

SHIRE OF
WESTONIA
A vibrant community lifestyle

Minutes

Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia

Thursday 15th August 2019

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 19th September 2019 as a true and accurate record of the Ordinary Council Meeting held 15th August 2019.

.....
Cr Karin Day
Shire President

All attachment items referred to in these minutes are available for public perusal at the Shire Office



Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Westonia for any act, omission or statement or intimation occurring during Council meetings.

The Shire of Westonia disclaims and liability for any loss whatsoever and howsoever caused by arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during the Council Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does that persons or legal entity's own risk.

In particular and without derogating in any way from the board disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation made by any member or Officer of the Shire of Westonia during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Westonia.

The Shire of Westonia warns that anyone who has any application lodged with the Shire of Westonia must obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Westonia in respect of the application.

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1. DECLARATION OF OPENING

The President, Cr Day welcomed Councillors and staff and declared the meeting open at 3.33 pm.

A minute silence was held as a mark of respect for the following former rate payer who recently passed away:

- Lindsay Caughey

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:

Cr KM Day	President
Cr WJ Huxtable	Deputy President
Cr RS Corsini	
Cr JJ Jefferys	
Cr DL Geier	

Staff:

Mr. JC Criddle	Chief Executive Officer
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Members of the Public: Nil

Apologies: Nil

Approved Leave of Absence: Cr RA Della Bosca

3. PUBLIC QUESTION TIME (3.35pm – 3.50pm)

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. CONFIRMATION OF PREVIOUS MINUTES

OFFICER RECOMMENDATIONS

That the minutes of the Ordinary Meeting of Council held on 18th July 2019 be confirmed as a true and correct record.

RESOLUTION

Moved:	Cr Huxtable	Seconded:	Cr Corsini
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01/08-19	That the minutes of the Ordinary Meeting of Council held on 18th June 2019 be confirmed as a true and correct record.
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CARRIED 5/0

6. RECEIVAL OF MINUTES

OFFICER RECOMMENDATIONS

That the minutes of Newtravel General Meeting held on 25th July 2019 be received.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Jefferys

02/08-19 That the minutes of Newtravel General Meeting held on 25th July 2019 be received.

CARRIED 5/0

7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS

The President, Cr Day advised having attended the following meeting:

- Team building exercise at the Wyworrie Cup in Mukinbudin with Works Supervisor and Acting CEO.

Cr Geier advised having attended the following meeting:

- Local Government Week with Cr's Huxtable, Della Bosca and the CEO.

Cr Huxtable advised having attended the following meetings:

- Formal meeting with Hon Rita Saffiotti, Minister for Transport which included an inspection of the Great Eastern Highway, opening of the Carrabin Rail Platform and visit of Westonia with Works Supervisor and Acting CEO.
- Newtravel meeting in Westonia
- Westonia Cemetery meeting
- Donate Life Dinner

Cr Jefferys advised having attended the following meeting:

- Thank you dinner for Acting CEO, John Merrick with Cr's Corsini, Huxtable & Della Bosca.

8. DECLARATION OF INTEREST

In accordance with Section 5.65 of the *Local Government Act 1995* the following disclosures of **Financial** interest were made at the Council meeting held on **15th August 2019**.

Name/Position	Cr Daimon Geier
Item No./Subject	11.2 Ramelius Resources – Cartage of Gold Ore to Westonia
Nature of interest	
Extent of Interest	

In accordance with Section 5.65 of the *Local Government Act 1995* the following disclosures of **Closely Association Person And Impartiality** interest were made at the Council meeting held on **15th August 2019**

Name/Position	
Item No./Subject	
Nature of interest	
Extent of Interest	



In accordance with Section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of **Proximity** interest were made at the Council meeting held on **15th August 2019**

Name/Position	
Item No./Subject	
Nature of interest	
Extent of Interest	

9. MATTERS REQUIRING A COUNCIL DECISION

9.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES

9.1.1 ACCOUNTS FOR PAYMENT

Responsible Officer:	Jamie Criddle, CEO
Author:	Kay Geier, Senior Finance Officer
File Reference:	F1.3.3 Monthly Financial Statements
Disclosure of Interest:	Nil
Attachments:	Attachment 9.1.1 List of Accounts
Signature:	Officer  CEO 

Purpose of the Report

Executive Decision

Legislative Requirement

Background

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Comment

Attached is a copy of Accounts for Payment for the month of July 2019. The credit card statements currently show:
-

CEO **July 2019 \$5,139.36** associated with the purchase of Activ8inet Housing & Office, Fuel, Email Exchange Platform, New iPhone, Clearing Permit, Car Hire, Car Service

Works Supervisor **July 2019 \$4,721.36** associated with the purchase Fuel, Medications Fridge, Vehicle Licences, Plat Change, Expendable Tools & Titan Drawer System

Statutory Environment

Local Government (Financial Management) Regulations 1996 Regulations 12 & 13 requires the list of accounts to be presented to Council. Payments are made by staff under delegated authority from the CEO and Council.

Policy Implications

Council does not have a policy in relation to payment of accounts.

Strategic Implications

Accounts for payment are presented to Council in the interests of accountability and provide information on Council expenditure.

Financial Implications

Expenditure in accordance with the 2019/2020 Annual Budget.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That July 2019 accounts submitted to today's meeting on Municipal vouchers numbered from 3776 to 3785, and D/Debits from EFT3638 to EFT3782 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$273,597.50 be passed for payment.

RESOLUTION



Moved: Cr Geier

Seconded: Cr Corsini

03/08-19 That July 2019 accounts submitted to today's meeting on Municipal vouchers numbered from 3776 to 3785, and D/Debits from EFT3638 to EFT3782 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$273,597.50 be passed for payment.

CARRIED 5/0

9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – JULY 2019

Responsible Officer:	Jamie Criddle, CEO		
Author:	Jasmine Geier, Executive Support Officer		
File Reference:	F1.3.3 Monthly Financial Statements		
Disclosure of Interest:	Nil		
Attachments:	Attachment 9.1.2 Monthly Statement of Financial Activity		
Signature:	Officer		CEO
			

Purpose of the Report

- Executive Decision Legislative Requirement

Background

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Comment

The Monthly Statement of Financial Activity for the period ending 31 July 2019 is attached for Councillor information, and consists of:

1. Summary of Bank Balances
2. Summary of Outstanding Debtors
3. Balance Sheet
4. Budget v Actuals Schedules

Statutory Environment

General Financial Management of Council
Council 2019/2020 Budget
Local Government (Financial Management) Regulation 34 1996
Local Government Act 1995 section 6.4

Policy Implications

Council is required annually to adopt a policy on what it considers to be material as far as variances that require to be reported for Council. Council policy is that the material variation be set at \$10,000 and 15%.

Strategic Implications

The Monthly Statement of Financial Activity is a record of Council's activities and financial performance during the reporting period.

Financial Implications

There is no direct financial implication in relation to this matter.

Voting Requirements

- Simple Majority Absolute Majority

OFFICER RECOMMENDATIONS

That Council adopt the Monthly Financial Report for the period ending 31st July 2019 and note any material variances greater than \$10,000 or 15%.



RESOLUTION

Moved: Cr Corsini **Seconded:** Cr Jefferys

04/08-19 That Council adopt the Monthly Financial Report for the period ending 31st July 2019 and note any material variances greater than \$10,000 or 15%.

CARRIED 5/0

9.1.3 GST RECONCILIATION REPORT – JULY 2019

Responsible Officer:	Jamie Criddle, CEO
Author:	Jasmine Geier, Executive Support Officer
File Reference:	F1.4.4 Audit Report
Disclosure of Interest:	Nil
Attachments:	Attachment 9.1.3 GST Report
Signature:	Officer  CEO 

Purpose of the Report

- Executive Decision Legislative Requirement

Background

The Reconciled Balance of the GST Ledger to the General Ledger as reported as at 31st July 2019 is provided to Council on a monthly basis as a means of keeping Council informed of its current GST liability.

Comment

The GST Reconciliation Report is attached for Councillor consideration.

Statutory Environment

Nil

Policy Implications

Council does not have a policy in regard to Goods and Services Tax.

Strategic Implications

Nil

Financial Implications

The GST reconciliation is presented to Council as a means of indicating Council’s current GST liability, which has an impact on Council’s cash-flow.

Voting Requirements

- Simple Majority Absolute Majority

OFFICER RECOMMENDATIONS

That the GST Reconciliation totalling \$18,924.00 for the period ending 30st July 2019 adopted.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Huxtable


05/08-19 That the GST Reconciliation totalling \$18,924.00 for the period ending 30th July 2019 adopted.

CARRIED 5/0

9.1.4 DEPARTMENT OF LOCAL GOVERNMENT – OPERATING SURPLUS RATIO.

Responsible Officer:	Jamie Criddle CEO
Author:	Jamie Criddle CEO
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Letter

Signature:	Officer	CEO
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Purpose of the Report

Executive Decision

Legislative Requirement

Background

A letter has been received from the Department of Local Government (attached) advising that the Shire of Westonia did not meet the Departments standard in the area of the Operating Surplus Ratio.

Section 7.12A(4) requires the Shire to report on its future actions to address this result, provide the Minister with this report, and to publish the report on the Council website.

Comment

The Departments own website advises that 110 Councils in WA did not meet the benchmark in the 2017/2018 financial year.

This means that at least 26 metropolitan Local Governments, authorities with far more revenue raising capabilities than Westonia, failed to meet the standard set by the Department.

In the financial year of 2017/2018, the Shire of Westonia recorded an Overall Health Score of 73.1%, placing it in the top 40 Local Governments in the State.

In addition, the Shire has been able to transfer almost \$800,000.00 into its cash backed reserve funds in the current year, representing an outstanding result.

I am advised by several highly experienced and long serving Local Government financial specialists that nobody within the Department is able to clearly explain how the various ratio benchmarks have been established or what relevance they hold.

Statutory Environment

The Shire is required to report to the Minister and publish the report on the Shire of Westonia website.

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council advise the Minister that;

1. Current financial reporting requirements have an adverse impact on the ability for Local Governments to meet the benchmark in the area of Operating Surplus Ratio's, and recommend that the Minister address this issue with the Department.
2. The Shire of Westonia will continue to pursue excellence in its financial performance through continued diligence in its oversight of the financial management of the Shire.
3. Assure the Minister that the Shire of Westonia will continue to develop strategies to secure a long term sustainable future for the community through responsible expenditure management aimed at keeping rate increases to a minimum.

RESOLUTION

Moved: Cr Corsini

Seconded: Cr Huxtable

06/08-19

That Council advise the Minister that;

- 1. Current financial reporting requirements have an adverse impact on the ability for Local Governments to meet the benchmark in the area of Operating Surplus Ratio's, and recommend that the Minister address this issue with the Department.**
- 2. The Shire of Westonia will continue to pursue excellence in its financial performance through continued diligence in its oversight of the financial management of the Shire.**
- 3. Assure the Minister that the Shire of Westonia will continue to develop strategies to secure a long term sustainable future for the community through responsible expenditure management aimed at keeping rate increases to a minimum.**


CARRIED 5/0

9.2 COMMUNITY AND REGULATORY SERVICE
NIL

9.3 WORKS AND SERVICE

9.3.1 TENDER 1-19/20 – PRIME-MOVER

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	F1.9.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report



Executive Decision



Legislative Requirement

Background

Council has made allowance in its 2019/20 Budget for the purchase of a new Prime Mover to replace the existing Iveco AD500 Stralis. As part of the Budget process, Council resolved to call tenders for the supply of one new Prime Mover.

A notice inviting tenders was advertised on 20 July 2019 with tenders closing on 9 August 2019.

Comment

In accordance with the Local Government (Functions & General) Regulations, Regulation 14(2a) the following criteria, was determined to decide which tender should be accepted:

- (a) Compliance with the specification contained in the request,
- (b) Compliance with the conditions of tendering this request,
- (c) Compliance with the delivery date,
- (d) Compliance with and completion of the price schedule.

Assessment of Tenders against compliance criteria:

All tenders for the supply of vehicle were deemed to comply with the compliance criteria.

Assessment of Tenders against qualitative criteria:

Tenders were scored using the following range:

- 0 – Did not address criterion
- 1 – Insufficient or unclear information
- 2 – Acceptable
- 3 – Good
- 4 – Very Good
- 5 – Excellent

Tenderer	Selection Criteria and Weighting			Total weighted Score
	Experience (50%)	Personnel (25%)	Resources (25%)	
Off Road Trucks Australia	40	20	20	80
CJD Trucks	40	20	20	80
Truck Centre	40	20	20	80
Daimler Trucks	40	20	20	80

Basis of recommendation:

All tenderers scored similarly in qualitative criterion assessment, all having similar experience in providing trucks and similar equipment to Western Australian local governments, and having similarly experienced personnel and similar resources.

A more detail analysis of the tenders will be presented to the meeting.

Statutory Environment

Local Government Act 1995, section 3.57 – Tenders for providing goods or services.

Policy Implications

Council does not have a policy in relation to this matter

Strategic Implications

Nil

Financial Implications

An allocation of \$285,000 net, ex GST has been allowed for in the 2019/20 financial budget for the purchase of a Prime Mover.

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council:

1. Accept the tender from (Name of Tenderer) for the Supply one new Prime Mover for the total tendered price of (insert amount) excluding GST, less trade-in of (insert amount) excluding GST leaving a changeover amount of (insert amount) excluding GST.

RESOLUTION

Moved: Cr Huxtable

Seconded: Cr Geier

07/08-19 That Council:


- 1. Accept the tender from Daimler Trucks for the Supply one new Prime Mover Freightliner Coronado 114 for the total tendered price of \$241,480.00 excluding GST, less trade-in of \$50,000.00 excluding GST leaving a changeover amount of \$191,480.00 excluding GST**

CARRIED 5/0

9.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES

9.4.1 APPLICATION FOR EXPLORATION LICENCE – MCMAHON MINING TITLE SERVICES (77/2613).

Responsible Officer:	Jamie Criddle CEO	
Author:	Jamie Criddle CEO	
File Reference:		
Disclosure of Interest:	Nil	
Attachments:		
Signature:	Officer	CEO



Purpose of the Report



Executive Decision



Legislative Requirement

Background

The Shire has been advised of an application for an Exploration licence having been lodged by McMahon Mining Title Services on behalf of Thomas Corr (E77/2613).

The application relates to land in the Warrachuppin area through to Lake Baladjie (Just north of the Mukinbudin-Bullfinch Road) See Attached.

Comment

Thomas Corr is an active junior company active in mining and exploration throughout Western Australia.

Previous exploration approvals have been granted with the following conditions:

- 1) *That dust suppression is carried out so that others are not adversely affected;*
- 2) *That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;*
- 3) *Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;*
- 4) *All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;*
- 5) *All rubbish is to be disposed of at the local landfill site in the appropriate manner;*
- 6) *A firefighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;*
- 7) *No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram;*
- 8) *Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors;*
- 9) *All drill holes are to be capped as soon as possible/practical after drilling;*
- 10) *If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;*
- 11) *That the proposed drilling work is advertised in the local newsletter "Westonian" prior to any work commencing to notify the general public of this work; and*
- 12) *That no drilling is to occur within any Shire gravel pits, and no drilling operation is to affect any part of the Rabbit Proof Fence in any way.*

Statutory Environment

The Mining Act prevails in this matter.

Policy Implications

Nil

 **Strategic Implications**

Nil

 **Financial Implications**

Nil

 **Voting Requirements**



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council grants approval to Thomas Corr (E77/2613) to carry out drilling along sections of Council controlled road reserves with these respective Exploration Leases as shown on the attached maps on the following conditions:-

- 1) That dust suppression is carried out so that others are not adversely affected;
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
- 3) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner;
- 6) A firefighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram;
- 8) Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors;
- 9) All drill holes are to be capped as soon as possible/practical after drilling;
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;
- 11) That the proposed drilling work is advertised in the local newsletter "Westonian" prior to any work commencing to notify the general public of this work; and
- 12) That no drilling is to occur within any Shire gravel pits, and no drilling operation is to affect any part of the Rabbit Proof Fence in any way.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Jefferys

08/08-19


That Council grants approval to Thomas Corr (E77/2613) to carry out drilling along sections of Council controlled road reserves with these respective Exploration Leases as shown on the attached maps on the following conditions:-

1. That dust suppression is carried out so that others are not adversely affected;
2. That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
3. Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;
4. All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
5. All rubbish is to be disposed of at the local landfill site in the appropriate manner;
6. A firefighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
7. No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram;
8. Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors;
9. All drill holes are to be capped as soon as possible/practical after drilling;
10. If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, in particular when working between 7:00 p.m. and 7:00 a.m.;
11. That the proposed drilling work is advertised in the local newsletter "Westonian" prior to any work commencing to notify the general public of this work; and
12. That no drilling is to occur within any Shire gravel pits, and no drilling operation is to affect any part of the Rabbit Proof Fence in any way.

CARRIED 5/0

9.4.2 PESTICIDE REGULATION REVIEW

Responsible Officer:	Jamie Criddle CEO
Author:	Jamie Criddle CEO
File Reference:	
Disclosure of Interest:	Nil
Attachments:	

Signature:	Officer	CEO
		

Purpose of the Report



Executive Decision



Legislative Requirement

Background

As part of the implementation of the *Public Health Act 2016* (the Public Health Act), the Department of Health (DOH) must review the *Health (Pesticides) Regulations 2011* (the Pesticides Regulations) to examine the risks to public health and safety from commercial uses of pesticides, and discuss options for their management into the future.

As part of the review of the Pesticides Regulations, the DOH must determine whether this public health risk must continue to be regulated under the framework provided by the Public Health Act, or whether the risk can be effectively managed through an alternative approach such as a guideline or other legislation.

The DOH has prepared the discussion paper entitled '*Managing public health risks associated with pesticides in Western Australia*' examining three options for Western Australia (WA) for regulating the application of pesticide chemicals:

- **Option A:** Repeal the existing regulations without replacement. Without action, the existing Regulations would be repealed without replacement and individual local government authorities would become responsible for determining pesticide chemical application safety within their jurisdiction. Local government would have the potential to draft and publish local laws to regulate the use of pesticides with their jurisdiction boundary;
- **Option B:** Retention of the existing regulatory regime by making new regulations under the *Public Health Act 2016* identical to those in force under the *Health (Miscellaneous Provisions) Act 1911*;
- **Option C:** Develop new, updated regulations to manage public health risks to uphold the current regulatory requirements including suggested changes in Proposals 7-9 listed below:
 - Proposal 1: Registration under the new Public Health Act
 - Proposal 2: Licensing under the new Public Health Act
 - Proposal 3: Licensing exemption criteria for individuals
 - Proposal 4: Pesticides in public places
 - Proposal 5: Safe fumigations
 - Proposal 6: Management of registered pesticides
 - Proposal 7: Local government as the enforcement agency
 - Proposal 8: Multi-year validity for registrations and licences
 - Proposal 9: Introduce substance management plans

Comment

Consultation is now open for a 12 week period. Local government are encouraged to advise the DOH of their preferred option and el to identify how these options may present impacts or opportunities for your local district. You also have the opportunity to identify alternative options that may not have been

considered as part of this review. This helps to make sure there are no unintended and undesirable consequences, particularly where regulation 1s the preferred option.

Statutory Environment

Public Health Act 2016

Health (Pesticides) Act 2011

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council

1. makes comment on the Pesticide Regulation Review prior to the closing date of 10th October 2019.
2. Invites public comment on the Pesticide Regulation Review prior to the September Council Meeting (19th)

RESOLUTION

Moved: Cr Huxtable

Seconded: Cr Corsini

09/08-19

That Council

1. Makes comment on the Pesticide Regulation Review prior to the closing date of 10th October 2019.
2. Invites public comment on the Pesticide Regulation Review prior to the September Council Meeting (19th)
3. Seek input from WEROC and WALGA on the issue and bring back to the September Council meeting.

CARRIED 5/0

10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING

RESOLUTION


Moved: Cr Geier Seconded: Cr Corsini

10/08-19 That Council accept two items of late business

CARRIED 5/0

11.1 CBH SITE DEVELOPMENT

Responsible Officer:	Jamie Criddle, CEO
Author:	Jamie Criddle, CEO
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Attachment
Signature:	Officer CEO



Purpose of the Report

Executive Decision Legislative Requirement

Background

Council on the 11th of June 2019 received a letter from Mr. Tim Dolling of Co-Operative Bulk Handling (CBH) requesting development approval. The applicant is seeking development approval for the following:

- Installation of a new 36 m long weighbridge;
- Hut to replace the existing 16 m long weighbridge and hut; and
- a new site exit

General Information	
Lot Area	51,351 (m ²)
Zone	N/A
Nature of Application (use and/or works)	Works
Proposed Use or Works:	<ul style="list-style-type: none">• Installation of a new 36 m long weighbridge (replace 16m weighbridge);• Hut• New site exit
Zoning Permissibility ('P', 'D', 'X')	N/A
Advertising Required	NO

Reason not exempt from planning approval	Planning and Development Local Planning Schemes 2015
Date Received	11/07/2019

SITE

The CBH receival site is located at 11900 Koorda-Bullfinch Road, Warralakin. The Warralakin receival site is located 43km North-West of Westonia. Site entry is accessed via Fox Road, while an exit point exists on Koorda-Bullfinch Road. Existing infrastructure on the site includes a weighbridge, sample hut, two closed storage heads and three open bulk heads. The site also includes staff accommodation quarters and native vegetation (west end).



Comment

The Shire of Westonia does not have a Local Planning Scheme, therefore planning applications shall be consistent with the **Planning and Development (Local Planning Schemes) Regulations 2015** and other relevant State planning policies.

Planning and Development (Local Planning Schemes) Regulations 2015- Deemed provisions for local planning schemes Schedule 2 Procedure for dealing with applications for development approval Part 9

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;

- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance; (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following — (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following — (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (v) access by older people and people with disability;

- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

68. Determination of applications

- (1) The local government must not determine an application for development approval until the later of —
 - (a) if the application is advertised under clause 64 — the end of each period for making submissions to the local government specified in a notice referred to in clause 64(3); and
 - (b) if a copy of the application has been provided to a statutory, public or planning authority under clause 66 — the end of each period for providing a memorandum to the local government referred to in clause 66(3).
- (2) The local government may determine an application for development approval by —

- (a) granting development approval without conditions; or
- (b) granting development approval with conditions; or
- (c) refusing to grant development approval.

71. Commencement of development under development approval If development approval is granted under clause 68 —

- (a) the development must be substantially commenced — (i) if no period is specified in the approval — **within the period of 2 years commencing on the date on which the determination is made**; or (ii) if a period is specified in the approval — within that period; or (iii) in either case — within a longer period approved by the local government on an application made under clause 77(1)(a); and
- (b) the approval lapses if the development has not substantially commenced within the period determined under paragraph (a).

Planning and Development Act 2005

Part 10

- Cl. 163. Application for development of **heritage place** An application for approval of development must, if the application is a proposal to which the Heritage Act 2018 section 73(1) applies, be made — (a) in the case of an application under a local planning scheme or local interim development order, to the responsible authority; and (b) in any other case, to the Commission. [Section 163 inserted: No. 22 of 2018 s. 186(12).]

PLANNING COMMENT

Heritage: The proposed site was adopted to the Municipal Inventory by the State Heritage Council in 1998 (see attachments). The site is considered a Category 3 listing which means the Shire of Westonia is responsible for the preservation of the site.

A category 3 listing is defined as: *Retain and conserve if possible: endeavor to conserve the significance of the place through the provisions of the town planning scheme; photographically record the place prior to any major redevelopment or demolition (State Heritage Council 2018).*

As the site is of historical significance it is recommended that CBH ensure photographs are taken of the site and sent to the Shire of Westonia as part of this duty.

Traffic: The site contains an entry and exit point. The development application proposes a new exit point for the site which will allow grain trucks to exit the site and turn right only on to Koorda-Bullfinch Road. The proposed traffic route changes provide no significant planning concern.

Visual amenity: It is not believed that the development will impact upon visual amenity in the zone. The development outlined is of a similar nature to that existing on the lot.

Bushfire: The site is in a Bushfire Prone Area. A bushfire management plan has been prepared by Green Start Consulting on behalf of the applicant (see attachments). The management plan outlines a number of recommendations which shall be adhered to via developmental conditions. The Shire of Westonia Fire Break order is relevant to this proposal and shall be adhered to.

General Comment: The upgrades to the site are consistent with the current use of the land. The proposal does not generate any major planning concerns, however Council shall consider the proposed conditions of approval, particularly in relation to bushfire mitigation.



Statutory Environment

Nil

Policy Implications

There are no policies relating to this matter.

Strategic Implications

N/A

Financial Implications

Nil

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council;

Approve the development and endorse the attached development plans utilising OPTION 2 ONLY including;

- Installation of a new 36 m long weighbridge;
- Weighbridge Hut;
- New site exit

With the following conditions;

- a) The endorsed approved plans shall not be altered without prior written approval of the Shire;
- b) Planning approval will expire if the development is not substantially commenced within two years of the approval date;
- c) CBH shall ensure photos of the site are taken and sent to the Shire of Westonia prior to the commencement of development in order to maintain compliance with Municipal Inventory outlined by the Heritage Council of Western Australia;
- d) Firebreaks shall be maintained as per the requirements of the Shire of Westonia's Firebreak order; and
- e) A Water Tank of no less than 10,000 Litres shall be installed on the site; as recommend in the Bushfire Management Plan.
- f) Provision for an exit onto Warralakin Road be provided.
- g) That Fox Street be satisfactory reconstructed and two coat sealed from the entry point to the existing house located on Fox Street, approximately 600 meters.

Advice Note: Planning approval is not considered building approval. A building permit shall also be obtained.

RESOLUTION

Moved: Cr Huxtable

Seconded: Cr Corsini

11/08-19

That Council;

Approve the development and endorse the attached development plans utilising OPTION 2 ONLY including;

- Installation of a new 36 m long weighbridge;
- Weighbridge Hut;
- New site exit

With the following conditions;

- a) The endorsed approved plans shall not be altered without prior written approval of the Shire;
- b) Planning approval will expire if the development is not substantially commenced within two years of the approval date;
- c) CBH shall ensure photos of the site are taken and sent to the Shire of Westonia prior to the commencement of development in order to maintain compliance with Municipal Inventory outlined by the Heritage Council of Western Australia;
- d) Firebreaks shall be maintained as per the requirements of the Shire of Westonia’s Firebreak order; and
- e) A Water Tank of no less than 10,000 Litres shall be installed on the site; as recommend in the Bushfire Management Plan.
- f) Provision for an exit onto Warralakin Road be provided.
- g) That Fox Street be satisfactory reconstructed and two coat sealed from the entry point to the existing house located on Fox Street, approximately 600 meters.

Advice Note: Planning approval is not considered building approval. A building permit shall also be obtained.

CARRIED 5/0

Cr Geier declared an interest in item 11.2 Ramelius Resources – Network Application with AMMS Level 3 request as he is employed by Ramelius Resources.


RESOLUTION

Moved:	Cr Huxtable	Seconded:	Cr Corsini
12/08-19	That Cr Geier be allowed to remain in the meeting for discussion of the item.		

CARRIED 4/0

11.2 RAMELIUS RESOURCES – NETWORK APPLICATION WITH AMMS LEVEL 3 REQUEST – MARDA DAM

Responsible Officer:	Jamie Criddle, CEO
Author:	Jamie Criddle, CEO
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Attachment
Signature:	Officer CEO



Purpose of the Report



Executive Decision



Legislative Requirement

Summary

Discuss the proposed cartage of gold ore from Marda Dam, Mount Jackson to Westonia via Bullfinch/Warralakin for processing at Edna May Operations, Westonia.

Background

The Chief Executive Officer has spoken to representatives from Ramelius Resources and they will be presenting at the August Council meeting in relation to a proposal to transport gold ore from Marda Dam, Mount Jackson to Westonia via Bullfinch/Warralakin to Ramelius Resources mill (Edna May Operations) in Westonia. The presentation will outline the route times and volume of gold ore to be carted for processing.

Project Description

6 small open pits –including;

- 4 pits at Marda Central –Dugite, Python, Dolly Pott & Goldstream
- 1 pit 18km NW of Marda Central –King Brown
- 1 pit 10km SW of Marda Central –Gold Orb

26 mth mining and haulage duration for 1.127Mt of ore

Managed by a small Ramelius management & technical team

Contract mining, no on site ore processing

Contract ore haulage, carting to the Edna May processing plant at Westonia

Proposing to base the ore haulage contractor at Bullfinch or Southern Cross (route dependant)

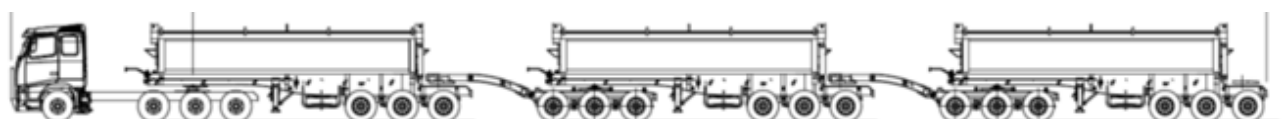
Combination of FIFO and DIDO workforce utilising;

Windarling airstrip and camp for mining personnel

Accommodation and haulage depot in Bullfinch or Southern Cross for haulage contractor personnel

The preferred cartage contractor will be in attendance at the meeting, and it is envisaged that the following combinations will be used:

Heavy Vehicle Services (HVS) has received a 42m A Triple Performance Based Standard (PBS) Scheme Vehicle Access Approval application, requesting AMMS Level 3 Mass (23.5t for tri axle groups).



Proposal

Long haulage distance necessitates the use of roadtrains

Proposing RAV Network 7 / PBS Tri Drive AMMS 3 approved roadtrains (triples) -42m total length and 98 tonnes/load

This configuration results in 1.5 loads per 12hr shift per truck –hence haulage depot location

Proposing haulage of approximately 55,000 to 60,000 tonnes per month for up to 26 months

Day and night shift trucking operation –day shift only doesn't work

Average –20 to 22 truck loads per day (i.e. one way)

Bullfinch –Edna May Options

Warralakin Rd Option (Bitumen):

- All Westonia Shire roads, all bitumised, 3 x intersection upgrades, Stoneman/Boundary challenging
- Route undergoing MRWA HVO assessment

Southern Cross Option (Bitumen):

- Yilgarn intersection upgrade and 1x MRWA intersection upgrade (maybe, costly, long lead time)
- Longest route –highest cost/less preferred
- Route under MRWA HVO assessment

Warrachuppin Rd Option (Gravel):

- Westonia Shire Rd, farmhouses, continuous maintenance, shorter route (-18km compared to Warralakin)
- Boodarockin Rd Option (Gravel):
- Westonia Shire road, no farmhouses, continuous maintenance, shortest route (-22km compared to Warralakin)

This will have an impact on Councils infrastructure and Council will need to monitor and charge accordingly.

The Chief Executive officer is currently discussing the proposal with the Shire of Yilgarn and Merredin to gauge a suitable cost for access to the route. It is envisaged that a similar cost arrangement to that held with Blue Cap Mining would be in place subject to this approval.

They are seeking your support for the following roads to be added to the following networks/ approved routes.

The other issue is that Ramelius Resources have requested AMMS level 3 for concessional loading along the route, of which Council has a policy of only granting AMMS Level 2 access to Shire Bitumen roads. The CEO has delegated authority to grant a higher AMMS Level on a case by case basis, but as this involves large truck movements over an extended period, that it be referred to Council for consideration.

Comment

The PBS scheme offers potential for heavy vehicle operators to achieve higher productivity and improved safety through innovative vehicle designs. There are many benefits in providing access for PBS vehicles. Some of these benefits include:

- Braking capability and vehicle stability is improved with a mandatory requirement in WA for Electronic Braking Systems (EBS) and Rollover Stability Systems (RSS), which is not a requirement on conventional road trains.
- PBS vehicles are often height restricted, which is determined by the PBS assessment which further reduces the rollover risk and improves overall stability.
- PBS vehicles are subject to stringent axle spacing requirements, reducing the impact on the road infrastructure
- PBS vehicles reduce the number of vehicle movements compared to conventional heavy vehicles which overall reduces congestion and the crash risk exposure.

 **Statutory Environment**

Nil

 **Policy Implications**

Council Delegation MISC 05 Application of operation of Road Trains

 **Strategic Implications**

N/A

 **Financial Implications**

Nil



Simple Majority



Absolute Majority

Cr Geier left the meeting at 5.38 pm

OFFICER RECOMMENDATIONS

That Council.

1. Permits Ramelius Resources and Transport Contractor to operate the following configuration along the Bullfinch - Warralakin Route (Koorda-Bullfinch Rd, Warralakin Rd, Stoneman Rd, Warrachuppin Rd) for the duration of mining operation at Marda Dam, Mount Jackson, with a review to be undertaken one (1) year from the commencement date of operations:

Configuration

Heavy Vehicle Services (HVS) has received a 42m A Triple Performance Based Standard (PBS) Scheme Vehicle Access Approval application, requesting AMMS Level 3 Mass (23.5t for tri axle groups). (Tandem Drive 7.3 Tri Drive 4.3)

2. Advises Ramelius Resources that the approval is subject to:
 - a) the two parties entering into an appropriate capital and maintenance cost agreement for use of the Koorda-Bullfinch, Warralakin, Stoneman, Warrachuppin Rd's;
 - b) Requests Ramelius Resources/Cartage Contractor to install appropriate signage at the intersections (Warralakin & Stoneman, Warrachuppin) to advise commuters of the dangers of trucks entering;
 - c) A modified speed limit along entire route;
 - d) Widen route to allow centre white lining (including shoulder repairs where required);
 - e) Install centre white lines along route;
 - f) Complete intersection upgrades at Warralakin, Stoneman & Warrachuppin intersections with appropriate intersection seal treatment;
 - g) Widen bend on Warrachuppin Road near Geier's old residence;
 - h) Provide materials cost (if required) to upgrade two floodway's on the Koorda-Bullfinch Road.
 - i) conduct community information sessions/mail out prior and during the operation.

RESOLUTION

Moved: Cr Jefferys **Seconded:** Cr Huxtable

13/08-19 That Council.

1. Permits Ramelius Resources and Transport Contractor to operate the following configuration along the Bullfinch - Warralakin Route (Koorda-Bullfinch Rd, Warralakin Rd, Stoneman Rd, Warrachuppin Rd) for the duration of mining operation at Marda Dam, Mount Jackson, with a review to be undertaken one (1) year from the commencement date of operations:

Configuration

Heavy Vehicle Services (HVS) has received a 42m A Triple Performance Based Standard (PBS) Scheme Vehicle Access Approval application, requesting AMMS Level 3 Mass (23.5t for tri axle groups). (Tandem Drive 7.3 Tri Drive 4.3)

2. Advises Ramelius Resources that the approval is subject to:

- a) the two parties entering into an appropriate capital and maintenance cost agreement for use of the Koorda-Bullfinch, Warralakin, Stoneman, Warrachuppin Rd's;
- b) Requests Ramelius Resources/Cartage Contractor to install appropriate signage at the intersections (Warralakin & Stoneman, Warrachuppin) to advise commuters of the dangers of trucks entering;
- c) A modified speed limit along entire route;
- d) Widen route to allow centre white lining (including shoulder repairs where required);
- e) Install centre white lines along route;
- f) Complete intersection upgrades at Warralakin, Stoneman & Warrachuppin intersections with appropriate intersection seal treatment;
- g) Widen bend on Warrachuppin Road near Geier's old residence;
- h) Provide materials cost (if required) to upgrade two floodway's on the Koorda-Bullfinch Road.
- i) conduct community information sessions/mail out prior and during the operation.

CARRIED 4/0

Cr Geier re-entered the meeting at 5.41pm

12 DATE AND TIME OF NEXT MEETING

The next ordinary meeting of Council will be held on 19th September 2019 commencing at 3.30pm

13 MEETING CLOSURE

There being no further business the President, Cr Day declared the meeting closed at 5.42pm