Welcome - 4pm) and Wednesday 24th September 2025.

Comments

Council will be required to provide WALGA with voting delegates and proxy delegates for registration. Local Governments may nominate the Mayor/President and Deputy Mayor/President to be voting delegates and two other elected members (or the CEO) as proxies in the event a delegate cannot attend.

It is Council's decision to choose to nominate the delegates for the 2024 AGM to be held at the Perth Convention and Exhibition Centre.

Statutory Environment

There are no statutory requirements to this report.

Policy Implications

There are no policy implications to this report.

Financial Implications

Attendance at the WALGA Local Government Convention does have a cost for attendance and accommodation; however, a budget allocation has been made to cater for Members to attend.

Strategic Implications

GOAL - Governance

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

Strategy: 10.3 Identify councillor training needs.

Voting Requirement

Simple Majority

Officer Recommendation

That Council;

1. *Nominates Councillor _____ and Councillor _____ as voting delegates for the 2024 WALGA Annual General Meeting; and*
2. *Nominates Councillor _____ and Councillor _____ as proxy voting delegates in the event that one or both delegates above are unable to attend.*

Council Decision

Resolution **OCM-160725-14**

Moved **Cr L Corke**

Second **Cr T Miller**

That Council;

1. ***Nominates Councillor Peter Thompson and Councillor John Mearns as voting delegates for the 2024 WALGA Annual General Meeting; and***
2. ***Nominates Councillor Julie Russell and CEO David Burton as proxy voting delegates in the event that one or both delegates above are unable to attend.***

Carried **6/0**

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

Against **Nil**

14 Confidential Reports and Information

15 Urgent Business

16 Closure

With no further business, the Presiding Member Cr Russell declared the meeting closed at 4.15pm.

These Minutes were confirmed by Council as a true and accurate record of proceedings at the Ordinary Council Meeting held on Wednesday 20 August 2025.

Presiding Member, Cr J Russell _____

Date _____